Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/16/2017 12:05:07 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: NASDA Comments: Docket ID No. EPA-HQ-OA-2017-0190 (Evaluation of Existing Regulations)
Attachments: EPA_Evaluation.Existing.Regulations_05.15.17.pdf

Ken & Tate – wanted to share the attached NASDA comments just submitted to the docket.

Please let me know if you have any questions, and we are looking forward to seeing you all on Thur.

Many thanks,

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

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Submitted via Federal eRulemaking Portal

May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
1200 Pennsylvania Ave. NW.
Mail Code 1803A
Washington, D.C. 20460-0001

Re: **Docket ID No. EPA-HQ-OA-2017-0190 (*Evaluation of Existing Regulations)***

The National Association of State Departments of Agriculture (NASDA) appreciates the opportunity to provide the following general comments on improving the regulatory process and the following specific comments on the U.S. Environmental Protection Agency's (EPA) evaluation of existing regulations in accordance with Executive Order (EO) 13777, Enforcing the Regulatory Reform Agenda.

I. About NASDA

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among our chief responsibilities. In forty-three states and Puerto Rico, the state department of agriculture is the lead state agency responsible for the regulation of pesticide use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

II. General Comments to Improve the Regulatory Process & Accountability

EPA regulations and requirements have significant impacts on many of our members' agencies. As regulatory partners, NASDA members are charged with delivering and enforcing various regulatory programs on behalf of our federal partners. Cooperative Federalism is critical to enhancing our federal-state partnerships in order that we may deliver a predictable, transparent, and science-based regulatory framework to protect human health and the environment while allowing the agricultural community to prosper.

In order to succeed in delivering an effective regulatory framework, NASDA urges EPA to ensure a well-resourced and fully staffed Office of Pesticide Programs.. NASDA stands ready to help our federal partners develop a regulatory framework that provides the necessary protections and minimizes the economic impact and undue regulatory burdens on agricultural producers.

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00068869-00001

As the Administration seeks to improve the process, oversight and delivery of sound regulatory actions, NASDA offers six recommendations to enhance the rulemaking process:

1. Institutionalize enhanced Federalism Consultations;
2. Improve economic analyses that more realistically account for economic costs to states;
3. Enhance public participation and greater transparency of the regulatory process;
4. Provide increased flexibility in state regulatory programs;
5. Renew focus on utilization of best available science; and
6. Improve stakeholder outreach, especially to rural communities.

1. Enhanced Federalism Consultations

Because federal regulatory actions often impact multiple agencies at the state level, federalism consultations must be broad-based and include representatives from associations representing all relevant state agencies. Federalism consultations should commence early in the regulatory process and remain on-going. These consultations should allow significant opportunities for robust participation. Throughout the process of developing and implementing regulatory actions, it is important to emphasize that state regulatory agencies are not simply stakeholders, but are instead partners with federal agencies. States can—and should—be used more as resources for federal agencies. Often states have a wealth of data, experience, and expertise that would help federal agencies better implement regulatory programs.

Unfortunately, the federalism consultations conducted by agencies in the past were often perfunctory and did not allow regulator-to-regulator dialogue on issues of mutual interest. Additionally, on those occasions when consultation did occur, it was often limited to only a handful of associations representing state and local governments and did not necessarily include the representatives from state agency associations most impacted by the proposed regulation. Though some federal agencies did include other state and local representatives in their consultation processes, renewed focus on ensuring federalism consultations include the appropriate parties will be very beneficial to developing and implementing a science-based and statutorily compliant regulatory process.

2. Improved economic analyses that more realistically account for economic costs to states

State regulatory agencies, including state departments of agriculture, are responsible for implementing and enforcing significant elements of federal regulatory activities. In recent years federal regulatory actions have required state regulatory agencies to assume an increasing amount of new responsibilities. However, states across the country face significant budgetary pressures and additional state resources to fund these responsibilities are often simply not available. In many cases, years of federal funding stagnation have resulted in an increasing number of unfunded mandates being imposed on states.

In addition, states are often not only charged with carrying out federal regulatory changes, they must also comply with those new regulations just as industry or members of the regulated community. This often entails significant costs that are not adequately captured in economic impact analyses. We note there are often disproportionate demands (legal, accounting, training, etc.) on smaller state

governmental agencies that make implementing and/or complying with new federal regulations especially challenging.

Finally, federal agencies should engage state regulatory agencies and stakeholders to carefully evaluate proposed regulations to better determine whether the required resources are available and whether expected outcomes merit those expenditures. NASDA strongly urges EPA to adopt a cost/benefit policy whereby any cost imposed must be balanced by significant, quantifiable benefits for each individual component of a new regulation.

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In recent years, increased attention has been devoted to new policy initiatives and de facto regulatory requirements that are implemented without the traditional notice and comment rulemaking process and outside of OMB's oversight and review through various means, such as: consent decrees ("sue and settle"), warning letters, policy memorandums, or guidance documents ("regulation by letter"). These informal agency actions often times create policy and compliance changes outside of the Administrative Procedures Act (APA) or a Regulatory Impact Analysis (RIA) and deprive OMB, state agencies, and interested stakeholders the opportunity to participate in the rulemaking process. To this end, NASDA requests:

- All federal agencies submit all non-formal actions (consent decrees, warning letters, policy memorandums and guidance documents) to OMB;
- OMB exercise its authority to review these notices for benefit-cost analysis.
- Any action having an economic impact over $100 million, and where appropriate, be returned to the agency with guidance to comply with the APA or RIA;
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- OMB-OIRA review all proposed consent decrees an agency intends to sign before they are executed in an effort to mitigate policy initiatives through consent decrees or "sue and settle" practices.

Many of the negative impacts from these initiatives and notices can be further mitigated by OMB's earlier engagement and oversight of agency actions. Therefore, we recommend OMB require all agencies to submit such notices to OMB for compilation on OMB's website, which will enhance transparency and oversight. NASDA recommends OMB request the Government Accountability Office (GAO) to assist in compiling and tracking these non-formal rulemaking notices.

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States need flexibility to implement and enforce certain federal regulations, which cannot account for all of the nuances and variations in demographics, operations, and local customs. NASDA encourages federal agencies to look for ways to engage state regulatory partners in creating programs to provide

these kinds of flexibility—especially in situations where the alternative may be an undue regulatory burden on the regulated community. We emphasize that even under these flexible approaches, states do still incur costs. Every effort must be taken to ensure these do not result in unfunded mandates on the states.

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Regulations must be based on the best available, sound, validated, and peer-reviewed science and rely on science-based risk assessments. Moreover, where the science is not fully formed or understood regulatory agencies should work to ensure policymakers do not misuse or inappropriately apply science that is not validated or otherwise related.

6. **Improved stakeholder outreach, especially to rural communities**

Expanded stakeholder outreach to farmers, ranchers, and rural communities will ensure proposed rulemakings and other agency actions will benefit from the diversity of those rural voices, perspectives, and opinions. Broadband infrastructure in rural communities is still developing, and many rural constituents do not have timely or comprehensive access to online tools or resources. As a result, rural stakeholders are often precluded from participating or commenting on agency actions through the federal register. NASDA encourages agencies to enhance educational and outreach efforts to rural communities and provide teleconference access for oral comments, which can be submitted in the docket and become part of the official record.

III. Specific Modifications and Revisions

NASDA submits the following specific recommendations on modifying, replacing and/or eliminating regulatory requirements (or specific provisions within those regulations) that currently inhibit job growth, impose burdensome costs that exceed environmental benefits, are unnecessary and ineffective, or are not substantiated by available data or are inconsistent with the data guidelines implementing the Information Quality Act.

As state regulatory agencies, NASDA is not requesting any actions that may impair, rescind, weaken or conflict with EPA's or state agency efforts to protect human health and the environmental, and the following specific recommendations identify regulatory obligations that can be modified or repealed without compromising current statutory obligations or regulatory benefits and protections currently in place.

A. **'Waters of the US' (WOTUS) Rule** (80 Fed. Reg. 37054, June 29, 2015; 40 CFR 230.3)

On February 28, 2017 President Trump signed Executive Order 13778 directing EPA to review the WOTUS rule. NASDA strongly support EPA's two-step process of rescinding the 2015 rule and issuing a new, revised rule. Throughout this process, it is critical the agency continue to engage state and local governments in a robust manner. Any new rule should respect state authority, clearly recognize the

limits of federal jurisdiction, respect private property rights, and minimize economic impact. We encourage the agency to develop its implementation plan before finalizing a new rule to ensure consistent application. Further, NASDA encourages the agency to clarify and protect normal farming exemptions and prior converted cropland in any new rule.

Recommendation: EPA should continue to consult with states and local governments throughout the two-step process of rescinding the 2015 rule and develop and issue a new revised rule. In addition EPA should create a new economic analysis as a part of this process.

B. Total Maximum Daily Loads (TMDLs) (40 CFR Part 130)

EPA's administration of the 303(d) program and implementation of total maximum daily loads has created a regulatory mechanism that removes authority from state regulators and local land use planners. This blurred authority between the Federal and state governments prevents states from devising and adapting their own plans to most effectively and efficiently achieve water quality standards. This EPA overreach has raised the cost of achieving water quality goals and inhibited adaptive management. Water quality goals must be achievable and take into account naturally occurring pollutants and local watershed characteristics.

Recommendation: EPA should revise its TMDL regulations to provide clarity and certainty to the regulated community and state and local governments by assuring that:

(a) States, not EPA, have the authority to set pollutant "allocations" for waters within their borders and incorporate the allocations into state implementation plans. This provides states and localities with the flexibility they need to change allocations when needed.
(b) EPA's TMDL authority is limited to approving or setting the *total* maximum load for a particular pollutant, as required by the statutory term "*total* maximum daily load."

C. Worker Protection Standards (WPS) rule (40 CFR 170)

EPA promulgated the worker protection standard (WPS) for agricultural workers in November 2015. Among other requirements, the new rule increased the frequency for mandatory training, added recordkeeping requirements and introduced new concepts, including the "application exclusion zone" and "designated representative." Most of the new WPS requirements became effective in January 2017. Due to the lack of availability and timely delivery of the necessary educational materials, enforcement guidance, training resources, and other tools necessary to effectively implement the rule and help the regulated community with compliance assistance activities, NASDA joined the American Farm Bureau Federation in a joint petition in December 2016 seeking regulatory relief to these challenges. EPA denied NASDA's request for relief at that time, but because the implementation challenges remain, NASDA submitted a supplemental request for relief in February 21, 2017. NASDA greatly appreciates EPA granting relief to this urgent request and suspending implementation of the WPS rule changes that went into effect in 2015 until EPA has finalized and delivered adequate enforcement guidance, educational

materials, and training resources to the states with the adequate advanced time necessary to effectively implement the rule changes and assist the regulated community with compliance activities.

NASDA requests EPA initiate actions to revote the problematic changes that went into effect in 2015. Specifically, NASDA requests EPA revoke the "Designated Representative" (40 CFR § 170.311(b)(9) and related provisions) and the "Application Exclusion Zone" (40 CFR §170.405(a)(1); §170.405(a)(2); §170.505(b); and related provisions). These two specific provisions effectively make the WPS rule changes promulgated in 2015 unworkable for state agencies in its entirety. NASDA welcomes the opportunity to work with EPA to find the least burdensome path forward to maximize worker protection while mitigating undue regulatory burdens on the states and the regulated community.

Designated Representative: In the WPS rule promulgated November 2, 2015, EPA included a provision that permits anyone claiming to be a 'designated representative' (DR) to gain access to a farmer's proprietary records relating to pesticide use.[1] This provision provides farmers with no protection from fraudulent or counterfeit claims; does not assure that records released by the farmer will actually be shared with workers; and imposes no constraints on what DR's may do with documentation once it is obtained. EPA has never cited any data or facts that demonstrate that such a provision would improve worker safety. Thus, the regulation imposes an unnecessary regulatory burden and cost, while exposing farmers to legal liability, with no discernible benefit.

Recommendation: EPA should repeal 40 CFR § 170.311(b)(9) and related provisions.

Application Exclusion Zone: In the final WPS, EPA inserted a final articulation of the Application Exclusion Zone (AEZ) that unduly burdens state agencies and the regulated community.[2] As finalized, the AEZ goes beyond the Agency's stated intent to create a one-hundred foot buffer surrounding the application equipment that, according to the regulations now in place, extends beyond the agricultural establishment, arguably jeopardizing a grower's ability to manage all his or her land and prohibiting appropriate pest mitigation activities if there is any kind of structure, permanent or otherwise, inhabited or vacant within one hundred feet of the agricultural establishment. Furthermore, any individual, structure, or a passing vehicle within one hundred feet of the property can effectively cease the grower's application activity. After the final rule was promulgated, EPA's Office of General Counsel (OGC) was working to issue interpretive guidance clarifying the Agency's intent under the final regulation; however, Agency guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity to assist state regulatory agencies or the grower community with compliance and enforcement activities. In short, both EPA and the state regulatory agencies are still uncertain on how to enforce or deliver compliance assistance on the AEZ.

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[1] The specific requirement is at 40 CFR 170.311(b)(9).

[2] WPS provision at 170.405(a)(1) establishes the applicable AEZ distances, and WPS provision 170.405(a)(2) establishes a requirement for the agricultural employer not to allow any worker or other person in the AEZ within the boundaries of the establishment until the application is complete. Provision at 170.505(b) establishes a requirement for the handler to suspend the application if any worker or other person is anywhere in the AEZ. Thus, the AEZ goes beyond the boundaries of the establishment in question and applies to any area on or off the establishment within the AEZ while the application is ongoing.

Recommendation: EPA should revoke the AEZ, which goes beyond EPA's original intent and creates an unworkable and unenforceable provision that does not provide any additional regulatory protections beyond those already required under law.

D. Certification of Pesticide Applicators (40 CFR 171)

NASDA greatly appreciates the significant improvements EPA made to the *Pesticides: Certification of Pesticides Applicators* final rule *(published on January 4, 2017)*, and NASDA further appreciates the twelve month extension EPA provided to states on the effective date of this rule to help states and the regulated community have the educational assistance and resources necessary to deliver an effective implementation. NASDA appreciates the on-going collaboration with EPA's Office of Pesticide Programs on this rule.

During this twelve month extension, NASDA requests EPA revise and amend the new mandatory minimum age standard for commercial RUP applicators at 18 years (§171.103(a)(1); 171.105(g); and related provisions), which will unnecessarily complicate some states' ability to facilitate a successful implementation. Prior to this rulemaking, individuals under the age of 18 were able to apply RUPs if they met certification and training requirements promulgated within their respective state. The age requirement would require numerous states to undertake the lengthy and costly process of amending state statutes through the state legislature and/or undertake a state regulatory public comment and rule change. The age requirement, like many other aspects of pesticide applicator certification and training standards should be a determination made by individual states and not a federally mandated requirement that will force states to amend their statutory authorities. We request that the Agency amend this narrow portion of the final rule, and NASDA stands ready to assist EPA in addressing this specific revision.

Recommendation: EPA should work with states to revisit and revise the mandatory minimum age provision to provide states greater regulatory flexibility in implementing the final rule changes.

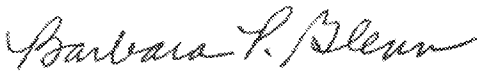
IV. Conclusion

The successful development and delivery of a transparent, predictable, consistent and science-based regulatory process and framework requires robust and meaningful consultation with state agencies. NASDA recommends EPA ensure its state regulatory partners have adequate time, assistance, and resources necessary to assist in the development, delivery, and implementation of new rules and new standards.

As noted above, many regulations do not result in increased net environmental benefits, and in some cases may even divert resources from environmental and public health protection efforts. NASDA welcomes the opportunity to discuss these recommendations further with EPA, and NASDA greatly appreciates EPA undertaking this effort to identify and alleviate unnecessary and costly regulatory burdens on the agriculture community and its state regulatory partners.

Thank you for your consideration of this request. Please contact Dudley Hoskins (Dudley@nasda.org) or Britt Aasmundstad (Britt@nasda.org) if you have any questions or would like any additional information at this time.

Sincerely,



Barbara P. Glenn, Ph.D.
Chief Executive Officer

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/17/2017 2:15:17 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Nathan Bowen [Nathan@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]
Subject: NASDA Agenda & Additional Refernce Materials (Meeting Thur @ 9:00 AM)
Attachments: NASDA.Exec.Comm_EPA.OICR_05.18.17_DRAFT.docx; EPA_Evaluation.Existing.Regulations_05.15.17.pdf; Senate Ag_Pesticides_Testimony_Black_05_08_17 FINAL.pdf; NASDA_Meeting_Participants_05.17.17.docx

Please see the attached "draft" agenda we are asking our Exec Comm members to work off of for tomorrow's meeting.

Also attaching:

1. NASDA EPA Reg Reform comments (submitted to the docket this past Monday) – includes additional context on Certification of Pesticide Applicators rule and Worker Protection Standard;
2. NASDA member testimony (Senate Ag Hearing on Pesticides & PRIA); and
3. Full list of NASDA attendees.

Please let me know if you have any questions or would like to touch base at any time. My cell Ex. 6.

Many thanks again for your time, partnership, and leadership across the board – looking forward to seeing you all tomorrow morning. - dudley

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Monday, May 15, 2017 1:01 PM
To: Dudley Hoskins
Cc: Nathan Bowen; Wagner, Kenneth; Bennett, Tate; Cheatham-Strickland, Latonia
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Dudley,

Ken and Tate are both available to meet at EPA. Does 9-10 still work on Thursday?

Thank you,

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Friday, May 12, 2017 4:00 PM
To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>

Cc: Nathan Bowen <Nathan@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

I should be free. Not sure of Ken's calendar off the top of the head.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, May 12, 2017 3:57 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>
Subject: Potential Meeting Coordination: NASDA Executive Comm Members

Ken & Tate – hope all is well on your ends.

I wanted to send a quick note to gauge your interest/availability to meet with a few of our Executive Committee members who will be in town next Thursday (18th)?

It looks like the only time we have available will be between 9:00 – 10:00 AM, but I wanted to send this note to check in on potential coordination, schedules permitting.

NASDA Members in town next week:

- President : Commissioner Michael Strain, Louisiana Department of Agriculture & Forestry;
- Vice President : Commissioner Steven Reviczky, Connecticut Department of Agriculture;
- Second Vice President : Secretary/Director Jeff Witte, New Mexico Department of Agriculture; and
- Secretary-Treasurer: Secretary Jamie Clover Adams, Michigan Department of Agriculture.

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
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Submitted via Federal eRulemaking Portal

May 15, 2017

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Office of Regulatory Policy and Management
1200 Pennsylvania Ave. NW.
Mail Code 1803A
Washington, D.C. 20460-0001

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NASDA submits the following specific recommendations on modifying, replacing and/or eliminating regulatory requirements (or specific provisions within those regulations) that currently inhibit job growth, impose burdensome costs that exceed environmental benefits, are unnecessary and ineffective, or are not substantiated by available data or are inconsistent with the data guidelines implementing the Information Quality Act.

As state regulatory agencies, NASDA is not requesting any actions that may impair, rescind, weaken or conflict with EPA's or state agency efforts to protect human health and the environmental, and the following specific recommendations identify regulatory obligations that can be modified or repealed without compromising current statutory obligations or regulatory benefits and protections currently in place.

A. **'Waters of the US' (WOTUS) Rule** (80 Fed. Reg. 37054, June 29, 2015; 40 CFR 230.3)

On February 28, 2017 President Trump signed Executive Order 13778 directing EPA to review the WOTUS rule. NASDA strongly support EPA's two-step process of rescinding the 2015 rule and issuing a new, revised rule. Throughout this process, it is critical the agency continue to engage state and local governments in a robust manner. Any new rule should respect state authority, clearly recognize the

limits of federal jurisdiction, respect private property rights, and minimize economic impact. We encourage the agency to develop its implementation plan before finalizing a new rule to ensure consistent application. Further, NASDA encourages the agency to clarify and protect normal farming exemptions and prior converted cropland in any new rule.

Recommendation: EPA should continue to consult with states and local governments throughout the two-step process of rescinding the 2015 rule and develop and issue a new revised rule. In addition EPA should create a new economic analysis as a part of this process.

B. Total Maximum Daily Loads (TMDLs) (40 CFR Part 130)

EPA's administration of the 303(d) program and implementation of total maximum daily loads has created a regulatory mechanism that removes authority from state regulators and local land use planners. This blurred authority between the Federal and state governments prevents states from devising and adapting their own plans to most effectively and efficiently achieve water quality standards. This EPA overreach has raised the cost of achieving water quality goals and inhibited adaptive management. Water quality goals must be achievable and take into account naturally occurring pollutants and local watershed characteristics.

Recommendation: EPA should revise its TMDL regulations to provide clarity and certainty to the regulated community and state and local governments by assuring that:

(a) States, not EPA, have the authority to set pollutant "allocations" for waters within their borders and incorporate the allocations into state implementation plans. This provides states and localities with the flexibility they need to change allocations when needed.
(b) EPA's TMDL authority is limited to approving or setting the *total* maximum load for a particular pollutant, as required by the statutory term "*total* maximum daily load."

C. <u>Worker Protection Standards (WPS) rule (40 CFR 170)</u>

EPA promulgated the worker protection standard (WPS) for agricultural workers in November 2015. Among other requirements, the new rule increased the frequency for mandatory training, added recordkeeping requirements and introduced new concepts, including the "application exclusion zone" and "designated representative." Most of the new WPS requirements became effective in January 2017. Due to the lack of availability and timely delivery of the necessary educational materials, enforcement guidance, training resources, and other tools necessary to effectively implement the rule and help the regulated community with compliance assistance activities, NASDA joined the American Farm Bureau Federation in a joint petition in December 2016 seeking regulatory relief to these challenges. EPA denied NASDA's request for relief at that time, but because the implementation challenges remain, NASDA submitted a supplemental request for relief in February 21, 2017. NASDA greatly appreciates EPA granting relief to this urgent request and suspending implementation of the WPS rule changes that went into effect in 2015 until EPA has finalized and delivered adequate enforcement guidance, educational

materials, and training resources to the states with the adequate advanced time necessary to effectively implement the rule changes and assist the regulated community with compliance activities.

NASDA requests EPA initiate actions to revote the problematic changes that went into effect in 2015. Specifically, NASDA requests EPA revoke the "Designated Representative" (40 CFR § 170.311(b)(9) and related provisions) and the "Application Exclusion Zone" (40 CFR §170.405(a)(1); §170.405(a)(2); §170.505(b); and related provisions). These two specific provisions effectively make the WPS rule changes promulgated in 2015 unworkable for state agencies in its entirety. NASDA welcomes the opportunity to work with EPA to find the least burdensome path forward to maximize worker protection while mitigating undue regulatory burdens on the states and the regulated community.

Designated Representative: In the WPS rule promulgated November 2, 2015, EPA included a provision that permits anyone claiming to be a 'designated representative' (DR) to gain access to a farmer's proprietary records relating to pesticide use.[1] This provision provides farmers with no protection from fraudulent or counterfeit claims; does not assure that records released by the farmer will actually be shared with workers; and imposes no constraints on what DR's may do with documentation once it is obtained. EPA has never cited any data or facts that demonstrate that such a provision would improve worker safety. Thus, the regulation imposes an unnecessary regulatory burden and cost, while exposing farmers to legal liability, with no discernible benefit.

Recommendation: EPA should repeal 40 CFR § 170.311(b)(9) and related provisions.

Application Exclusion Zone: In the final WPS, EPA inserted a final articulation of the Application Exclusion Zone (AEZ) that unduly burdens state agencies and the regulated community.[2] As finalized, the AEZ goes beyond the Agency's stated intent to create a one-hundred foot buffer surrounding the application equipment that, according to the regulations now in place, extends beyond the agricultural establishment, arguably jeopardizing a grower's ability to manage all his or her land and prohibiting appropriate pest mitigation activities if there is any kind of structure, permanent or otherwise, inhabited or vacant within one hundred feet of the agricultural establishment. Furthermore, any individual, structure, or a passing vehicle within one hundred feet of the property can effectively cease the grower's application activity. After the final rule was promulgated, EPA's Office of General Counsel (OGC) was working to issue interpretive guidance clarifying the Agency's intent under the final regulation; however, Agency guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity to assist state regulatory agencies or the grower community with compliance and enforcement activities. In short, both EPA and the state regulatory agencies are still uncertain on how to enforce or deliver compliance assistance on the AEZ.

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[1] The specific requirement is at 40 CFR 170.311(b)(9).

[2] WPS provision at 170.405(a)(1) establishes the applicable AEZ distances, and WPS provision 170.405(a)(2) establishes a requirement for the agricultural employer not to allow any worker or other person in the AEZ within the boundaries of the establishment until the application is complete. Provision at 170.505(b) establishes a requirement for the handler to suspend the application if any worker or other person is anywhere in the AEZ. Thus, the AEZ goes beyond the boundaries of the establishment in question and applies to any area on or off the establishment within the AEZ while the application is ongoing.

Recommendation: EPA should revoke the AEZ, which goes beyond EPA's original intent and creates an unworkable and unenforceable provision that does not provide any additional regulatory protections beyond those already required under law.

D. Certification of Pesticide Applicators (40 CFR 171)

NASDA greatly appreciates the significant improvements EPA made to the *Pesticides: Certification of Pesticides Applicators* final rule *(published on January 4, 2017)*, and NASDA further appreciates the twelve month extension EPA provided to states on the effective date of this rule to help states and the regulated community have the educational assistance and resources necessary to deliver an effective implementation. NASDA appreciates the on-going collaboration with EPA's Office of Pesticide Programs on this rule.

During this twelve month extension, NASDA requests EPA revise and amend the new mandatory minimum age standard for commercial RUP applicators at 18 years (§171.103(a)(1); 171.105(g); and related provisions), which will unnecessarily complicate some states' ability to facilitate a successful implementation. Prior to this rulemaking, individuals under the age of 18 were able to apply RUPs if they met certification and training requirements promulgated within their respective state. The age requirement would require numerous states to undertake the lengthy and costly process of amending state statutes through the state legislature and/or undertake a state regulatory public comment and rule change. The age requirement, like many other aspects of pesticide applicator certification and training standards should be a determination made by individual states and not a federally mandated requirement that will force states to amend their statutory authorities. We request that the Agency amend this narrow portion of the final rule, and NASDA stands ready to assist EPA in addressing this specific revision.

Recommendation: EPA should work with states to revisit and revise the mandatory minimum age provision to provide states greater regulatory flexibility in implementing the final rule changes.

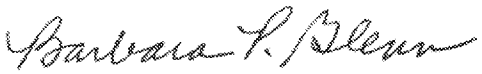
IV. Conclusion

The successful development and delivery of a transparent, predictable, consistent and science-based regulatory process and framework requires robust and meaningful consultation with state agencies. NASDA recommends EPA ensure its state regulatory partners have adequate time, assistance, and resources necessary to assist in the development, delivery, and implementation of new rules and new standards.

As noted above, many regulations do not result in increased net environmental benefits, and in some cases may even divert resources from environmental and public health protection efforts. NASDA welcomes the opportunity to discuss these recommendations further with EPA, and NASDA greatly appreciates EPA undertaking this effort to identify and alleviate unnecessary and costly regulatory burdens on the agriculture community and its state regulatory partners.

Thank you for your consideration of this request. Please contact Dudley Hoskins (Dudley@nasda.org) or Britt Aasmundstad (Britt@nasda.org) if you have any questions or would like any additional information at this time.

Sincerely,



Barbara P. Glenn, Ph.D.
Chief Executive Officer

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AGENDA

NASDA-EPA: Intergovernmental Meeting
May 18, 2017
9:00 – 9:50 AM
1200 Pennsylvania Ave, NW
North Entrance
Washington DC 20004

OBJECTIVE: ***Introduction NASDA Executive Committee & Identify Opportunities for Enhanced Collaboration***

9:00 AM	**Welcome & Introductions** • Administrator Meeting (April 11)	*Strain & All*
9:05 AM	**Support Regulatory Reform Agenda** • WOTUS (Consultations) • Chlorpyrifos • Certification of Pesticide Applicators • Worker Protection Standard • NASDA Comments: Reg Reform Docket	*All*
9:20 AM	**NASDA Vision: Cooperative Federalism** • Overview & Support • NASDA Testimony (Sen Ag Hearing)	*All*
9:30 AM	**Opportunities for Enhanced Engagement** • Monthly/Quarterly Leadership Calls • Interagency/SDA Reg Review • EPA Personnel (Ag Counselor; Regional Admins) • EPA FACA (FRRCC, others?) • NASDA Meetings (Regional; AM; TNA; WPC) • Other Opportunities	*All*
9:50 AM	• **Adjourn**	*Strain & All*

NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders.

DRAFT

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NASDA Meeting Participants

NASDA Executive Committee Members

1. President: **Commissioner Mike Strain**
   Louisiana Department of Agriculture & Forestry
2. Vice President: **Commissioner Steven Reviczky**
   Connecticut Department of Agriculture
3. Second Vice President: **Secretary Jeff Witte**
   New Mexico Department of Agriculture
4. Secretary-Treasurer: **Secretary Jamie Clover Adams**
   Michigan Department of Agriculture

NASDA Staff

5. **Dr. Barb Glenn**, CEO
6. **Nathan Bowen**, Policy Director
7. **Dudley Hoskins**, Public Policy Counsel
8. **Britt Aasmundstad**, Manager, Public Policy

NASDA's mission is to represent the state departments of agriculture in the development, implementation, and communication of sound public policy and programs which support and promote the American agricultural industry, while protecting consumers and the environment.

Testimony of
The Honorable Gary W. Black, Commissioner of Agriculture, State of Georgia
On behalf of the National Association of State Departments of Agriculture

As submitted to the U.S. Senate Committee on Agriculture, Nutrition, and Forestry Public Hearing on Pesticide Registration under the Federal Insecticide, Fungicide, and Rodenticide Act: Providing Stakeholders with Certainty through the Pesticide Registration Improvement Act.

May 11, 2017
328A Russell Senate Office Building

Chairman Roberts, Ranking Member Stabenow, and distinguished members of the Committee, thank you for the invitation to testify today on behalf of the National Association of State Departments of Agriculture (NASDA) and the Georgia Department of Agriculture on the pesticide registration process. I appreciate the opportunity to share a state agency perspective on this important topic. My name is Gary Black, and I proudly serve as Georgia's Commissioner of Agriculture and NASDA member as an ambassador, advocate, regulator, and educator.

NASDA

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in all fifty states and four territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the introduction and spread of plant and animal diseases, and fostering the economic vitality of our rural communities. Environmental protection and conservation are also among our chief responsibilities.

In forty-three states and Puerto Rico, the state department of agriculture is the state lead agency responsible for administering and enforcing the labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)[1]. Georgia is one of those forty-three state agencies with FIFRA responsibilities and serves as a co-regulatory partner with the U.S. Environmental Protection Agency (EPA) on the delivery and enforcement of pesticide programs and activities.

[1] 7 U.S.C. §136, *et. seq.*

Georgia Agriculture

I am proud of the fact that Georgia has a rich history in production agriculture. Some would even say that it is in our name. For you see the name "Georgia", the feminine version of George, truly means "a farmer", or "worker of the land". In fact, the first crop of soybeans in North America was harvested on Skidaway Island in 1765. Today we are better known as world leaders in the production of poultry, peanuts, pecans, cotton, forest products and our famous sweet Vidalia onions. Our agricultural economy continues to thrive representing a $75 billion annual economic impact to our state's economy and serves as our largest industrial sector.

The diversity of our agricultural production is equally reflected within our agency's Plant Industries Division. The Georgia Department of Agriculture routinely register approximately 15,000 pesticide products annually and issues license to over 30,000 certified pesticide applicators. Through our cooperative agreement with EPA we make every effort to provide unmatched education and regulatory oversight to our agricultural producers and pest management professionals. The regulatory burden over the last decade has put considerable stress on our agency, our land grant university system and partnering stakeholders who are charged with pesticide registration and enforcement.

Relationship between EPA and the Agriculture Community

It is no secret that we have experienced a number of significant challenges between the agriculture community and the EPA over the recent years. I want to start by acknowledging the tremendous efforts by newly appointed EPA Administrator Scott Pruitt to improve this relationship. From his meeting directly with several of my colleagues in NASDA; to offering public remarks at the national meetings of various agriculture producer organizations; and countless other efforts all within his first few weeks at the helm, Administrator Pruitt has demonstrated genuine respect and appreciation for the hard-working women and men who feed and clothe us. While we are still working with EPA to address several remaining regulatory challenges and process improvements, we see these efforts as a badly needed reboot of our relationship with EPA, and we applaud the Administrator's efforts in delivering a transparent, predictable, and science-based regulatory approach to protecting human health and the environment while allowing for the production of the world's safest, most abundant, and most

affordable food supply. The FIFRA registration process and the Registration Improvement Act (PRIA) are cornerstones to this essential regulatory foundation.

Cooperative Federalism

Among NASDA's highest priorities is the pursuit to codify and institutionalize the concept of cooperative federalism. That is, the recognition that governance of this great nation is a shared responsibility of federal and state partners. This is particularly true with regard to the regulation of pesticides. Through the administration of FIFRA, EPA undertakes extensive review of more than 125 different health, safety and efficacy studies, and ultimately, EPA makes a decision to register a pesticide for distribution, sale and use if it determines that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment."

While some may believe this is the end of the process, it is in fact only the beginning. Specifically, the pesticide must also be registered in any state where it is to be used. In most cases, it is the responsibility of my colleagues in the state Departments of Agriculture to review and register these products for use in the state.

Nobody will be surprised to learn that there are high costs associated with bringing crop protection products to the market. We are concerned that regulatory costs and burdens are unnecessarily exacerbated when, as we have witnessed in the past few years, there is not a robust level of communication, cooperation, and coordination between EPA and its co-regulatory partners at the state level. NASDA members, myself included, have been continually frustrated by the seeming lack of regard for our concerns and contributions to this process.

We were particularly encouraged by Administrator Pruitt's comments during his confirmation hearing reaffirming the role of states through Cooperative Federalism, and subsequently, we have been extremely pleased with the direct action and outreach EPA has undertaken to execute this new directive.

As I've suggested, many issues of concern of the state co-regulators with EPA's regulatory proposals can and should be addressed at the beginning of the process. Communication, cooperation and coordination shouldn't be a goal, they should be a given. We feel there are opportunities to strengthen this regulatory partnership between EPA and the state departments of agriculture, and we would

welcome the opportunity to explore these possibilities with the Committee going forward.

FIFRA Process Integrity

FIFRA established a unique, effective, and comprehensive regulatory structure to provide pesticide-related environmental and public health protection in which state lead agencies have primacy in the enforcement of pesticide matters. FIFRA created requirements for pesticide registration, labeling, and use that are the end result of an extensive pre-market approval process. This registration process requires products to meet strict safety guidelines and includes rigorous examination of environmental fate data and health exposure assessments.

It is essential for state departments of agriculture and the producers we serve to have a robust, transparent, and scientifically-sound FIFRA registration and reregistration process to deliver new technologies and critical crop protection tools in a timely and predictable manner. In order to achieve this end, NASDA requests Congress ensure there is a fully funded, fully resourced, and fully staffed Office of Pesticide Programs to conduct the rigorous and timely scientific review necessary for these essential crop protection tools.

NASDA supports the original intent of Congress that FIFRA be the primary federal statute under which pesticide registration and use is regulated. As regulatory partners with EPA, state departments of agriculture play an essential role in delivering, implementing, and enforcing various FIFRA-related programs.

Pesticide registration and use should not be regulated under other federal statutes that were neither designed for, nor intended to be the governing statutes for pesticide distribution, sale and use (e.g. the Clean Water Act, the Endangered Species Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, etc.). Pesticide uses that have been reviewed and registered under FIFRA should not be subject to additional requirements (including costly and duplicative permit requirements) under other federal statutes.

In situations where conflicting or duplicative requirements of other environmental statutes overlap with FIFRA, deference should be granted to the FIFRA registration process in a manner that is science-based, transparent, and

allows stakeholders the opportunity to comment upon and fully analyze the ramifications of the proposed action. EPA must recognize that state lead agencies are not only important stakeholders, but are also co-regulators under FIFRA and must, therefore, be intimately involved in this process.

Pesticide Registration Improvement Act

The Pesticide Registration Improvement Act (PRIA) is once again nearing time for reauthorization. The current law (PRIA 3) expires on September 30 of this year. PRIA provides a stable and predictable funding source for the EPA Office of Pesticide Programs and establishes a functional and timely process for pesticide and inert ingredient review so that registrants are able to efficiently plan for product approval and market availability. Equally important, PRIA provides additional resources to the states to conduct pesticide education, training, and worker protection activities.

As you know, PRIA has attracted wide, bipartisan support due to its unique success of delivering good government through stakeholder collaboration. NASDA is a member of the PRIA Coalition, which includes organizations representing the registrant community, chemical and biotechnology industries, farmworker advocates, and environmental non-governmental organizations. NASDA supported legislation (H.R. 1029) introduced in the House by Representative Davis of Illinois that attracted widespread bipartisan support, and in fact was agreed to by unanimous voice vote in the House of Representatives on March 20.

Legislation passed in the House would reauthorize existing provisions for seven years, as opposed to the five year extensions in previous iterations of PRIA. The legislation provides two increases of 5% each on registration fees over the seven years. The legislation also provides a $500,000 set aside for EPA to meet deadlines for efficacy guidelines for pesticides to combat bed bugs (which have shut down schools, hotels, dorms, and movie theaters), and crawling and flying insects, which will inform industry what efficacy tests are required. The bill increases maintenance fees to $31 million annually from 2017-2023 and provides increased funding for grant programs, promoting Good Laboratory Practices, and farm worker protection education. This latest iteration of PRIA also sets the appropriations trigger level at 2012 budget levels of $128.3 million ensuring that the industry fee supplements appropriations. Under FIFRA Section 33(c)(3)(B),

the EPA is authorized to use 1/17 of the amount of the Pesticide Registration Fund (but not less than $1 million) to enhance current scientific and regulatory activities related to worker protection and $500,000 in each fiscal year, 2018 through 2023, for funding of the Pesticide Safety Education Program (PSEP). State agencies strongly support the allocation of these funds to support the critical mission related to worker protection.

NASDA supports this legislation and asks that this Committee and the Senate to act swiftly to pass this important legislation and send this to the President for his signature.

Support for OPMP

The U.S. Department of Agriculture's (USDA) Office of Pest Management Policy (OPMP) was created as part of the 1998 Agricultural Research, Extension, and Education Reform Act in order to provide leadership in coordinating interagency activities with the EPA, the U.S. Food and Drug Administration (FDA), and other Federal and State agencies to coordinate agricultural policies within the Department related to pesticides. The law further requires OPMP to consult with and provide services to producer groups and interested parties.

The Congress believed creating OPMP was necessary to focus and coordinate the many pest management and pesticide-related activities carried out within the Department. From the legislative history, it is apparent Congress felt strongly this was a necessary step for USDA to effectively carryout its statutory responsibilities with respect to pesticide issues and pest management research.

The law creating this office established that the Director of this office would work with EPA, State Departments of Agriculture producers, producers, and other appropriate groups to develop effective, efficient mechanisms for gathering data necessary for making regulatory decisions. To achieve the many objectives the law envisioned in creating this office, it was expected the office would be created within and staffed by an official within the Office of the Secretary.

Congress was particularly concerned the Director of the OPMP be someone the Secretary had trust and confidence in to ensure that the department would be an effective and forceful advocate within the administration on issues within the

purview of this office. As such, the law requires the Director of the OPMP report directly to the Secretary or Deputy Secretary of Agriculture.

We ask that members of this Committee use your considerable influence to ensure OPMP is vested with the authority and political leverage intended by the statute under which it was created. OPMP is an essential resource and indispensable partner to state departments of agriculture in its delivery of expertise on pesticide regulatory programs.

Conclusion

State departments of agriculture play a critical role in carrying out the regulatory programs impacting our agricultural producers. We serve as both enforcement agents and ambassadors to our agricultural producers, and at a minimum, we have a responsibility and an obligation to fulfill the spirit and intent of the statutes, programs, and Executive Orders controlling and directing that regulatory development process.

It is essential for our federal partners to utilize the expertise of the states and the producers in those states to inform, develop, and implement a scientifically sound, consistent, and transparent regulatory framework to ensure our producers are able to continue to produce the food, fiber, and fuel our country and much of the world depends upon.

Before I conclude my remarks, I want to offer a solution and point out a constant theme all of my colleagues as Secretaries, Directors and Commissioner of state departments of agriculture discuss throughout the country and that is the need to "Educate before you Regulate."

I appreciate the opportunity to testify before you today, and I welcome any questions you may have.

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/29/2017 2:42:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

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From: Adam Piper
Sent: Tuesday, June 27, 2017 6:54:04 PM
To: Bennett, Tate
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

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From: Adam Piper <adampiper1@gmail.com>
Sent: Tuesday, June 27, 2017 3:53:36 PM
To: Adam Piper
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

---------- Forwarded message ---------
From: John Hazzard <JHazzard@scag.gov>
Date: Tue, Jun 27, 2017 at 3:45 PM
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations
To: Adam Piper <adampiper1@gmail.com>

Begin forwarded message:

> **From:** "SCAG Media" <media@scag.gov>
> **Date:** June 27, 2017 at 1:32:53 PM PDT
> **To:** <jhazzard@scag.gov>
> **Subject: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations**
> **Reply-To:** media@scag.gov

FOR IMMEDIATE
RELEASE June
27, 2017

SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

(COLUMBIA, SC) - South Carolina Attorney General Alan Wilson today applauded the U.S. Environmental Protection Agency's move to rescind the Clean Water Rule and go back to the regulations that were in place before 2015. This proposed rule follows a Presidential Executive Order that President Donald Trump signed February 28, 2017.

On June 30, 2015, South Carolina joined eight states in filing a lawsuit against the EPA and the Army Corps of Engineers over the Clean Water Rule, which would have greatly expanded the phrase "Waters of the United States," or WOTUS.

Calling it a victory for common sense, AG Wilson said, "The EPA's regulatory filing has a laudable intent of protecting small streams and wetlands from the risk of pollution. But in fact, it does so through extraordinary means by greatly expanding the already broad definition of 'Waters of the U.S.' This expansion would bring many roadside ditches, small ponds on family farms, water features on golf courses,

and storm water systems under onerous federal regulation. Simply put, our argument is that drainage ditches aren't navigable waters.

One of my biggest concerns with this rule is that unelected bureaucrats at the EPA and the Corps of Engineers have virtually no restrictions on what they can determine to be 'navigable waters.' This has led numerous South Carolinians to share their concerns about this new rule with me. They have reason to fear that a ditch which hasn't held standing water in years could now meet the new criteria and fall under federal regulation."

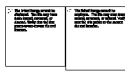
He says the rule proposed in 2015 would have required South Carolina farmers, ranchers, and other land owners to get permits for basic land uses like digging a ditch or even building a fence. Foresters were also opposed to the change, concerned that a ditch running along a forest road that connects to a larger public highway ditch that discharges into a wetland or waterway would qualify the entire ditch system as "navigable water."

The U.S. Court of Appeals for the Sixth District had blocked the 2015 rule, so the EPA's action, when final, will not change current practice but will re-codify the rules in place before 2015.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. "This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

###

Contact:
RKittle@scag.gov
Ex. 6



This message was sent to jhazzard@scag.gov from media@scag.gov

SCAG Media
S.C. Attorney General
1000 Assembly Street Room 519
Columbia, SC 29201

Unsubscribe

--
Adam Piper
Mobile: Ex. 6
E-mail: adampiper1@gmail.com

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 5/23/2017 2:31:45 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Dudley Hoskins [Dudley@nasda.org]
Subject: RE: connecting you

Of course! We'll formulate and get back to you ASAP. Also, we should definitely grab that coffee this week. How does your morning look on Friday?

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, May 23, 2017 10:29 AM
To: Dudley Hoskins
Cc: Wilcox, Jahan; Nathan Bowen; Britt Aasmundstad
Subject: Re: connecting you

And please keep a close hold

On May 23, 2017, at 9:58 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

> Thanks Tate -- yes indeed. Please let us strategize internally and get back to you shortly. Thanks!
>
> Sent from my iPhone
>
> On May 23, 2017, at 9:55 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Dudley-
> >
> > Working on putting together our WOTUS tour. Can you identify some good state Ag Commissioners (will keep confidential) for us to target while beginning to build out a plan? Copying Jahan who is running point.
> >
> > Tate
> >
> > Elizabeth Tate Bennett
> > Senior Deputy Associate Administrator
> > Congressional and Intergovernmental Affairs
> > Office of the Administrator
> > U.S. Environmental Protection Agency

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/29/2017 2:37:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Fwd: Updated WOTUS statements
Attachments: WTAS WOTUS Proposed Rule.docx; ATT00001.htm

Do you need AG WIlson and Morrisey individual statements?

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From: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
Sent: Thursday, June 29, 2017 10:31:29 AM
To: Brian Sanderson; Adam Piper
Subject: FW: Updated WOTUS statements

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 29, 2017 10:21 AM
To: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
Cc: [Ex. 6] EOP/WHO (Intern) [Ex. 6] EOP/WHO (Intern) [Ex. 6]
Subject: Fwd: Updated WOTUS statements

See below. I believe Bevin may have contributed as well.

States

Governor Kim Reynolds (IA): "Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa's farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them."

Governor Eric Holcomb (IN): "I commend U.S. EPA Administrator Pruitt's leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state's waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana's environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state."

Governor Sam Brownback (KS): "The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water

innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch."

Governor Eric Greitens (MO): "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Governor Pete Ricketts (NE): "Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state's top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."

Steve Nelson, Common Sense Nebraska: "Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA's proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies."

Greg Ibach, Director of the Nebraska Department of Agriculture: "I applaud the Trump Administration and Secretary Pruitt's announcement to walk away from the previous administration's WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska's agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska's ability to protect our water and land resources."

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule."

Alabama Attorney General Steve Marshall: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels,

roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule's broad assertion of authority unlawfully impinges on the States' traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA's final action withdrawing the WOTUS Rule and providing relief for our States and their citizens."

Arkansas Attorney General Leslie Rutledge: "The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today's action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists."

Georgia Attorney General Chris Carr: "This is a significant step in addressing the WOTUS Rule's sweeping assertion of authority, which unlawfully impinges on the State's traditional role as the primary regulators of land and water resources," said Attorney General Chris Carr. "We look forward to EPA's final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities."

Tennessee Attorney General Herbert Slatery: "We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution."

Wisconsin Attorney General Brad Schimel: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA's final action withdrawing the WOTUS rule and providing relief for our states and their citizens."

Ryan Quarles, Kentucky Agriculture Commissioner: "I applaud EPA Administrator Scott Pruitt's decision to propose a repeal of the destructive Obama-era 'Waters of the United States' rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration."

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today's statement from EPA and Army Corps of Engineers is a great step forward for Michigan's farmers. The misguided WOTUS rule would have place unnecessary burden on Michigan's farmers, requiring a whole new level of regulation on nearly all of the state's farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as

originally defined in the Clean Water Act. We'll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state."

Minnesota Farm Bureau President Kevin Paap: "Minnesota Farm Bureau was pleased with the EPA's proposal to ditch the 2015 rule defining "Waters of the United States" (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states."

Texas Farm Bureau President Russell Boening: "We are thankful new leadership has taken the action needed to repeal this flawed rule," TFB President Russell Boening said. "WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA's regulatory overreach and will instead allow the agency to work as it was intended by our forefathers."

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): "The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington's control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America's water clean and safe."

Senator Deb Fischer (NE): "Today's announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state's water resources."

Senator Steve Daines (MT): "Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn't impose regulations that hurt Montana farmers, ranchers and landowners."

Senator Chuck Grassley (IA): "This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation's waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers."

Senator Joni Ernst (IA): "I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstrings our

farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule."

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): "I'm pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I'm grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources."

House Members

Speaker of the U.S. House, Paul Ryan: "The West has finally won in the battle over the Obama administration's WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

Chairman of the House Science Committee, Rep. Lamar Smith (TX): "Clean water is a necessity for all Americans. Today's decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation."

Chairman of the House Natural Resources Committee Rob Bishop (UT): "This rule aggrandized federal bureaucrats at the expense of farmers' water and private property rights. EPA's decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses."

U.S. Rep. Mike Bost (IL): "Turning back WOTUS is a clear win for Southern Illinois' hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration's WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That's why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois' economy at risk and impact millions of rural Americans."

U.S. Rep. Paul Gosar (AZ): "Today's announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that

good work with today's proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy's water grab."

U.S. Rep. Scott Tipton (CO): "This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of 'Waters of the United States."

U.S. Rep. Dan Newhouse (WA): "I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump's order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country."

U.S. Rep. Steve Pearce (NM): "This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government."

U.S. Rep. Mike Johnson (LA): "The so called 'WOTUS Rule' was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people."

***U.S. Rep. Rick Allen (GA):** "The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt's action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America's farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations."

***U.S. Rep. Doug LaMalfa (CA):** "The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California's first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration's power grabs."

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho's businesses and communities. I strongly opposed the previous administration's 'WOTUS' rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho's economy, and I appreciate the administration for continuing to show leadership on these types of issues."

U.S. Rep. Martha McSally (AZ): "WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA's decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news."

U.S. Rep. Lee Abraham (LA): "I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today's news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they've taken so far to repeal this terrible rule."

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today's announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress' promise to return government to its proper role."

U.S Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration's WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property."

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts."

U.S. Rep. Doug Collins (GA): "Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely."

U.S. Rep. Markwayne Mullin (OK): "Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don't know the first thing about a backyard like mine." "The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I'm grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule."

U.S Rep. Kristi Noem (SD): "Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal."

U.S Rep. Liz Cheney (WY): "The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration."

House Agriculture Committee Chairman K. Michael Conaway (TX-11): "WOTUS has never been about clean water, it was about feeding the Obama EPA's insatiable appetite for power. Well that ends now. Today's EPA announcement is an important first step to getting the federal government out of America's backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn't done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they've always been."

U.S. Rep. Bob Gibbs (OH): "I applaud Administrator Pruitt's announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time."

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: "We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America's businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation's farmers and job creators."

National Farmers Union (NFU) President Roger Johnson: "Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act's jurisdiction. Any new rule should ensure the agriculture community can conduct its

business free from fear of undue regulatory interference and without sacrificing the agencies' ability to protect the United States' water resources."

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: "The goal of the Clean Water Act is to restore and maintain the integrity of the nation's waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming."

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: "We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power."

Zippy Duvall, president, American Farm Bureau Federation: "Farmers and ranchers across this country are cheering EPA's proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That's why our federal courts blocked it from going into effect for the past two years. Today's announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt's proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states."

National Mining Association (NMA) President and CEO Hal Quinn: "This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended."

Edison Electric Institute (EEI) President Tom Kuhn: "EEI's member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations."

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: "The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule."

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito: "Today's action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America's energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration's actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses."

John Konkus
Deputy Associate Administrator
Office of Public Affairs
Environmental Protection Agency
Ex. 6

States

Governor Kim Reynolds (IA): "Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa's farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them."

Governor Eric Holcomb (IN): "I commend U.S. EPA Administrator Pruitt's leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state's waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana's environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state."

Governor Sam Brownback (KS): "The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch."

Governor Eric Greitens (MO): "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Governor Pete Ricketts (NE): "Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state's top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."

Steve Nelson, Common Sense Nebraska: "Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA's proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have

worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies."

Greg Ibach, Director of the Nebraska Department of Agriculture: "I applaud the Trump Administration and Secretary Pruitt's announcement to walk away from the previous administration's WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska's agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska's ability to protect our water and land resources."

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule."

Alabama Attorney General Steve Marshall: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule's broad assertion of authority unlawfully impinges on the States' traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA's final action withdrawing the WOTUS Rule and providing relief for our States and their citizens."

Arkansas Attorney General Leslie Rutledge: "The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today's action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists."

Georgia Attorney General Chris Carr: "This is a significant step in addressing the WOTUS Rule's sweeping assertion of authority, which unlawfully impinges on the State's traditional role as the primary regulators of land and water resources," said Attorney General Chris Carr. "We look forward to EPA's final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities."

Tennessee Attorney General Herbert Slatery: "We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution."

Wisconsin Attorney General Brad Schimel: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA's final action withdrawing the WOTUS rule and providing relief for our states and their citizens."

Ryan Quarles, Kentucky Agriculture Commissioner: "I applaud EPA Administrator Scott Pruitt's decision to propose a repeal of the destructive Obama-era 'Waters of the United States' rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration."

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today's statement from EPA and Army Corps of Engineers is a great step forward for Michigan's farmers. The misguided WOTUS rule would have place unnecessary burden on Michigan's farmers, requiring a whole new level of regulation on nearly all of the state's farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as originally defined in the Clean Water Act. We'll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state."

Minnesota Farm Bureau President Kevin Paap: "Minnesota Farm Bureau was pleased with the EPA's proposal to ditch the 2015 rule defining "Waters of the United States" (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states."

Texas Farm Bureau President Russell Boening: "We are thankful new leadership has taken the action needed to repeal this flawed rule," TFB President Russell Boening said. "WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA's regulatory overreach and will instead allow the agency to work as it was intended by our forefathers."

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): "The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington's control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America's water clean and safe."

Senator Deb Fischer (NE): "Today's announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state's water resources."

Senator Steve Daines (MT): "Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn't impose regulations that hurt Montana farmers, ranchers and landowners."

Senator Chuck Grassley (IA): "This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation's waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers."

Senator Joni Ernst (IA): "I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstrings our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule."

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): "I'm pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I'm grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources."

House Members

Speaker of the U.S. House, Paul Ryan: "The West has finally won in the battle over the Obama administration's WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

Chairman of the House Science Committee, Rep. Lamar Smith (TX): "Clean water is a necessity for all Americans. Today's decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation."

Chairman of the House Natural Resources Committee Rob Bishop (UT): "This rule aggrandized federal bureaucrats at the expense of farmers' water and private property rights. EPA's decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses."

U.S. Rep. Mike Bost (IL): "Turning back WOTUS is a clear win for Southern Illinois' hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration's WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That's why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois' economy at risk and impact millions of rural Americans."

U.S. Rep. Paul Gosar (AZ): "Today's announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that

good work with today's proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy's water grab."

U.S. Rep. Scott Tipton (CO): "This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of 'Waters of the United States."

U.S. Rep. Dan Newhouse (WA): "I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump's order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country."

U.S. Rep. Steve Pearce (NM): "This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I

am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government."

U.S. Rep. Mike Johnson (LA): "The so called 'WOTUS Rule' was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people."

***U.S. Rep. Rick Allen (GA):** "The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt's action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America's farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations."

***U.S. Rep. Doug LaMalfa (CA):** "The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California's first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration's power grabs."

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho's businesses and communities. I strongly opposed the previous administration's 'WOTUS' rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho's economy, and I appreciate the administration for continuing to show leadership on these types of issues."

U.S. Rep. Martha McSally (AZ): "WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities

throughout the United States. I am pleased with the EPA's decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news."

U.S. Rep. Lee Abraham (LA): "I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today's news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they've taken so far to repeal this terrible rule."

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today's announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress' promise to return government to its proper role."

U.S Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration's WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property."

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts."

U.S. Rep. Doug Collins (GA): "Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely."

U.S. Rep. Markwayne Mullin (OK): "Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don't know the first thing about a backyard like mine." "The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I'm grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule."

U.S Rep. Kristi Noem (SD): "Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal."

U.S Rep. Liz Cheney (WY): "The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration."

House Agriculture Committee Chairman K. Michael Conaway (TX-11): "WOTUS has never been about clean water, it was about feeding the Obama EPA's insatiable appetite for power. Well that ends now. Today's EPA announcement is an important first step to getting the federal government out of America's backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn't done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they've always been."

U.S. Rep. Bob Gibbs (OH): "I applaud Administrator Pruitt's announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time."

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: "We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America's businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation's farmers and job creators."

National Farmers Union (NFU) President Roger Johnson: "Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act's jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies' ability to protect the United States' water resources."

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: "The goal of the Clean Water Act is to restore and maintain the integrity of the nation's waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming."

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: "We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power."

Zippy Duvall, president, American Farm Bureau Federation: "Farmers and ranchers across this country are cheering EPA's proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That's why our federal courts blocked it from going into effect for the past two years. Today's announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt's proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states."

National Mining Association (NMA) President and CEO Hal Quinn: "This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended."

Edison Electric Institute (EEI) President Tom Kuhn: "EEI's member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations."

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: "The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look

forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule."

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and

environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito: "Today's action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America's energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration's actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses."

John Konkus
Deputy Associate Administrator
Office of Public Affairs
Environmental Protection Agency
Ex. 6

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/10/2017 1:30:55 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: NASDA Statement on C&T

Thanks for the update!

Sent from my iPhone

On May 10, 2017, at 9:30 AM, Graham, Amy <graham.amy@epa.gov> wrote:

> Dudley – We really appreciate your help. I wanted to give you an update on timing. We are planning to hold this announcement until tomorrow morning now. We have some other things popping on our end today. I'll share the final release once it is approved, and I'll keep you updated on timing.
>
> Please let me know if you have any questions in the meantime.
>
> Thanks,
> Amy
>
> ---
>
> **From:** Dudley Hoskins [mailto:Dudley@nasda.org]
> **Sent:** Tuesday, May 9, 2017 7:20 PM
> **To:** Graham, Amy <graham.amy@epa.gov>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: NASDA Statement on C&T
>
> Hi Amy – thanks so much for your note and outreach.
>
> Yes, we are comfortable and will be issuing a press release in support of any extension that may be forthcoming.
>
> Please let me know if you have any questions or would like any additional information at this time.
>
> **Dudley W. Hoskins** ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
> 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**
>
> ---
>
> **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> **Sent:** Tuesday, May 09, 2017 5:35 PM
> **To:** Dudley Hoskins
> **Cc:** Bennett, Tate
> **Subject:** NASDA Statement on C&T
>
> Hi Dudley – Tate passed along your email. We are planning to announce the C&T extension tomorrow morning and wanted to make sure you are comfortable with us including this NASDA quote in our press release:

"We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities."

Give me a call if you would like to discuss by phone – 202-564-4464.

Thank you,
Amy

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 2, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; admoore@agaviation.org
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 5/31/2017 9:14:28 PM
To: Britt Aasmundstad [britt@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: WOTUS Call

And thank you coordinating with the members! There were 55 participants which I think is a terrific turnout.

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Wednesday, May 31, 2017 5:11 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: WOTUS Call

Tate and Chad,

Thank you so much for holding today's call. I know only a few members spoke up, but I received a lot of positive feedback about the call. I know it took a lot of work on your end and we appreciate it!

As we work toward the comment period and beyond, please always let me know if you need anything.

Thanks!

Britt

Britt Aasmundstad| Manager, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680| www.nasda.org | @NASDANews

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 5/11/2017 3:51:18 PM
To: Briden, Parker [parker.briden@governor.mo.gov]; Dudley Hoskins [Dudley@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: EPA Extends Timeline for Pesticide Applicators Rule

This is out. Here is the link to the release on our website: https://www.epa.gov/newsreleases/epa-extends-timeline-pesticide-applicators-rule

Here is the link to the federal register notice: https://www.federalregister.gov/agencies/environmental-protection-agency?utm_campaign=pi%20subscription%20mailing%20list&utm_source=federalregister.gov&utm_medium=email

---

From: U.S. EPA Media Relations [mailto:no-replysubscriptions@epa.gov]
Sent: Thursday, May 11, 2017 11:38 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: EPA Extends Timeline for Pesticide Applicators Rule

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 11, 2017

EPA Extends Timeline for Pesticide Applicators Rule

WASHINGTON – U.S. Environmental Protection Agency Administrator Scott Pruitt today announced a 12-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule. EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule. The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

"In order to achieve both environmental protection and economic prosperity, we must give the regulated community, which includes farmers and ranchers, adequate time to come into compliance with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule's intended benefits," **said Administrator Pruitt**.

Last month, Administrator Pruitt met with Missouri Governor Eric Greitens to discuss the C&T rule, among other issues.

"Administrator Pruitt proved today that the old way of doing business at the EPA is over and done with. We presented them with a problem, and they took quick action to begin fixing it. Missouri farmers have waited a long time for common sense government, and now it's on its way. I'm grateful for this new leadership, and look forward to continuing to work with this administration to curb regulations that are killing jobs and hurting our farmers. It's time for government to get out of the way and let our farmers farm," **said Governor Greitens.**

"We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities," **said Dr. Barbara P. Glenn, CEO**

of the National Association of State Departments of Agriculture.

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R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 6/14/2017 6:18:23 PM
To: Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Dexter, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c797a090c044297ae18fd5159bee22b-Dexter, Michael]; Murphy, Dan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c9679745ab44451b214c1a2d6fbc227-Murphy, Dan]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Dudley Hoskins [Dudley@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Opportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

Michael,
Thank you very much for sharing this. We will review.
Regards,
Nathan

From: Osinski, Michael [mailto:Osinski.Michael@epa.gov]
Sent: Wednesday, June 14, 2017 12:08 PM
To: Nathan Bowen
Cc: Bennett, Tate; Nitsch, Chad; Dexter, Michael; Murphy, Dan; Richardson, RobinH
Subject: Opportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

Hi Nate,

We wanted to provide the NASDA with an opportunity to preview the FY18/19 NEPPS NPM Guidance before it is posted for the external comment period. As always, the NEPPS NPM Guidance is structured as the overall policy, outreach, and grants management "asks" of the EPA Regions when working with states and tribes through the NEPPS process.

Due to our internal schedule and deadlines, we need any feedback by Tuesday the 20th. States also will have the full 30 day external comment period to provide input, which is currently scheduled to begin on June 28.

Feel free to touch base with me or Chad if you have any questions. You may also contact Michael Dexter with specific questions about the content of the guidance. He can be reached at 564-7437 or dexter.michael@epa.gov.

Thanks,

Mike

Mike Osinski
Director, State and Regional Partnerships Staff
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency

202-564-3792 (desk)
Ex. 6 (cell)

Message

From: Briden, Parker [parker.briden@governor.mo.gov]
Sent: 5/11/2017 3:14:34 PM
To: 'Dudley Hoskins' [Dudley@nasda.org]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EPA Extends Timeline for Pesticide Applicators Rule

Thanks!

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Thursday, May 11, 2017 9:29 AM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Briden, Parker <parker.briden@governor.mo.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: EPA Extends Timeline for Pesticide Applicators Rule

Thank you!

Sent from my iPhone

On May 11, 2017, at 10:28 AM, Graham, Amy <graham.amy@epa.gov> wrote:

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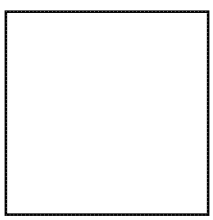
>
> Thanks again for your help.
>
> Amy
>
> Begin forwarded message:
>
> **From:** "U.S. EPA Media Relations" <no-replysubscriptions@epa.gov>
> **Date:** May 11, 2017 at 9:59:28 AM EDT
> **To:** <graham.amy@epa.gov>
> **Subject: EPA Extends Timeline for Pesticide Applicators Rule**



> **CONTACT:**
> press@epa.gov

FOR IMMEDIATE RELEASE
May 11, 2017

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R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/9/2017 3:36:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: PRIA Coalition Members
Attachments: House Ag letter.pdf; Senate Ag Letter.pdf

Tate – thanks for your time yesterday. Per our conversation, I wanted to share the attached PRIA letters sent to the House (Feb 16) and Senate (May 1).

List of PRIA Coalition members included on the signature line.

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● www.nasda.org

February 16, 2017

The Honorable Mike Conaway
Chairman
House Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

The Honorable Collin Peterson
Ranking Member
House Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman and Ranking Member Peterson:

The undersigned organizations are grateful for your past support of the fee-for-service program for pesticide registration and re-registration programs at the U.S. Environmental Protection Agency, commonly known as PRIA. More so, we are appreciative for your work and that of Subcommittee Chairman Davis and Ranking Member Lujan-Grisham to begin the process of the third reauthorization of this legislation in HR. 1029, the Pesticide Registration Enhancement Act of 2017.

Our organizations came together as a unique coalition consisting of the registrant community -- including both agricultural and non-agricultural uses, antimicrobial companies, large and small companies, biotech companies, and biopesticides -- as well as labor and environmental advocates and state regulatory agencies to develop and advocate for the passage of the Pesticide Registration Improvement Act of 2003 (PRIA). Those same organizations continue to work with EPA to administer the program, to work together to develop subsequent reauthorization proposals, and to advocate for appropriated funds to further support the activities specified in the law.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), a pesticide cannot be legally used if it has not been registered with EPA's Office of Pesticide Programs. Prior to the passage of PRIA, the review process could take several years or longer. PRIA established a new section of FIFRA, which put in place a fee schedule for pesticide registration requests. It lists specific time periods for EPA to make a regulatory decision on pesticide registration and tolerance actions submitted to the Agency. The goal of PRIA was to create a more predictable and effective evaluation scheme for affected pesticide decisions and couple the collection of individual fees with specific decision review periods. It also promoted shorter decision review periods for reduced-risk applications.

H.R. 1029 builds upon the win-win tradition of the first PRIA. It also increases and clarifies categories of EPA actions covered under the law, uses maintenance fees for registration review, protects funds for research and grant programs for worker safety and training, and provides for funds to be used to address new issues and helping to ensure that companies continue to have access to export markets for their products.

This legislation will continue the positive progress that the original PRIA brought to the pesticide registration process. We respectfully urge Congress to move quickly to reauthorize the highly successful pesticide registration program and provide certainty for the regulated community.

Sincerely,

American Chemistry Council Biocides Panel
Biotechnology Innovation Organization
Biopesticide Industry Alliance
Consumer Specialty Products Association
CropLife America
Farmworker Justice
ISSA-The Worldwide Cleaning Industry Association
National Association of State Departments of Agriculture
Responsible Industry for a Sound Environment

CC: Rep. Rodney Davis & Rep. Michelle Lujan Grisham

May 1, 2017

The Honorable Pat Roberts
Chairman
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Ranking Member
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

The undersigned organizations are writing to support HR 1029, the Pesticide Registration Enhancement Act. The support for this legislation comes from a unique coalition of organizations—environmental NGOs, farmworker advocates, and pesticide companies.

This coalition first came together to support initial passage of the Pesticide Registration Improvement Act of 2003 (PRIA). The Pesticide Registration Enhancement Act is now the third reauthorization of PRIA. These same organizations continue to work with EPA to support administration of the program, to work together to develop subsequent reauthorization proposals, and to advocate for appropriated funds to further support the activities specified in the law.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), a pesticide cannot be legally used if it has not been approved for registration through EPA's Office of Pesticide Programs. In addition, EPA is required to review a pesticide at least every 15 years to ensure that it continues to meet the FIFRA legal standard. The key goals of PRIA have been to provide an industry-funded source of adequate funding to support these key functions of EPA's Office of Pesticide Programs in registering new pesticides and new pesticide products, and, reviewing existing pesticide products.

Prior to PRIA, the review process for new pesticides could take several years or longer. PRIA established a new section of FIFRA, which put in place a fee schedule for pesticide registration requests. PRIA also lists specific time periods for EPA to make a regulatory decision on pesticide actions.

Also, prior to PRIA, EPA had a goal, but not a mandate, to review existing pesticides on the market. Under PRIA, EPA is required to review a pesticide at least every 15 years to determine whether the pesticide should continue to be distributed in the U.S., or whether additional measures are needed for a pesticide meet the legal standard for use under FIFRA.

H.R. 1029 builds upon the win-win tradition of PRIA. The maintenance fees in H.R. 1029 provide funds to EPA to accomplish the registration review required by the law in a timely fashion. It also tracks that the risk mitigation measures are implemented by the

agency. It increases and clarifies categories of EPA actions covered under the law and protects funds for research and grant programs for worker safety and training. It provides assurance that registration actions will be reviewed in a timely manner. The legislation also provides funds to address new issues, helping to ensure that companies continue to have access to export markets for their products.

This legislation will continue the positive progress that the original PRIA brought to the pesticide registration and evaluation process. We respectively urge Congress to move quickly to reauthorize this highly successful program, providing certainty to the regulated community in the review of pesticide applications, and continued scrutiny over the appropriate use of pesticides to provide assurance to the public.

Sincerely,

American Chemistry Council Biocides Panel
Biotechnology Innovation Organization
Biopesticide Industry Alliance
Consumer Specialty Products Association
CropLife America
Farmworker Justice
ISSA – The Worldwide Cleaning Industry Association
National Association of State Departments of Agriculture
Natural Resources Defense Council
Responsible Industry for a Sound Environment

Message

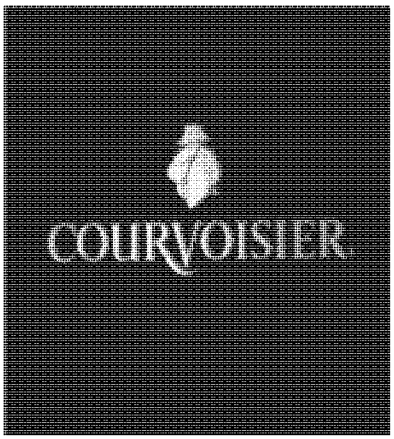
From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/19/2018 7:02:54 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Progress Report June 19, 2018

June 19, 2018

NBCC | National Black Chamber of Commerce®

A More Dynamic Economy:* *HOW TO TRANSFORM OUR ANALOGUE ECONOMY WITH 21ST CENTURY SOLUTIONS

Dynamic Conference: Join us July 19-20, 2018 in Washington, DC for our annual conference "A More Dynamic Economy". This is power packed for networking, connecting, and growing. Come for the content; stay for the community! A glamorous evening hosted by Courvoisier and Miss Black America is the newest agenda item. Register here (early bird discount still applies).



Turning SNAP into Economic Empowerment: With the help of our Lord we are going to disrupt the poverty cycle. Thanks President Lyndon B. Johnson but we got this now!

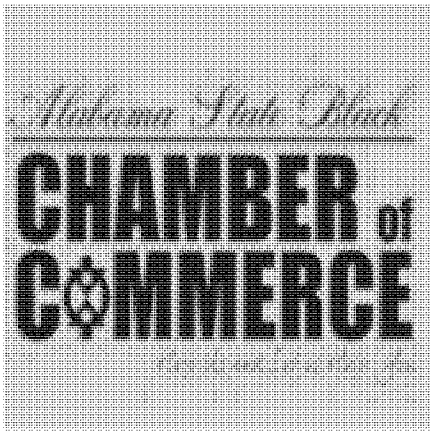
CTIA leads the Charge to support the AIRWAVES Act: We are proud to support this effort to make America the new leader in Broadband Deployment.

South Africa heading "South with a bullet": What is happening to this nation is a virtual betrayal and disgrace of the legacy of the great Nelson Mandela.

MBDA has Grants Available: Here's an opportunity to apply for funding from this division of the Department of Commerce.

Free at Last, Free at Last: We are so thankful that our Internet freedom has been restored, effective June 11, 2018. Goodbye Net Neutrality

Sweet Home Alabama! We congratulate our chapters in the state of Alabama while they celebrate their annual conference. Birmingham is going to rock!



A Massive Missed Opportunity: Wealth has arrived but, somehow, we don't seem to notice it.

| National Black Chamber of Commerce | Washington, DC| info@nationalbcc.org|

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/11/2017 2:29:21 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Parker Briden [parker.briden@governor.mo.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: EPA Extends Timeline for Pesticide Applicators Rule

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Sent from my iPhone

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>
> Begin forwarded message:
>
> **From:** "U.S. EPA Media Relations" <no-replysubscriptions@epa.gov>
> **Date:** May 11, 2017 at 9:59:28 AM EDT
> **To:** <graham.amy@epa.gov>
> **Subject: EPA Extends Timeline for Pesticide Applicators Rule**

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
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R082

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Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

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From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/8/2017 4:34:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Quick call?

Can I call you in about 20 mins?

Sent from my iPhone

On Jun 8, 2017, at 12:33 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> When you get a moment. Ex. 6
>
> Elizabeth Tate Bennett
> Senior Deputy Associate Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/2/2017 4:52:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Can I buzz you!

Good deal

Sent from my iPhone

On Jun 2, 2017, at 12:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Talked to Heggem. All good.
>
> ---
>
> **From:** Dudley Hoskins [mailto:Dudley@nasda.org]
> **Sent:** Friday, June 2, 2017 12:30 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: Can I buzz you!
>
> Should be good.
>
> Sent from my iPhone
>
> On Jun 2, 2017, at 12:19 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>> Really quick! Or vice versa Ex. 6
>>
>> Elizabeth Tate Bennett
>> Senior Deputy Associate Administrator
>> Congressional and Intergovernmental Affairs
>> Office of the Administrator
>> U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/7/2017 4:09:06 PM
To: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Amanda Culp [Amanda@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: FOR APPROVAL: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview

Thanks Tate.

Sent from my iPhone

On Jun 7, 2017, at 11:58 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

We are doing another one of these this afternoon if your bosses want to send us any quotes.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Wednesday, June 7, 2017 10:18 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

WHAT THEY ARE SAYING ...

About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards

Leaders Across The Country ...

Senate Majority Leader Mitch McConnell applauded Administrator Pruitt decision, calling the standards an attack on middle-class families from the Obama Administration. "I applaud Administrator Scott Pruitt for his decision to delay this Obama Administration issued regulation, which was finalized in October 2015. This regulation was yet another attack on the Middle Class by the Obama Administration and was forced through despite significant concern from communities across the country. Today's postponement will give states and municipalities relief in the interim while EPA continues to review NAAQS levels." (Press Release, 06/06/17)

West Virginia Senator Shelley Moore Capito said state and local employers had insufficient time to comply with these standards. "State and local governments and employers across the country have had insufficient time to comply with the latest revisions to the ozone standards. I commend Administrator Pruitt and his staff at the EPA for acknowledging this reality and acting today to delay existing standards." (Press Release, 06/06/17)

Arizona Senator Jeff Flake said the EPA is working with Arizonans to protect the environment, instead of the previous administration's one-size-fits-all approach. "It's great to see the EPA working with Arizonans for a change. Nowhere are the flaws of previous administration's one-size-fits-all approach to regulating ozone more evident than in Arizona, a desert state where naturally-occurring ozone makes it impossible to meet the new federal mandate. While today's move buys Arizona much-needed time, I remain committed to advancing a solution that will provide permanent relief from this egregious and unworkable rule." (Press Release, 06/06/17)

Texas Attorney General Ken Paxton praised Administrator Pruitt for pausing this costly and ineffective rule, which will help the economy in Texas. "I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I'm hopeful that the one-year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy." (Press Release, 06/06/17)

Recent News Coverage ...

U.S. extends deadline for states to meet ozone pollution standard. "The U.S. Environmental Protection Agency said on Tuesday it was extending the deadline by one year for states to declare which areas do not meet the federal standard for ground-level ozone, a pollutant linked to several serious health conditions." (Reuters, 06/06/17)

EPA's Pruitt delays Obama-era smog rules for a year. "The Environmental Protection Agency announced Tuesday that it is giving states another year to meet strict rules for smog-forming ozone emissions set by the Obama administration, citing states' confusion over regulatory requirements and the need for the EPA to review the regulations. … Pruitt also announced that he is establishing the Ozone Cooperative Compliance Task

Force to develop the "additional flexibilities for states to comply with the ozone standard," the agency said. Congress gave EPA the authority to create the task force under the recently passed fiscal 2017 spending bill." (The Washington Examiner, 06/06/17)

Trump Delays One Of The Most Expensive EPA Regulations Ever. "The Trump administration announced Tuesday evening it would delay the implementation of a smog rule that's been called one of the costliest clean air regulations ever." (The Daily Caller, 06/07/17)

<!--[if !vml]--><image001.png><!--[endif]-->

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

Unsubscribe

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 4/30/2017 12:42:00 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Thank You & NASDA Follow-Up

I am out of the office Friday, April 28 . For urgent matters please call the NASDA office at (202) 296-9680.

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/6/2017 12:42:10 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Call with NASDa

Tate & Ken -- thank you both again for your outreach and follow-up on this request.

Here are some proposed dates for consideration through the end of this month. If at all possible, we try to schedule our member-wide calls later in the day to accommodate pacific time zones:

- May 10, 12, 16, 18, 19, 24, 25

If these dates don't work on your end, please put forward some alternatives, or we can look to June, if necessary.

Also, do you if this call will be with the Administrator, Office of Policy, or other senior leadership within EPA? Please don't hesitate to call at any time if you would like to talk through any of this -- many thanks!

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, May 04, 2017 3:25 PM
To: Wagner, Kenneth
Cc: Dudley Hoskins
Subject: Call with NASDa

Ken-

Dudley isn't sure about a call for tomorrow (I know you know how tough scheduling time for state officials can be ☺) . He's going to pitch some days and times very soon and likes the idea.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Sent: 6/30/2017 3:14:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Pesticides on tobacco

Hi, again! Just wanted to follow up from our call this morning. If you could provide me with a list of pesticides approved for tobacco crops it would be much appreciated.

Have a great 4th!

CHANGING Maryland *for the Better*

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jun 30, 2017 at 8:39 AM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:
Good morning!

This is very helpful. Thank you! I just tried to call, but I think you might be on the other line. Could you give me a call when you have a chance?

Thanks,
Cassie Shirk

On Jun 30, 2017 8:20 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA regulates the use of pesticides on tobacco.

Because tobacco is not a food, we do not set tolerances (also known as maximum residue limits) for pesticide residues on tobacco; EPA's authority to set tolerances is provided by the Federal Food, Drug, and Cosmetic Act (FFDCA).

A nonfood use pesticide is a product that is permitted solely for use in pesticide applications to nonfood use sites. Examples of nonfood use sites include highway rights-of way, forestry, sewage lines, and ornamental plants.

Also, Dennis Howard leads the Pesticide Regulation Section at the Maryland Department of Agriculture and would be an additional resource.

On Jun 29, 2017, at 4:20 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Also, could you please tell me what a "non food use products is?"

On Jun 29, 2017 4:08 PM, "Cassie Shirk -GOV-" <cassie.shirk@maryland.gov> wrote:
I just realized I addressed the email using you last name. Sorry!!

On Jun 29, 2017 4:04 PM, "Cassie Shirk -GOV-" <cassie.shirk@maryland.gov> wrote:

Hi, Bennett:

Thanks for taking my call earlier. Please let me know if the EPA regulates pesticide use on tobacco.

Thanks,
Cassie Shirk

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 4/29/2017 9:17:48 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Thank You & NASDA Follow-Up

Ken – wanted to supplement my below email by thanking you for all your direct outreach to the states.

Per our conversation after last week's meeting, I wanted to share that a number of our members will be in DC during the week of the 15th for various trade meetings. I don't know what their availability looks like right now, but I wanted to pass that along for your consideration in case you have time/interest and would like me to try to connect you with any of them while they are in town.

Just let me know and hope you all are having a great weekend – many thanks. - dudley

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● www.nasda.org

---

From: Dudley Hoskins
Sent: Saturday, April 29, 2017 5:02 PM
To: 'Bennett, Tate'
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea; Nathan Bowen; Britt Aasmundstad
Subject: Thank You & NASDA Follow-Up

Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.

NASDA will be submitting formal comments to the "Evaluation of Existing Regulations" docket by the May 15th deadline, but in the interim, I wanted to share the attached "NASDA Priorities" document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).

Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.

Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley

NASDA 2017 REGIONAL MEETINGS:

SASDA Annual Meeting
June 4-7
Nashville, TN
Event Registration

NEASDA Annual Meeting
June 12-15
Cooperstown, NY
(Hotel | Event Registration)
May 12: Deadline to book your hotel and receive the early-bird registration rate
Theresa.Sweeney@agriculture.ny.gov

MASDA Annual Meeting
June 19-22
Cleveland, OH
(Hotel | Event Registration)
May 22: Deadline to book your hotel and receive the early-bird registration rate
mark.bruce@agri.ohio.gov

WASDA Annual Meeting
July 23-28
Sun Valley, ID
(Hotel | Event Registration)
June 15: Deadline to book your hotel and receive the early-bird registration rate
laura.johnson@agri.idaho.gov

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Andrew D. Moore [admoore@agaviation.org]
Sent: 5/2/2017 7:54:48 PM
To: Dudley Hoskins [Dudley@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Andrew Bray [abray@pestworld.org]; Christian Rice [crice@agaviation.org]
Subject: RE: Introduction & DRAFT NASDA Statement on C&T

Hi StuDudley. Hi Tate, nice meeting you.

We weren't planning on sending out an NAAA press release but we were planning on including a request for a C & T extension in our comments to the administration's executive order inquiring about suggestions to mitigate/eliminate unnecessary, duplicative and burdensome regs (Executive Order (EO) 13777).

We'll let PPC Chairman Ethan Matthews know about inviting Tate and other members of her team to the next PPC meeting. It would be good to have them.

Thanks.
--Andrew--

Andrew D. Moore
Executive Director
National Agricultural Aviation Association
1440 Duke Street
Alexandria, VA 22314
Ex. 6 phn
202-546-5726-fax
admoore@agaviation.org
www.agaviation.org
Join Us on Facebook: www.facebook.com/NationalAgriculturalAviationAssociation

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 02, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; Andrew D. Moore <admoore@agaviation.org>
Cc: Tate Bennett <bennett.tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 4/29/2017 9:02:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: Thank You & NASDA Follow-Up
Attachments: NASDA Priorities Trump Administration_04 27 2017.pdf; PPC_C&T.Letter_04.27.17.pdf

Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.

NASDA will be submitting formal comments to the "Evaluation of Existing Regulations" docket by the May 15th deadline, but in the interim, I wanted to share the attached "NASDA Priorities" document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).

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Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley

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laura.johnson@agri.idaho.gov

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • **www.nasda.org**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

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In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

National Association of State Departments of Agriculture
4350 North Fairfax Drive
Suite 910
Arlington, VA 22203
Tel: 202-296-9680 | Fax: 703-880-0509
www.nasda.org

NASDA Priorities for the Trump Administration

April 27, 2017

Cooperative Federalism: NASDA encourages the Administration to continue its strong commitment to Cooperative Federalism—a robust partnership and role for states in federal policymaking.

- Consult NASDA and other state agency associations *early* in the regulatory processes and recognize the unique role of states as co-regulators and not simply stakeholders
- Increase flexibility for state program delivery, especially as alternatives to undue regulatory burdens on the regulated community
- Enhance resources for states, eliminating unfunded mandates, and ensuring that economic analyses more realistically account for economic costs to states
- Establish robust, regular dialogue between senior administration officials at key agencies (USDA, EPA, FDA, DOI, etc.) and NASDA members
- Advance regulatory reform to ensure the states' unique roles are respected and institutionalized

International Trade: New and existing bilateral and multilateral trade agreements, such as NAFTA and a much-needed Asia-Pacific trade agreement, are critically important for U.S. agriculture.

- The administration should conduct robust consultations with NASDA and other agriculture organizations on the future of NAFTA and other international trade priorities
- The administration should ensure we keep—and build upon—the gains agriculture has made under NAFTA as it works to modernize this vital agreement
- The administration should address Canada's revised milk pricing policy by urging Prime Minister Trudeau to ensure the Class 7 program be halted and ultra-filter milk imports from the U.S. be restored, and by making opening Canadian dairy market access a key priority in NAFTA discussions

Food Safety: Proper implementation of the Food Safety Modernization Act (FSMA) is critical. This requires FDA to cooperate with state and local regulatory agencies. It also requires long-term investments by the federal government into financial resources for states. FDA must get the rules right and address the following concerns:

- FDA should rewrite 21 CFR Section 112 Subpart E, Agriculture Water, in the Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption
- FDA should require all produce packing houses to adhere to the same standards, whether currently regulated under the Human Food rule (21 CFR 117) or the Produce Safety rule (21 CFR 112)
- FDA should exempt grade "A" milk and milk products covered by the PMO from 21 CFR 117
- FDA should establish a "dispute resolution" process between FDA and state food safety programs to assure agreement on best practices and methods to achieve compliance

Farm Bill: Agricultural producers, the rural economy, and communities of every size rely on a robust, forward looking, and fully funded Farm Bill.

- NASDA urges the administration to support crafting, in a timely manner, a new Farm Bill that is adequately funded and that provides farmers and ranchers important tools and new opportunities

Agricultural Workforce: American agriculture faces a critical shortage of labor that harms annual harvests, animal agriculture production and processing facilities. Farmers and ranchers need a framework that provides for a legal, reliable workforce that supports the industry and treats workers with respect

- Engage with NASDA and Agriculture to develop a long-term, viable solution to the agriculture labor shortage to keep producers competitive and maintain food safety

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00069537-00001

Addressing Other Regulatory Challenges:

Waters of the US:

- **We applaud the administration's efforts to begin rolling back and replacing the WOTUS rule**
- The agencies must continue to engage NASDA and other state/local government associations in **meaningful consultations** throughout the process. This process will help the Agency and Corps ensure the model of cooperative federalism envisioned by the Clean Water Act (CWA)
- Any new rule must codify definitions that are **legally defensible and identify clearly discernable characteristics** of WOTUS, based on statutory language and policy considerations. NASDA is ready to work with the agency to outline where state authorities protect clean water both within and outside the reach of the CWA's jurisdiction

Agricultural Worker Protection Standard (WPS) (40 CFR 170)

- NASDA requests EPA **immediately suspend all WPS** revised provisions (as published on November 2, 2015) and initiate a rulemaking to withdraw this misguided rule

Certification and Training of Pesticide Applicators (C&T) (40 CFR 171)

- Due to a number of logistical and resource challenges, NASDA requests EPA issue an a**dditional extension to the effective date** until EPA has:
  - Delivered adequate enforcement guidance, educational materials, and training resources to the states with adequate advanced timing;
  - Provided states the resources necessary to effectively implement the rule changes and assist the regulated community with compliance activities; and
  - Consulted with states and the regulated community to revisit and revise, at a minimum, the mandatory minimum age standard (§171.103(a)(1); 171.201(b); and 171.105(g)); and any other provisions that result in undue burdens without corresponding regulatory benefits

USDA-AMS: Organic Livestock and Poultry Practices (82 FR 7042)

- NASDA requests USDA **immediately and indefinitely suspend** the National Organic Programs' (NOP) Organic Livestock and Poultry Practices final rule (published on 01/19/17)
- NASDA requests USDA-AMS consult with APHIS-VS, FDA-CVM, state departments of agriculture, state animal health officials, and the regulated community to ensure any future NOP rulemaking is based on sound science and a current economic analysis based on sound methodology

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00069537-00002

PPC

PESTICIDE POLICY COALITION

A Coalition Working for Sound Pest Management Policies

April 27, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

The Pesticide Policy Coalition ("PPC" or the "Coalition") appreciated the opportunity to comment on the Environmental Protection Agency's (EPA's) final rule *Pesticides: Certification of Pesticide Applicators* **[EPA-HQ-OPP-2011-0183],** which amends 40 CFR Part 171. As the Agency undertakes a review of existing burdensome and unnecessary policies, rules and regulations the PPC would like to: (1) highlight our general support for the *Pesticides: Certification of Pesticides Applicators* final rule; (2) request EPA take corrective action to rectify one specific provision related to a mandatory minimum age standard; and (3) request EPA issue an additional extension to the effective date until such time as our final requested revisions can be promulgated. To be clear, the Coalition endorses and supports procedures and regulations that ensure the proper certification and training of pesticide applicators.

About PPC

PPC is an organization that represents food, agriculture, forestry, pest management and related organizations that support transparent, fair and science-based regulation of pest management. PPC members include: nationwide and regional farm, commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators and distributors; pest- and vector-control operators and applicators; research organizations; state regulatory agencies; and other interested parties. PPC serves as a forum for the review, discussion, development and advocacy of pest management policies and issues important to its members.

As you are well aware, the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) delegates the authority to individual states to regulate, certify and train applicators using restricted use pesticides (RUPs). For approximately 40 years states implemented pesticide certification and training plans set forth in 40 CFR 171 and pesticide applicators have worked with state regulators to create certification and training standards in each state to ensure applicator competency. Approximately 15 years ago EPA began the process of modernizing the

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00069538-00001

national pesticide applicator competency standards resulting in a proposed *Pesticides: Certification of Pesticides Applicators* rule in August 2015.

PPC General Support for Final Certification Rule

The PPC greatly appreciated the significant improvements EPA made to the final Certification of Pesticide Applicators rule (40 CFR 171) published on January 4, 2017. As a Coalition, we had significant concerns with the proposed rule, which was flawed in many ways, but most specifically the rule proposed a new rigid set of standards that would have forced states to re-write their entire pesticide certification and training regulations; regulations that have been working for the past 40 years. The PPC and our individual members engaged the Agency with our concerns resulting in a very different and much improved *Pesticides: Certification of Pesticides Applicators* final rule. Due to the significant improvements EPA made to the final rule, the PPC requests the Agency not revoke this final rulemaking in its entirety, but instead make minor changes to facilitate promulgation of a perfected final rule.

PPC Request for Revision to Specific Provision

As the Agency examines the *Pesticides: Certification of Pesticides Applicators* rule, the Coalition requests EPA revise and amend the new mandatory minimum age standard for commercial RUP applicators at 18 years (provisions § 171.103(a)(1) and 171.105(g)). Prior to this rulemaking, individuals under the age of 18 were able to apply RUPs if they met certification and training requirements promulgated within their respective state. The age requirement would require numerous states to undertake the lengthy and costly process of amending state statutes through the state legislature and/or undertake a state regulatory public comment and rule change. The age requirement, like many other aspects of pesticide applicator certification and training standards should be a determination made by individual states and not a federally mandated requirement that will force states to amend their statutory authorities. We request that the Agency amend this narrow portion of the final rule, and the Coalition stands ready to assist EPA in addressing this specific revision.

PPC Request for Extension to the Effective Date

The Coalition greatly appreciated EPA issuing a "Delay of Effective Dates for Five Final Regulations" (FRL-9960-28-OP) published on March 20, 2017 to extend the effective date of the Certification of Pesticide Applicators rule to May 22, 2017. Due to a number of logistical and resource challenges states are facing across a range of pesticide-related program areas, the PPC requests EPA issue an additional extension to the effective date until the Agency has: (1) finalized and delivered adequate enforcement guidance, educational materials, and training resources to the states and the regulated community with adequate advanced timing; and (2) provided the states the tools and financial resources necessary to effectively implement the rule changes and assist the regulated community with compliance activities.

Conclusion

In conclusion, we can all agree requiring reasonable certification and training to ensure safe pesticide applications by competent pesticide applicators is necessary. As a Coalition, we

welcome and encourage opportunities to engage in a thoughtful dialogue with the Agency and our state regulator partners and we believe that is what was accomplished during the rule making process for the *Pesticides: Certification of Pesticides Applicators* rule. The rule is scheduled to go into effect on May 22, 2017; and we support moving forward with the implementation of the final rule (with revisions to the mandatory minimum age requirement) and with adequate resources allocated to support a successful implementation among the state regulatory agencies and the regulated community. The Coalition stands ready to work with Agency to protect human health and the environment while ensuring a predictable, transparent, and science-based regulatory framework is implemented.

Respectfully Submitted,

Ethan Mathews
Chair

Beau Greenwood
Vice Chair

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/6/2017 5:44:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: Ozone letter
Attachments: AG Ozone Rule Comments.pdf

Tate -
FYI – attached is the original 2015 comment letter on the matter in case you need it.
-Adam

From: Greg Cairns [mailto:gcairns@republicanags.com]
Sent: Tuesday, June 6, 2017 1:32 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: Ozone letter

See attached. NE, OK, WV, AL, AR, Ga, KS, KY, LA, MT, ND, OH, SC, and WI.

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

E. SCOTT PRUITT
ATTORNEY GENERAL

OFFICE OF ATTORNEY GENERAL
STATE OF WEST VIRGINIA

PATRICK MORRISEY
ATTORNEY GENERAL

OFFICE OF ATTORNEY GENERAL
STATE OF NEBRASKA

DOUG PETERSON
ATTORNEY GENERAL

March 17, 2015

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re: Comments of the States of Nebraska, Oklahoma, West Virginia, Alabama, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Montana, North Dakota, Ohio, South Carolina, and Wisconsin Concerning The Proposed Revision Of The Primary And Secondary National Ambient Air Quality Standard For Ozone (EPA-HQ-OAR-2008-0699)

Administrator McCarthy,

As the chief legal officers of our States, we write to express concern with the proposed rule issued by the United States Environmental Protection Agency ("EPA") which seeks to set the National Ambient Air Quality Standard for Ozone at a level which is unachievable. 79 Fed. Reg. 75234 (December 17, 2014) ("Proposed Rule").

EPA is conducting a review of its primary health-based and secondary welfare-based National Ambient Air Quality Standards ("NAAQS") for ground-level ozone ("O_3"). Presently, the 8-hour O_3 NAAQS is 0.075 parts per million ("ppm") based on a 3-year average of the annual fourth-highest daily maximum 8-hour average O_3 concentration. *See* 40 C.F.R. § 50.15. The Proposed Rule proposes to reduce both the primary and secondary O_3 NAAQS to somewhere between 0.065-0.070 ppm and seeks additional comment on 0.060 ppm. 79 Fed. Reg. at 75234.

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00069540-00001

As explained below, numerous aspects of the Proposed Rule render it unlawful and unachievable. EPA should withdraw the Proposed Rule and revisit the O_3 NAAQS to determine a level which bears a rational connection to the underlying science, accounts for the benefits to be achieved by other recently-promulgated regulations, and does not force states to regulate reductions in background levels.

Background

Section 109(b) of the Clean Air Act ("CAA") directs the Administrator to promulgate NAAQS to limit the level of listed air pollutants, including O_3, in the ambient air. Primary NAAQS are limited to that required to protect the "public health" allowing for an "adequate of margin of safety" while secondary NAAQS are limited to a level which will protect the "public welfare" from "any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air." 42 U.S.C. § 7409(b). Once the NAAQS are established, the States are responsible for implementation and enforcement. *See* 42 U.S.C. § 110(a)(1).

The "requisite" level for primary NAAQS is that which is "not lower or higher than necessary – to protect the public health with an adequate margin of safety…." *Whitman v. American Trucking Ass'ns*, 531 U.S. 457, 475-76 (2001). NAAQS are not required to be set at background levels, or eliminate all risk. *See Lead Indus. Ass'n v. EPA*, 647 F.2d 1130, 1156 n.51 (D.C. Cir. 1980).

NAAQS levels for any particular listed pollutant are based on "air quality criteria" prescribed to "accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air." *Id.* at § 7408(a)(2). The air quality criteria and NAAQS are to be reviewed every five years and revised "as may be appropriate in accordance with" §§ 108 and 109(b). *Id.* at § 109(d)(1). In conducting the five-year NAAQS review process, the Clean Air Scientific Advisory Committee ("CASAC") advises EPA of any adverse public health, welfare, social, economic, or energy effects which may result from various attainment strategies, noting where additional knowledge and research are necessary, analyzing the impacts of natural and anthropogenic contributions of air pollutants, and making recommendations for any revisions. *Id.* at § 109(d)(2). While the Supreme Court has held that EPA may not consider implementation costs when setting NAAQS, an explanation is to be set forth in any proposed NAAQS revisions to the extent EPA's findings "differ[] in any important respect from any of [CASAC's] recommendations." *Whitman*, 531 U.S. at 486; 42 U.S.C. § 307(d)(3).

EPA originally promulgated NAAQS for O_3 in 1971. 36 Fed. Reg. 8186 (April 30, 1971). A second round of O_3 NAAQS were promulgated in 1979. 44 Fed. Reg. 8202 (February 8, 1979). The second round was eventually replaced in 1997 when EPA set the O_3 NAAQS at 0.08 ppm. 62 Fed. Reg. 38856 (July 18, 1997). The 1997 version of the O_3 NAAQS was challenged in, and upheld by, the D.C. Circuit in *American Trucking*. 175 F.3d 1027, 1033 (D.C. Cir. 1999), *rev'd sub nom Whitman v. American Trucking Ass'ns*, 531 U.S. 457 (2001); *Am Trucking Ass'ns v. EPA*, 283 F.3d 355 (D.C. Cir. 2002).

EPA lowered the level of both the primary and secondary O_3 NAAQS to 0.075 ppm in 2008. 73 Fed. Reg. 16436 (March 27, 2008). In September 2008, EPA began the current effort to further lower the primary and secondary O_3 NAAQS. 73 Fed. Reg. 56581 (September 29, 2008).

The Proposed Rule Will Cause Substantial Harm to the States

If EPA finalizes the proposed rule and revises the ozone NAAQS, many of the States will be forced to expend substantial public resources to comply. The States play a central role in the regulation of NAAQS, and with the promulgation of new NAAQS comes new challenges for the States. The Clean Air Act imposes on the States the duty to develop and submit state implementation plans ("SIPs") within three years following the promulgation of a primary or secondary NAAQS. *See* 42 U.S.C. § 110(a)(1). The SIP governs how the State will implement, maintain, and enforce the new NAAQS in each air quality control region within its borders. *Id.*

The Proposed Rule revises the ozone NAAQS downward before the current 2008 standards have been fully implemented and assessed by the States. On March 6, 2015, EPA published a final rule for implementation of the 2008 O_3 NAAQS. 80 Fed. Reg. 12,264. This means the States are only now receiving the implementation tools needed to effectively and properly implement the 2008 NAAQS revision. Nonetheless, EPA proposes to move the marker further out, making attainment and maintenance all the more difficult to achieve.

In addition, as numerous stakeholders have more fully explained, the Proposed Rule will have a dramatic negative effect on the economic growth in the States, saddling increasingly heavy compliance costs on job creators—particularly in the manufacturing and industrial sectors. Thus, if promulgated, the Proposed Rule will hamper the creation and preservation of good-paying jobs in the States and quicken the movement of such jobs overseas. As a result, the States will be left to deal with increasing unemployment and more Americans leaving the workforce altogether. The increasing pressure on the already-strained social safety net, combined in many States with a decrease in tax revenue from the depression in economic activity, makes this Proposed Rule a disaster for the States and their citizens.

The Proposed Rule is Illegal

The lower standards in the Proposed Rule are not supported by the scientific evidence, and thus the Proposed Rule is arbitrary and capricious. Under the APA, "the agency must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made. . . ." *Motor Vehicle Mfr's Ass'n of the United States, Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983). Specifically, a rule is arbitrary and capricious where the agency "offered an explanation for its decision that runs counter to the evidence before the agency." *Id.*

As noted, the Clean Air Act requires EPA to set primary NAAQS at a level "requisite to protect the public health" with "an adequate margin of safety," and secondary standards at a level "requisite to protect the public welfare from any known or anticipated adverse effects. . . ." 42 U.S.C. § 7409(b). EPA has not demonstrated that lower levels in the Proposed Rule are "requisite to protect the public health," given the already stringent requirements the agency set in

2008. *Id.* EPA itself has acknowledged that there are no human clinical studies demonstrating a "combination of statistically significant increases in respiratory symptoms and decrements of lung function" at levels below 0.072 ppm, and the agency observed that the best evidence regarding ozone's effects in healthy subjects is based on ozone exposures at 0.080 ppm and above. 79 Fed. Reg. at 75,304.

Accordingly, a decision by EPA to set lower standards would not be based upon a "'rational connection between the facts found and the choice made.'" *Kisser v. Cisneros*, 14 F.3d 615, 619 (D.C. Cir. 1994) (quoting *Bowman Transp. v. Arkansas-Best Freight Sys.*, 419 U.S. 281, 285 (1974)); *see also A.L. Pharma, Inc. v. Shalala*, 62 F.3d 1484, 1491 (D.C. Cir. 1995) ("an agency must cogently explain why it has exercised its discretion in a given manner," and that explanation must be "sufficient to enable us to conclude that the agency's action was the product of reasoned decisionmaking" (quoting *State Farm*, 463 U.S. at 48, 52 (alterations omitted))). To the contrary, that decision would "run[] counter to the evidence before the agency." *State Farm*, 463 U.S. at 43.

The standards in the Proposed Rule are not achievable because they fail to adequately consider background concentrations. When drafting the NAAQS provisions of the CAA, Congress noted that the standards should not be set at a level which would be unachievable. *See* H.R. Rep. No. 294, 95th Cong., 1st Sess. 127 (1977). While Congress could have permitted EPA to set NAAQS at a level low enough that all risk to health and welfare would be eliminated, Congress rejected this approach because such a "no-risk philosophy ignores all economic and social consequences and is impractical." *Id.* Instead, Congress directed that NAAQS are to be set only at the "requisite" level, which the Supreme Court has interpreted as "not lower or higher than necessary – to protect the public health with an adequate margin of safety. . . ." *Whitman v. Am. Trucking Ass'ns*, 531 U.S. 457, 475-76 (2001).

In the 2008 rulemaking that resulted in the downward adjustment of the O_3 NAAQS from 0.08 ppm to 0.075 ppm, EPA explained that "a 0.07 standard would be closer to peak background levels that infrequently occur in some areas due to nonanthropogenic sources of O_3 precursors, and thus more likely to be inappropriately targeted in some areas on such sources." 62 Fed. Reg. at 38,868. In that same rulemaking, the CASAC argued that the standard should not set below 0.08 ppm. *See Whitman v. Am. Trucking Ass'ns*, 175 F.3d 1027, 1035 (D.C. Cir. 1999), *rev'd sub nom Whitman*, 531 U.S. 457. The D.C. Circuit recognized that it "may well be a sound reading of the statute" to say that "given the national character of the NAAQS, it is inappropriate to set a standard below a level that can be achieved throughout the country without action affirmatively extracting chemicals from nature." 175 F.3d at 1036.

In the present rulemaking, however, EPA proposes a range from 0.065 through 0.070 ppm. 79 Fed. Reg. 75234. These proposals are too close to background levels to make any such reductions achievable. For example, the State of Nebraska reports peak background levels of up to 0.068 ppm. Any further reduction to the current O_3 NAAQS level of 0.075 would essentially require Nebraska to eliminate all risk presented by anthropogenic emissions, if not affirmatively extract naturally occurring precursors. Such a requirement is contrary to reasoned decision-making and is thus arbitrary and capricious. *State Farm*, 463 U.S. at 43, 52.

The Proposed Rule is also unlawful because it fails to adequately consider the multiple other programs undertaken by EPA to address the problem that this proposal intends to address. The Supreme Court has long said that a rule is arbitrary and capricious where the agency that promulgated it "entirely failed to consider an important aspect of the problem." *State Farm*, 463 U.S. at 43. Here—before forcing the States and the job creating industries to expend significant resources in additional pollution control technology—EPA should have examined the air quality impact of several existing or impending regulatory programs. Among these, EPA failed to adequately consider the Mercury and Air Toxics Standards, the Regional Haze Program, the Cross-State Air Pollution Rule, and the Motor Vehicle Emission and Fuel Standards, among others. Although these other programs may also suffer from a variety legal and other problems, EPA was still required to assess the impact of these programs on the ozone problem targeted by the Proposed Rule. By failing to do so, EPA "entirely failed to consider an important aspect of the problem." *State Farm*, 463 U.S. at 43. Moreover, EPA acknowledged its "Overview" of the proposed rule, that its own "projections show the vast majority of U.S. counties with monitors would meet the proposed standards by 2025 just with the rules and programs now in place or underway." The proposed ozone standard can hardly be considered "requisite", i.e. not more or less than necessary, if the same result will occur regardless of its promulgation.

Respectfully,

Douglas Peterson
Nebraska Attorney General

Scott Pruitt
Oklahoma Attorney General

Patrick Morrisey
West Virginia Attorney General

Leslie Rutledge
Arkansas Attorney General

Luther Strange
Alabama Attorney General

Derek Schmidt
Kansas Attorney General

Sam Olens
Georgia Attorney General

Jack Conway
Kentucky Attorney General

James "Buddy" Caldwell
Louisiana Attorney General

Tim Fox
Montana Attorney General

Wayne Stenehjem
North Dakota Attorney General

Mike DeWine
Ohio Attorney General

Alan Wilson
South Carolina Attorney General

Brad D. Schimel
Wisconsin Attorney General

Message

From: Washington Ag Communicators [fpurcell@croplifeamerica.org]
Sent: 6/8/2017 2:32:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RSVP today! Washington Ag Communicators Networking Reception

View in browser

LIGHT BITES AND BEVERAGES PROVIDED

MUST RSVP TO ATTEND

All communications staffers are invited to join D.C. agriculture communicators for an evening of networking, food and drink! Leave the

policy at the office and come to find out where to find resources when constituents reach out to you with agriculture related questions. Event is invite only.

Please respond by clicking Yes or No. We look forward to your response!

Your hosts:

CropLife America
National Milk Producers Federation
The Fertilizer Institute
National Corn Growers Association
Farm Credit Council
International Dairy Foods Association
American Frozen Food Institute
White House Writers Group
BIO
Ducks Unlimited
United Egg Producers
American Seed Trade Association
Food Marketing Institute
American Farm Bureau Federation
Agriculture Retailers Association
Crop Insurance and Reinsurance Bureau (CIRB)
National Association of Wheat Growers
USA Rice
American Soybean Association
Farm Journal Foundation
Look East Communications
National Cotton Council

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/2/2017 3:47:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Andrew_Vlasaty@ag.senate.gov
Subject: RE: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Thank you Tate!!!

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 02, 2017 11:37 AM
To: Andrew_Vlasaty@ag.senate.gov; Dudley Hoskins
Subject: Fwd: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Begin forwarded message:

From: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Date: June 2, 2017 at 11:15:40 AM EDT
Subject: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Today EPA published a delay of the effective date for the Certification of Pesticide Applicators final rule. This action delays the effective date from June 5, 2017, to May 22, 2018 (FR notice attached). Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 4/4/2017 10:15:33 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Thanks

Tommy, I second Tate – thank you so much for your time. Just wanted to ask a couple more follow up questions about press logistics. Can you send a photo of what the locker room looks like? Also, what information do you need from press in order to gain access to the facility?

Feel free to give me a call if it's easier to chat. My cell is Ex. 6

Many thanks,
Amy

From: Bennett, Tate
Sent: Tuesday, April 4, 2017 5:26 PM
To: Johnson, Tommy <TommyJohnson@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

Message

From: Andrew Bray [abray@pestworld.org]
Sent: 5/2/2017 4:24:07 PM
To: Dudley Hoskins [Dudley@nasda.org]; admoore@agaviation.org
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Introduction & DRAFT NASDA Statement on C&T

Dudley,

Thank you for providing the press release and the introduction to Tate. We generally don't do a lot of press releases but we do send out alerts to our members and trade publications, which we would certainly due when extended.

As for PPC I'll certainly forward Tate's information to Ethan, Beau and Tom as a recommended speaker.

Thanks,

Andrew

Andrew Bray
Vice President of Public Policy
National Pest Management Association
10460 North Street Fairfax, VA 22030
(703) 352-6762 Main Office
Ex. 6 Direct
abray@pestworld.org

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 02, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; admoore@agaviation.org
Cc: Tate Bennett <bennett.tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Sent: 5/5/2017 5:53:02 PM
To: Hoelscher, Douglas L. EOP/WHO [Ex. 6
CC: Johnson, Julia B. EOP/WHO [Ex. 6 Tiffany Waddell -GOV- [tiffany.waddell@maryland.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Call with EPA Administrator Pruitt

Thanks, Doug!

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On Fri, May 5, 2017 at 1:47 PM, Hoelscher, Douglas L. EOP/WHO [Ex. 6 wrote:

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate – can you please take coordination from here?

*Julia – please log.

Thanks,

Doug

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Friday, May 5, 2017 1:46 PM
To: Hoelscher, Douglas L. EOP/WHO [Ex. 6
Cc: Johnson, Julia B. EOP/WHO <Ex. 6 Tiffany Waddell -GOV-

<tiffany.waddell@maryland.gov>
Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel

...

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)

(mobile)

Message

From: Smith, Zachery [ZacherySmith@cnxlp.com]
Sent: 4/11/2017 9:50:47 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Team Harvey Mine meet Lincoln

Thanks Lincoln. Here's some general facts on the complex, operations, and employees. Employees will obviously be in attendance, as well as numerous contractors/suppliers from the region.

Don't hesitate to reach out with any questions.
Thanks,
Zach
Ex. 6

Facts on operations and background info:
- CNX Coal Resources operates the mining complex.

-Over 1,500 direct employees and hundreds of other contract workers at the 3 mines (Bailey, Harvey, Enlow Fork) in Greene and Washington Counties.

-In Greene County, we're the 3rd largest employer in the county and our contractors are 4th largest...

-Workforce lives largely in Southwest PA, as well as Northern West Virginia, Eastern Ohio.

- The complex is larger than the island of Manhattan. It is the largest producing underground coal mining operations in North America.

-24.7 MM tons production in 2016 (capacity of 28MM tons)
-almost half of all coal production in PA

-Thermal & high-volatility metallurgical coal shipped domestically for electric generation, and a portion overseas through our Baltimore Export Terminal.

-The Bailey Complex has been in operation for 32 years

-Invested over $2 billion dollars in the complex since 2006, so we are built to be a low cost producer, well positioned with dual rail access and proximity to markets, built to compete in the future.

http://www.cnxlp.com/operations

From: Ferguson, Lincoln [mailto:ferguson.lincoln@epa.gov]
Sent: Tuesday, April 11, 2017 4:08 PM
To: Johnson, Tommy; Smith, Zachery
Cc: Bennett, Tate
Subject: RE: Team Harvey Mine meet Lincoln

Thanks for the introduction, Tate!

Looking forward to seeing you all on Thursday. As I prepare the Administrator's remarks I want to ensure he is able to engage with the miners about what is important to them. If you have stats available, that would be extremely helpful…these can be the number of people employed…amount of coal that is mined each year…information that will help the Administrator become familiar with Harvey mine.

Thanks in advance,
Lincoln

Lincoln Ferguson
Office of Public Affairs
Ex. 6
U.S. EPA

From: Bennett, Tate
Sent: Tuesday, April 11, 2017 4:00 PM
To: Johnson, Tommy <TommyJohnson@consolenergy.com>; Smith, Zachery <ZacherySmith@cnxlp.com>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Team Harvey Mine meet Lincoln

He is the speechwriter for Admin. Pruitt and has some site specific questions r.e. level employment, etc. at Harvey mine. Lincoln, Tommy and Zach are your guys on this!

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/2/2017 3:27:30 PM
To: Andrew Bray [abray@pestworld.org]; admoore@agaviation.org
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Introduction & DRAFT NASDA Statement on C&T
Attachments: CTRule_05012017.pdf; ATT00001.htm; CTRule_05012017.docx; ATT00002.htm

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

NEWS RELEASE

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
May XX, 2017

NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators

Following the U.S. Environmental Protection Agency's (EPA) announcement today of their 18-month extension of implementation of the Certification of Pesticide Applicators rule changes, NASDA CEO Dr. Barbara P. Glenn issued the following statement:

"We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities."

NASDA's comments on EPA's proposed rule can be found here. NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. Learn more about NASDA at www.nasda.org.

###

National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

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NASDA

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/2/2017 3:19:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Fwd: For Review: DRAFT NASDA Statement on C&T
Attachments: CTRule_05012017.pdf; ATT00001.htm; CTRule_05012017.docx; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

> NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators

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(202) 296-9680
amanda@nasda.org

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NEWS RELEASE

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###

NASDA

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#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/10/2018 2:12:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: can you give me a call whenever you have a chance?

Thanks!

Aline DeLucia|Associate Director, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 6/15/2018 10:15:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

Great! Hope you have a wonderful weekend!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Jun 15, 2018 3:12 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
FYI. Steve was great!

From: Block, Molly
Sent: Friday, June 15, 2018 3:08 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

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

Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

Talks WOTUS, Water Infrastructure, and Superfund Program

Omaha, NE (June 14, 2018) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Omaha's Missouri River Wastewater Treatment Plant and met with state and local leaders to see first-hand how Omaha is working to overcome water infrastructure challenges. He also announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site and met with farmers to announce the Agency's next step on the "Waters of the United States" (WOTUS) rule.

"Coming to Nebraska and hearing directly from the voices that have been forgotten for so long is critical to how we make decisions at the Agency," said EPA Administrator Scott Pruitt. **"From making progress with respect to Superfund sites to directly engaging stakeholders on the Renewable Fuel Standard, we are working**

tirelessly to provide the regulatory clarity that President Trump promised and the American people deserve."

Administrator Pruitt attended a roundtable with the Mayor of Omaha Jean Stothert, Nebraska Department of Environmental Quality (NDEQ) Director Jim Macy, city council members, and other local and state officials, including EPA Region 7 Administrator Jim Gulliford. The discussion was largely focused on the Water Infrastructure Finance and Innovation Act (WIFIA) and the upcoming loan approval that the City of Omaha will be receiving from EPA. Administrator Pruitt had the opportunity to tour the Missouri River Wastewater Treatment Plant prior to his discussion.

In additional to the water discussions, Administrator Pruitt announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site. The city, working with EPA and NDEQ, has reduced childhood blood lead levels from 25% of those tested in 1998 to less than 1% of those tested in 2017. To date, EPA has cleaned up more than 13,000 properties. The city recently signed an agreement with EPA to manage the cleanup of the remaining 900 properties.

"**We work cooperatively with the EPA on many important projects. Today, I shared our plans for the Omaha Riverfront Revitalization project, which includes Lewis and Clark Landing, a former Superfund site,"** said Mayor of Omaha Jean Stothert. **"The work we are doing can be shared with other cities to redevelop these sites for new public use."**

"This is the first time I've been able to pick up the phone and call EPA staff directly and elevate issues that need resolving. We thank Administrator Pruitt and his team for the cooperation as we work to achieve positive environmental outcomes for Nebraska," said NDEQ Director Jim Macy.

Administrator Pruitt also visited Green Plains Inc. and spoke with 150 employees about the importance of cooperative federalism, especially regarding the Renewable Fuel Standard (RFS). He met with Todd Becker, Chief Executive Officer (CEO), and other members of Green Plains' leadership team, where they had a constructive dialogue to discuss potential solutions and a path forward.

"We appreciate Administrator Pruitt taking the time to visit and learn more about the challenges facing the ethanol industry and the broader agriculture community. We will continue to work toward solutions that allow for greater ethanol market access in line with the President's commitment to rural America," said Green Plains Inc. CEO Todd Becker.

Finally, Administrator Pruitt joined Governor Pete Ricketts (R-NE) and members of the Common Sense Nebraska Coalition to announce an update on WOTUS, RFS, and other issues that EPA can help to provide regulatory certainty for farmers and ranchers across Nebraska and the country. In their effort to provide certainty to farmers and

landowners, tomorrow EPA and the U.S. Army Corps of Engineers will be announcing the next step on the WOTUS rulemaking.

"Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back the job-killing WOTUS regulation," said Governor Ricketts. **"Today's announcement is the next step toward returning common sense to federal oversight of intra-state waterways. Removing this threat to our state's top job creators gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."**

Background on WIFIA Loan:

The City of Omaha applied for a $55 million loan from the Water Infrastructure Finance and Innovation Act to help fund a $113 million project to relieve water quality concerns in the Papillion Creek and Missouri River. The project will halt the discharge of up to 1.2 billion gallons of combined sewer water flowing into the Little Papillion Creek each year. Omaha has undertaken more than 60 projects to address combined sewer overflows during the past decade. This project will also remove floatables and other solids from combined sewer overflows. It will be located just south of UNO's Baxter Arena.

The Saddle Creek project is only one of over 60 projects that the City has undertaken to address Combined Sewer Overflows associated with combined sewers throughout the City over the past decade. This includes ongoing upgrades at Omaha's largest wastewater treatment plant along the Missouri River, sewer separations throughout the City, and improvements to parks to reduce the volume of water that reaches sewers.

Background on Omaha Lead Superfund Site:

EPA Region 7 completed the EPA-lead portion of the remedial action on December 29, 2015. The City of Omaha and the Douglas County Health Department will be performing the remaining field work. As of December 29, 2015, EPA collected soil samples from 42,047 properties. Based on the soil sampling results, 14,019 properties were eligible for soil remediation. The EPA remediated lead contaminated soil at 13,090 properties (93 percent) of the properties that were eligible for remediation.

EPA completed Cooperative Agreements with the City of Omaha and the Douglas County Health Department that provide funds to allow these local government agencies to continue efforts to obtain access to the remaining properties and conduct sampling and remediation activities at those properties where they obtain access. In accordance with EPA's closeout procedures for National Priorities List sites, the current partial will partially delete 101 properties from this site.

Green Plains CEO Todd Becker introduces EPA Administrator Scott Pruitt to employees.

Administrator Pruitt addresses Green Plains employees in Omaha.

Administrator Pruitt holds a dialogue with Green Plains' leadership team.

Visit the EPA's Newsroom

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

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Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 5/2/2017 2:09:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Thank You & NASDA Follow-Up

I am out of the office this week on work travel, so my response may be delayed. I will return to the office Monday, May 8th. Please contact nathan@nasda.org or call 202-296-9680 if you need anything.

Thank you!

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 5/9/2017 7:49:03 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: NASDA Witness (Gary Black): Testimony

Dudley:

That is fantastic...thanks for sharing

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

On May 9, 2017, at 11:48 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

Wanted to share our member's written testimony for Sen Ag Comm hearing on Pesticides (PRIA) this Thur.

Sent from my iPhone

Begin forwarded message:

<Senate Ag_Pesticides_Testimony_Black_05_08_17.FINAL.pdf>

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 6/14/2018 6:35:08 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE:

Hi Tate, just tried giving you a ring. In case you hate listening to voicemails as much as I do, thought I'd just ping you here.
I'm at Ex. 6 I'll be in and out of meetings between 3 and 4:30, but can talk before or after that time (or sneak a call to you in between meetings).

Nathan Bowen
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 14, 2018 1:59 PM
To: Nathan Bowen <Nathan@nasda.org>
Subject:

Do you mind giving me a shout when you are free? 202-329-3948

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 3/31/2017 9:00:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: April 12th...

I am free rest of tonight. Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I can call at 2:45…

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 1:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: April 12th...

Before 200. Or after 400.

Let me know. Use cell phone Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
Ex. 6

:: www.consolenergy.com ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Phone: (202) 463-2600
Direct: (202) 463-2622
jmullins@nma.org

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NMA

THE AMERICAN RESOURCE

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/10/2017 10:04:19 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Briden, Parker [parker.briden@governor.mo.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: Pesticide Applicator Announcement

Got it -- thanks!

Sent from my iPhone

On May 10, 2017, at 5:47 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi all – Below is the draft release we are planning to send tomorrow morning. Please let me know if you have any edits or questions about the announcement. We will copy you on the final release once it goes out and you are welcome to repurpose this for your press lists.

Thank you,
Amy – 202-564-4464

EPA Extends Timeline for Pesticide Applicators Rule

WASHINGTON – U.S. Environmental Protection Agency Administrator Scott Pruitt today announced an 18-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule. EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule. The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

"In order to achieve both environmental protection and economic prosperity, we must give the regulated community, which includes farmers and ranchers, adequate time to come into compliance with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule's intended benefits," **said Administrator Pruitt**.

Last month, Administrator Pruitt met with Missouri Governor Eric Greitens to discuss the C&T rule, among other issues.

"Administrator Pruitt proved today that the old way of doing business at the EPA is over and done with. We presented them with a problem, and they took quick action to begin fixing it. Missouri farmers have waited a long time for common sense government, and now it's on its way. I'm grateful for this new leadership, and look forward to continuing to work with this

administration to curb regulations that are killing jobs and hurting our farmers. It's time for government to get out of the way and let our farmers farm," **said Governor Greitens.**

"We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities," **said Dr. Barbara P. Glenn, CEO of the National Association of State Departments of Agriculture.**

Administrator Pruitt recently launched his *Back-to-Basics* agenda for returning EPA to its core mission: protecting the environment by engaging with state, local, and tribal partners to create sensible regulations that enhance economic growth. Today's action is the latest evidence of Administrator Pruitt's commitment to cooperative federalism and getting the EPA back to basics.

###

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/15/2017 5:41:36 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Nathan Bowen [Nathan@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Yes, that works great!

Will look forward to seeing you all Thur. morning.

Please let me know if you have any questions or would like to touch base on any points before hand (my cell: Ex. 6 Ex. 6

Many thanks!

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Monday, May 15, 2017 1:01 PM
To: Dudley Hoskins
Cc: Nathan Bowen; Wagner, Kenneth; Bennett, Tate; Cheatham-Strickland, Latonia
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Dudley,

Ken and Tate are both available to meet at EPA. Does 9-10 still work on Thursday?

Thank you,

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Friday, May 12, 2017 4:00 PM
To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

I should be free. Not sure of Ken's calendar off the top of the head.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, May 12, 2017 3:57 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>
Subject: Potential Meeting Coordination: NASDA Executive Comm Members

Ken & Tate – hope all is well on your ends.

I wanted to send a quick note to gauge your interest/availability to meet with a few of our Executive Committee members who will be in town next Thursday (18th)?

It looks like the only time we have available will be between 9:00 – 10:00 AM, but I wanted to send this note to check in on potential coordination, schedules permitting.

NASDA Members in town next week:

- President : Commissioner Michael Strain, Louisiana Department of Agriculture & Forestry;
- Vice President : Commissioner Steven Reviczky, Connecticut Department of Agriculture;
- Second Vice President : Secretary/Director Jeff Witte, New Mexico Department of Agriculture; and
- Secretary-Treasurer: Secretary Jamie Clover Adams, Michigan Department of Agriculture.

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 4/26/2017 8:55:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]
Subject: Re: Thanks! [WARNING: SPF validation failed]

Thanks so much Tate.

Will have some additional follow-ups shortly. Can't thank you all enough for your collective time and leadership across so many issue areas.

More soon & many thanks. - dudley

Sent from my iPhone

On Apr 26, 2017, at 4:40 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Friends-
>
> We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).
>
> In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.
>
> Best.
>
> Tate
>
> Elizabeth Tate Bennett
> Senior Advisor to the Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 5/18/2017 12:49:10 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: Re: NASDA Agenda & Additional Refernce Materials (Meeting Thur @ 9:00 AM)

Thanks for the heads up!

Chad Nitsch
State and Regional Partnerships | Environmental Protection Agency
202-564-4714

On May 18, 2017, at 8:48 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

> My apologies but some of our group is still at USDA and running a few minutes late. Will send another note as soon as we have a better sense of arrival time.
>
> Sent from my iPhone
>
> On May 17, 2017, at 10:48 AM, Nitsch, Chad <Nitsch.Chad@epa.gov> wrote:
>
>> Thanks for the agenda and background materials Dudley. I'll print hard copies for Ken, Tate, and Jack.
>>
>> Chad Nitsch
>> State and Regional Partnerships | Office of the Administrator
>> Environmental Protection Agency
>> 202-564-4714
>>
>> **From:** Dudley Hoskins [mailto:Dudley@nasda.org]
>> **Sent:** Wednesday, May 17, 2017 10:15 AM
>> **To:** Nitsch, Chad <Nitsch.Chad@epa.gov>
>> **Cc:** Nathan Bowen <Nathan@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Cheatham-Strickland, Latonia <Cheatham-Strickland.Latonia@epa.gov>
>> **Subject:** NASDA Agenda & Additional Refernce Materials (Meeting Thur @ 9:00 AM)
>>
>> Please see the attached "draft" agenda we are asking our Exec Comm members to work off of for tomorrow's meeting.
>>
>> Also attaching:
>> 1. <!--[if !supportLists]--><!--[endif]-->NASDA EPA Reg Reform comments (submitted to the docket this past Monday) – includes additional context on Certification of Pesticide Applicators rule and Worker Protection Standard;

2. <!--[if !supportLists]--><!--[endif]-->NASDA member testimony (Senate Ag Hearing on Pesticides & PRIA); and
3. <!--[if !supportLists]--><!--[endif]-->Full list of NASDA attendees.

Please let me know if you have any questions or would like to touch base at any time. My cell Ex. 6

Many thanks again for your time, partnership, and leadership across the board – looking forward to seeing you all tomorrow morning. - dudley

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Monday, May 15, 2017 1:01 PM
To: Dudley Hoskins
Cc: Nathan Bowen; Wagner, Kenneth; Bennett, Tate; Cheatham-Strickland, Latonia
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Dudley,

Ken and Tate are both available to meet at EPA. Does 9-10 still work on Thursday?

Thank you,

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Friday, May 12, 2017 4:00 PM
To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

I should be free. Not sure of Ken's calendar off the top of the head.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, May 12, 2017 3:57 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>
Subject: Potential Meeting Coordination: NASDA Executive Comm Members

Ken & Tate – hope all is well on your ends.

I wanted to send a quick note to gauge your interest/availability to meet with a few of our Executive Committee members who will be in town next Thursday (18th)?

It looks like the only time we have available will be between 9:00 – 10:00 AM, but I wanted to send this note to check in on potential coordination, schedules permitting.

NASDA Members in town next week:

- President : Commissioner Michael Strain, Louisiana Department of Agriculture & Forestry;
- Vice President : Commissioner Steven Reviczky, Connecticut Department of Agriculture;
- Second Vice President : Secretary/Director Jeff Witte, New Mexico Department of Agriculture; and
- Secretary-Treasurer: Secretary Jamie Clover Adams, Michigan Department of Agriculture.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 •
www.nasda.org

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/14/2018 5:58:19 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Give me a shout when you can

Hello,

I am out of the office for personal and work travel. My response may be delayed. Please contact nathan@nasda.org if you need anything. Thank you!

Britt

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/9/2018 7:41:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Per your request

thx

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, August 9, 2018 3:41 PM
To: Paul Schlegel <pauls@fb.org>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Per your request

Working on a formal desk statement.

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science." – EPA Spokesperson Michael Abboud

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/13/2018 6:36:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NBCC's 26th Annual Conference

June 13, 2018

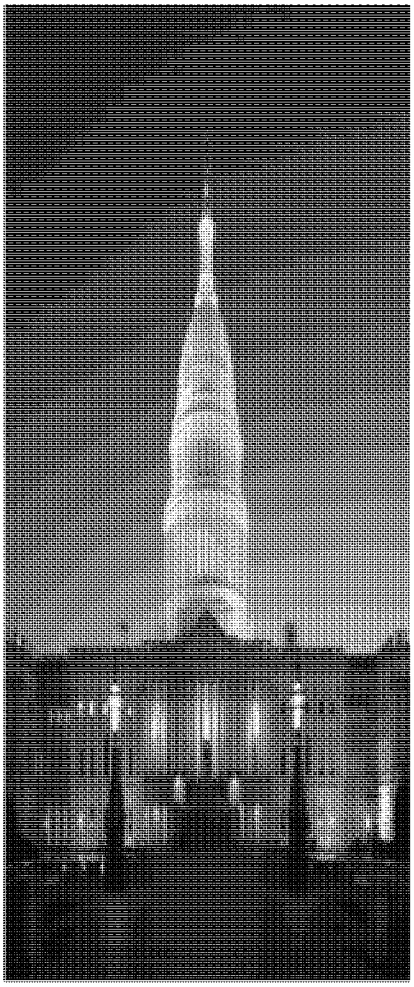
NBCC | National Black Chamber of Commerce®

***A More Dynamic Economy:* HOW TO TRANSFORM OUR ANALOGUE ECONOMY WITH 21ST CENTURY SOLUTIONS**

IT IS TIME TO REGISTER FOR THE 26TH ANNUAL CONFERENCE – JULY 19 – 21, 2018

***JOIN OVER 250 OF OUR FAVORITE FRIENDS COMING FROM THE ENTIRE UNITED STATES AND THREE OTHER CONTINENTS.**

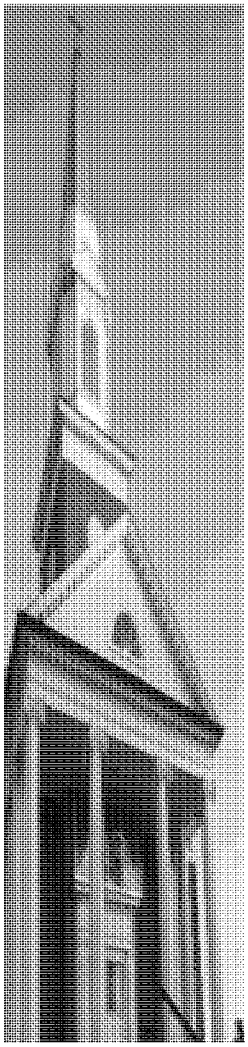
IT WILL BE HELD IN WASHINGTON, DC ON CAPITOL HILL (US SENATE HART BUILDING & THE 20 F STREET CONFERENCE CENTER)



CATERING WILL BE "HOME COOKING" FROM SOME OF THE BEST RESTAURANTS IN ALL OF DC

CENSUS BUREAU (NATIONAL PARTNERSHIP) WILL SHOW THEIR NEW APP THAT WILL ASSIST YOU IN WRITING A DYNAMITE BUSINESS PLAN

FACE TO FACE QUALITY TIME WITH OUR NEW CHAIR AND 24 BOARD MEMBERS

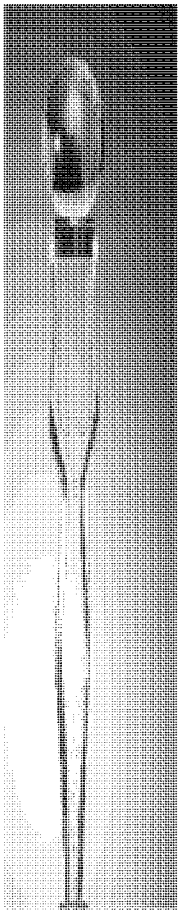


BLACK CHURCHES ARE SEEKING OUR MEMBERS FOR THEIR PROCUREMENT NEEDS (GAME CHANGER!)

BEST HOTEL RATE IN ALL OF DOWNTOWN WASHINGTON, DC (HURRY!) We've negotiated an outstanding room rate at the Fairfield Inn and Suites which includes free Internet and free breakfast. To reserve a room call 1-888-236-2427 and use "NBC" for the code or you may book online at Book your group rate for NBCC. Reservations should be made by Friday July 15

GREAT SPEAKERS FROM A BEVY OF CHAMBER LEADERS, CONGRESSIONAL MEMBERS, FEDERAL AGENCY EXECUTIVES

WHO WILL WIN THE ARTHUR A. FLETCHER LIFETIME ACHIEVEMENT AWARD, PARREN J. MITCHELL AWARD, CHAMBER OF THE YEAR, NBCC MEMBER (BUSINESS) OF THE YEAR?



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| National Black Chamber of Commerce | Washington, DC| info@nationalbcc.org|

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

Unsubscribe bennett.tate@epa.gov

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/9/2017 5:47:51 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Fwd: NASDA Witness (Gary Black): Testimony
Attachments: Senate Ag_Pesticides_Testimony_Black_05_08_17.FINAL.pdf; ATT00001.htm

Wanted to share our member's written testimony for Sen Ag Comm hearing on Pesticides (PRIA) this Thur.

Sent from my iPhone

Begin forwarded message:

Testimony of
The Honorable Gary W. Black, Commissioner of Agriculture, State of Georgia
On behalf of the National Association of State Departments of Agriculture

As submitted to the U.S. Senate Committee on Agriculture, Nutrition, and Forestry Public Hearing on Pesticide Registration under the Federal Insecticide, Fungicide, and Rodenticide Act: Providing Stakeholders with Certainty through the Pesticide Registration Improvement Act.

May 11, 2017
328A Russell Senate Office Building

Chairman Roberts, Ranking Member Stabenow, and distinguished members of the Committee, thank you for the invitation to testify today on behalf of the National Association of State Departments of Agriculture (NASDA) and the Georgia Department of Agriculture on the pesticide registration process. I appreciate the opportunity to share a state agency perspective on this important topic. My name is Gary Black, and I proudly serve as Georgia's Commissioner of Agriculture and NASDA member as an ambassador, advocate, regulator, and educator.

NASDA

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in all fifty states and four territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the introduction and spread of plant and animal diseases, and fostering the economic vitality of our rural communities. Environmental protection and conservation are also among our chief responsibilities.

In forty-three states and Puerto Rico, the state department of agriculture is the state lead agency responsible for administering and enforcing the labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)[1]. Georgia is one of those forty-three state agencies with FIFRA responsibilities and serves as a co-regulatory partner with the U.S. Environmental Protection Agency (EPA) on the delivery and enforcement of pesticide programs and activities.

[1] 7 U.S.C. §136, *et. seq.*

Georgia Agriculture

I am proud of the fact that Georgia has a rich history in production agriculture. Some would even say that it is in our name. For you see the name "Georgia", the feminine version of George, truly means "a farmer", or "worker of the land". In fact, the first crop of soybeans in North America was harvested on Skidaway Island in 1765. Today we are better known as world leaders in the production of poultry, peanuts, pecans, cotton, forest products and our famous sweet Vidalia onions. Our agricultural economy continues to thrive representing a $75 billion annual economic impact to our state's economy and serves as our largest industrial sector.

The diversity of our agricultural production is equally reflected within our agency's Plant Industries Division. The Georgia Department of Agriculture routinely register approximately 15,000 pesticide products annually and issues license to over 30,000 certified pesticide applicators. Through our cooperative agreement with EPA we make every effort to provide unmatched education and regulatory oversight to our agricultural producers and pest management professionals. The regulatory burden over the last decade has put considerable stress on our agency, our land grant university system and partnering stakeholders who are charged with pesticide registration and enforcement.

Relationship between EPA and the Agriculture Community

It is no secret that we have experienced a number of significant challenges between the agriculture community and the EPA over the recent years. I want to start by acknowledging the tremendous efforts by newly appointed EPA Administrator Scott Pruitt to improve this relationship. From his meeting directly with several of my colleagues in NASDA; to offering public remarks at the national meetings of various agriculture producer organizations; and countless other efforts all within his first few weeks at the helm, Administrator Pruitt has demonstrated genuine respect and appreciation for the hard-working women and men who feed and clothe us. While we are still working with EPA to address several remaining regulatory challenges and process improvements, we see these efforts as a badly needed reboot of our relationship with EPA, and we applaud the Administrator's efforts in delivering a transparent, predictable, and science-based regulatory approach to protecting human health and the environment while allowing for the production of the world's safest, most abundant, and most

affordable food supply. The FIFRA registration process and the Registration Improvement Act (PRIA) are cornerstones to this essential regulatory foundation.

Cooperative Federalism

Among NASDA's highest priorities is the pursuit to codify and institutionalize the concept of cooperative federalism. That is, the recognition that governance of this great nation is a shared responsibility of federal and state partners. This is particularly true with regard to the regulation of pesticides. Through the administration of FIFRA, EPA undertakes extensive review of more than 125 different health, safety and efficacy studies, and ultimately, EPA makes a decision to register a pesticide for distribution, sale and use if it determines that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment."

While some may believe this is the end of the process, it is in fact only the beginning. Specifically, the pesticide must also be registered in any state where it is to be used. In most cases, it is the responsibility of my colleagues in the state Departments of Agriculture to review and register these products for use in the state.

Nobody will be surprised to learn that there are high costs associated with bringing crop protection products to the market. We are concerned that regulatory costs and burdens are unnecessarily exacerbated when, as we have witnessed in the past few years, there is not a robust level of communication, cooperation, and coordination between EPA and its co-regulatory partners at the state level. NASDA members, myself included, have been continually frustrated by the seeming lack of regard for our concerns and contributions to this process.

We were particularly encouraged by Administrator Pruitt's comments during his confirmation hearing reaffirming the role of states through Cooperative Federalism, and subsequently, we have been extremely pleased with the direct action and outreach EPA has undertaken to execute this new directive.

As I've suggested, many issues of concern of the state co-regulators with EPA's regulatory proposals can and should be addressed at the beginning of the process. Communication, cooperation and coordination shouldn't be a goal, they should be a given. We feel there are opportunities to strengthen this regulatory partnership between EPA and the state departments of agriculture, and we would

welcome the opportunity to explore these possibilities with the Committee going forward.

FIFRA Process Integrity

FIFRA established a unique, effective, and comprehensive regulatory structure to provide pesticide-related environmental and public health protection in which state lead agencies have primacy in the enforcement of pesticide matters. FIFRA created requirements for pesticide registration, labeling, and use that are the end result of an extensive pre-market approval process. This registration process requires products to meet strict safety guidelines and includes rigorous examination of environmental fate data and health exposure assessments.

It is essential for state departments of agriculture and the producers we serve to have a robust, transparent, and scientifically-sound FIFRA registration and reregistration process to deliver new technologies and critical crop protection tools in a timely and predictable manner. In order to achieve this end, NASDA requests Congress ensure there is a fully funded, fully resourced, and fully staffed Office of Pesticide Programs to conduct the rigorous and timely scientific review necessary for these essential crop protection tools.

NASDA supports the original intent of Congress that FIFRA be the primary federal statute under which pesticide registration and use is regulated. As regulatory partners with EPA, state departments of agriculture play an essential role in delivering, implementing, and enforcing various FIFRA-related programs.

Pesticide registration and use should not be regulated under other federal statutes that were neither designed for, nor intended to be the governing statutes for pesticide distribution, sale and use (e.g. the Clean Water Act, the Endangered Species Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, etc.). Pesticide uses that have been reviewed and registered under FIFRA should not be subject to additional requirements (including costly and duplicative permit requirements) under other federal statutes.

In situations where conflicting or duplicative requirements of other environmental statutes overlap with FIFRA, deference should be granted to the FIFRA registration process in a manner that is science-based, transparent, and

allows stakeholders the opportunity to comment upon and fully analyze the ramifications of the proposed action. EPA must recognize that state lead agencies are not only important stakeholders, but are also co-regulators under FIFRA and must, therefore, be intimately involved in this process.

Pesticide Registration Improvement Act

The Pesticide Registration Improvement Act (PRIA) is once again nearing time for reauthorization. The current law (PRIA 3) expires on September 30 of this year. PRIA provides a stable and predictable funding source for the EPA Office of Pesticide Programs and establishes a functional and timely process for pesticide and inert ingredient review so that registrants are able to efficiently plan for product approval and market availability. Equally important, PRIA provides additional resources to the states to conduct pesticide education, training, and worker protection activities.

As you know, PRIA has attracted wide, bipartisan support due to its unique success of delivering good government through stakeholder collaboration. NASDA is a member of the PRIA Coalition, which includes organizations representing the registrant community, chemical and biotechnology industries, farmworker advocates, and environmental non-governmental organizations. NASDA supported legislation (H.R. 1029) introduced in the House by Representative Davis of Illinois that attracted widespread bipartisan support, and in fact was agreed to by unanimous voice vote in the House of Representatives on March 20.

Legislation passed in the House would reauthorize existing provisions for seven years, as opposed to the five year extensions in previous iterations of PRIA. The legislation provides two increases of 5% each on registration fees over the seven years. The legislation also provides a $500,000 set aside for EPA to meet deadlines for efficacy guidelines for pesticides to combat bed bugs (which have shut down schools, hotels, dorms, and movie theaters), and crawling and flying insects, which will inform industry what efficacy tests are required. The bill increases maintenance fees to $31 million annually from 2017-2023 and provides increased funding for grant programs, promoting Good Laboratory Practices, and farm worker protection education. This latest iteration of PRIA also sets the appropriations trigger level at 2012 budget levels of $128 million ensuring that the industry fee supplements appropriations. Under FIFRA Section 33(c)(3)(B),

the EPA is authorized to use 1/17 of the amount of the Pesticide Registration Fund (but not less than $1 million) to enhance current scientific and regulatory activities related to worker protection and $500,000 in each fiscal year, 2013 through 2017, for funding of the Pesticide Safety Education Program (PSEP). State agencies strongly support the allocation of these funds to support the critical mission related to worker protection.

NASDA supports this legislation and asks that this Committee and the Senate to act swiftly to pass this important legislation and send this to the President for his signature.

Support for OPMP

The U.S. Department of Agriculture's (USDA) Office of Pest Management Policy (OPMP) was created as part of the 1998 Agricultural Research, Extension, and Education Reform Act in order to provide leadership in coordinating interagency activities with the EPA, the Federal Drug Administration (FDA), and other Federal and State agencies to coordinate agricultural policies within the Department related to pesticides. The law further requires OPMP to consult with and provide services to producer groups and interested parties.

The Congress believed creating OPMP was necessary to focus and coordinate the many pest management and pesticide-related activities carried out within the Department. From the legislative history, it is apparent Congress felt strongly this was a necessary step for USDA to effectively carryout its statutory responsibilities with respect to pesticide issues and pest management research.

The law creating this office established that the Director of this office would work with EPA, State Departments of Agriculture producers, producers, and other appropriate groups to develop effective, efficient mechanisms for gathering data necessary for making regulatory decisions. To achieve the many objectives the law envisioned in creating this office, it was expected the office would be created within and staffed by an official within the Office of the Secretary.

Congress was particularly concerned the Director of the OPMP be someone the Secretary had trust and confidence in to ensure that the department would be an effective and forceful advocate within the administration on issues within the

purview of this office. As such, the law requires the Director of the OPMP report directly to the Secretary or Deputy Secretary of Agriculture.

We ask that members of this Committee use your considerable influence to ensure OPMP is vested with the authority and political leverage intended by the statute under which it was created. OPMP is an essential resource and indispensable partner to state departments of agriculture in its delivery of expertise on pesticide regulatory programs.

Conclusion

State departments of agriculture play a critical role in carrying out the regulatory programs impacting our agricultural producers. We serve as both enforcement agents and ambassadors to our agricultural producers, and at a minimum, we have a responsibility and an obligation to fulfill the spirit and intent of the statutes, programs, and Executive Orders controlling and directing that regulatory development process.

It is essential for our federal partners to utilize the expertise of the states and the producers in those states to inform, develop, and implement a scientifically sound, consistent, and transparent regulatory framework to ensure our producers are able to continue to produce the food, fiber, and fuel our country and much of the world depends upon.

Before I conclude my remarks, I want to offer a solution and point out a constant theme all of my colleagues as Secretaries, Directors and Commissioner of state departments of agriculture discuss throughout the country and that is the need to "Educate before you Regulate."

I appreciate the opportunity to testify before you today, and I welcome any questions you may have.

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 6/15/2018 4:03:58 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE:

Free until 3pm.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 15, 2018 12:03 PM
To: Aline DeLucia
Subject:

Do you have time for a call later today?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 4/3/2017 5:11:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: April 12th...

Just sent you address

Sent from my iPhone

On Apr 3, 2017, at 12:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Hey! Checking with our scheduler. We are talking your Claysville location, correct?
>
> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
> **Sent:** Friday, March 31, 2017 6:23 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: April 12th...
>
> Yes. Free all night. Use mobile Ex. 6
>
> Sent from my iPhone
>
> On Mar 31, 2017, at 5:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>> Sorry Tommy! I have not sat down all afternoon! Can't keep up! Can I give you a call this evening?
>>
>> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
>> **Sent:** Friday, March 31, 2017 5:00 PM
>> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
>> **Subject:** Re: April 12th...
>>
>> I am free rest of tonight. Ex. 6
>>
>> Sent from my iPhone
>>
>> On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>>> I can call at 2:45…
>>>
>>> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
>>> **Sent:** Friday, March 31, 2017 1:10 PM
>>> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
>>> **Subject:** RE: April 12th...
>>>
>>> Before 200. Or after 400.
>>>
>>> Let me know. Use cell phone Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6

:: *www.consolenergy.com* ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Ex. 6
jmullins@nma.org

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Message

From: Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]
Sent: 4/5/2017 6:08:56 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Smith, Zachery [ZacherySmith@cnxlp.com]; Aiello, Brian [BrianAiello@consolenergy.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]
Subject: RE: Thanks

Tommy,

Thank you so much for this info. I will be traveling in on the morning of the 11th with two members of the Administrator's security team. They will need to mirror the Administrator's steps for Wednesday to get comfortable with what he will be doing. May we please arrange to do that in the early afternoon on Tuesday, April 11?

Thank you,
Millan

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Thanks

Adding Zach Smith and Brian Aiello to this communication. They will be helping plan and stage this visit.

Below is a proposed framework to further discuss. Let us know when we can revisit this talk to put a finer point on the plan.

Harvey Mine- Patterson Creek Portal

1100am- Arrival at portal
11:15am-1200pm- Private roundtable discussion and lunch
1200-12:30-Safety training and overview
12:30-12:45- Gear up
100pm-300pm- Underground
- Harvey- 25 minute man trip each way gives us about an hour underground at the longwall

300pm-330pm- Press conference and employee event at the portal

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6

:: www.consolenergy.com ::

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 04, 2017 5:26 PM
To: Johnson, Tommy
Cc: Graham, Amy; Lyons, Troy; Hupp, Millan
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

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Message

From: Smith, Zachery [ZacherySmith@cnxlp.com]
Sent: 4/5/2017 4:40:42 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Smith, Zachery [ZacherySmith@cnxlp.com]; Aiello, Brian [BrianAiello@consolenergy.com]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: Re: Thanks
Attachments: removed.txt

Address for Harvey Mine- Patterson Creek Portal is : 685 Patterson Creek Road
Sycamore, PA 15364

Sent from my iPhone

On Apr 5, 2017, at 12:31 PM, Johnson, Tommy <TommyJohnson@consolenergy.com> wrote:

> Tim Murphy is the member that has the mines. Recommend we invite: Keith Rothfus, Bill Shuster and Mike Kelly. Probably should extend courtesy to Senator Toomey staff.
>
> Zach will send the address for the Harvey Mine Portal asap.
>
> Zach – please check with Barletta about advancing our safety video to make the safety training go faster.
>
> Also, provide Tate and team with the punch list of specs we need for guests to go underground. Shoe size, etc. Bring in HR accordingly to manage the moving parts here.

From: Lyons, Troy [mailto:lyons.troy@epa.gov]
Sent: Wednesday, April 05, 2017 10:49 AM
To: Johnson, Tommy; Bennett, Tate; Smith, Zachery; Aiello, Brian
Cc: Graham, Amy
Subject: RE: Thanks

Tommy—who in the delegation represents the mine and/or surrounding areas?

We are going to start drafting an official letter of invite and reaching out to folks given that it is a week away

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- <!--[if !supportLists]--><!--[endif]-->Harvey- 25 minute man trip each way gives us about an hour underground at the longwall

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Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
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********** ATTACHMENT REMOVED **********

This message contained an attachment which the administrator has caused to be removed.

********** ATTACHMENT REMOVED **********

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 4/3/2017 5:11:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: PA Operations

Greene county runway: 3500 ft. – 35 minutes

Washington county runway: 5000 ft. – 25 minutes – 1 mile from interstate 70

The complex has three coal mines: bailey, below fork and Harvey. They share one preparation plant.

Call it 1 hour to the bailey preparation plant from pgh international airport. It's about 30 minutes from Greene county airport. We also have a helipad there if administration wants to drop in. Very doable.

Backdrop is perfect: it's the place where there largest underground coal mine brings raw coal to surface to be "prepped" for the customer. The prep plant cleans those tons to be placed in rail cars that will be sent to. Visual is great. Lots of technology and young professionals pulling levers and working on computers to make sure the coal that's been mined underground meets customer specifications. This coal services the entire eastern sea board for electricity. These tons are placed at Coal fired utilities along the eastern sea board. I would have coal miners from the three coal mines, employees from the two rail roads (CSX/ NOrfolk southern) present, as well as, the building trades from the utilities there (boilermakers and IBEW).

332 Enon Church Road
West Finley, PA 15377

Access Coordinates: 39058'25"N 80025'19"W

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Message

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Sent: 4/5/2017 4:31:45 PM
To: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Smith, Zachery [ZacherySmith@cnxlp.com]; Aiello, Brian [BrianAiello@consolenergy.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
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Cc: Graham, Amy
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Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
Ex. 6

:: *www.consolenergy.com* ::

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Sent: Tuesday, April 04, 2017 5:26 PM
To: Johnson, Tommy
Cc: Graham, Amy; Lyons, Troy; Hupp, Millan
Subject: Thanks

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Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 5/31/2018 12:45:56 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: 3 PM deadline: KQED Question on worker protectino std.

Yes, thanks

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, May 31, 2018 8:45 AM
To: Paul Schlegel <pauls@fb.org>
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

I hear Nancy was able to reach you?

On May 30, 2018, at 7:54 PM, Paul Schlegel <pauls@fb.org> wrote:

Ex. 6

Sent from my iPhone

On May 30, 2018, at 6:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

No. Is there a good number to reach you tomorrow?

On May 30, 2018, at 1:58 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate – see below. Have you guys suspended the rule?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: The DOJ news alerts email notification list2 [mailto:PRESSLIST2@DOJ.CA.GOV] **On Behalf Of** California Attorney General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV

Subject: Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

<~WRD011.jpg>

NEWS RELEASE
May 30, 2018
FOR IMMEDIATE RELEASE
(916) 210-6000
agpressoffice@doj.ca.gov

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Attorney General Becerra Sues EPA for Suspending Crit Safeguards for Agricultural Workers

SACRAMENTO – Joining the Attorneys General of New York and Maryland, Californi General Xavier Becerra today filed a lawsuit against the U.S. Environmental Protectio (EPA) over its decision to suspend critical safeguards for agricultural workers. The Agr Worker Protection Standard (WPS) is a regulation first implemented by the EPA in 199 reduce the number of illnesses and injuries to agricultural workers nationwide from exp pesticides.

In 2015, after determining that many incidents of pesticide exposure might have been farmworkers had better training, the EPA strengthened the WPS and required employe provide agricultural workers and their families with new training. This new training resu more than 15 years of stakeholder meetings and the consideration of over 2,400 publi comments. However, despite the availability of updated training materials, the Trump Administration's EPA suspended the new training requirements without following the n public notice and comment procedures. The lawsuit being brought by the Attorneys Ge based on the fact that the EPA's suspension is arbitrary and capricious, in violation of Administrative Procedure Act.

"EPA Administrator Scott Pruitt is not above the law. He does not get to do away with simply because he does not like them." **said Attorney General Becerra**. "It's becaus agricultural workers — many of whom are immigrants — that families across America fresh fruits and vegetables. Agricultural workers deserve to know that we have their ba will continue to hold the EPA accountable. That's why, with today's lawsuit, my Office EPA Administrator Pruitt a total of 11 times."

Among other things, the training requirements that Administrator Pruitt wants to discar allow agricultural workers to:

- Learn how to minimize family member exposure to pesticides from contaminate or footwear;
- Access information about the hazards posed by particular pesticides; and

- Ensure they are aware of guidelines for emergency medical care.

Though California has its own strict agricultural worker safety training requirements, m
California's agricultural workers cross state lines for seasonal agricultural work. Withou
federal safeguards at issue, these workers will not receive the information necessary t
protect themselves and their families from pesticide exposure.

A copy of the complaint is attached to the electronic version of this release at oag.ca.g

###

You may view the full account of this posting, including possible attachments, in the News & Alerts section o
at: https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-epa-suspending-critical-safeguard

<~WRD011.jpg>

You may view all News & Alerts on our website at: http://oag.ca.gov/news

Please visit the remainder of the Attorney General's site at: http://oag.ca.gov/

Unsubscribe from this list

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/12/2018 6:34:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: talk?

You around?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 5/30/2018 11:54:25 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

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Ex. 6 (o)
(c)
pauls@fb.org

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On Behalf Of California Attorney General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV
Subject: Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

<~WRD011.jpg>

NEWS RELEASE
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agpressoffice@doj.ca.gov

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Social N

Print

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In 2015, after determining that many incidents of pesticide exposure might have been avoide farmworkers had better training, the EPA strengthened the WPS and required employers to provide agricultural workers and their families with new training. This new training resulted fro more than 15 years of stakeholder meetings and the consideration of over 2,400 public comments. However, despite the availability of updated training materials, the Trump Administration's EPA suspended the new training requirements without following the necessa public notice and comment procedures. The lawsuit being brought by the Attorneys General i based on the fact that the EPA's suspension is arbitrary and capricious, in violation of the Administrative Procedure Act.

"EPA Administrator Scott Pruitt is not above the law. He does not get to do away with protecti simply because he does not like them." **said Attorney General Becerra.** "It's because of agricultural workers — many of whom are immigrants — that families across America can en fresh fruits and vegetables. Agricultural workers deserve to know that we have their backs. W will continue to hold the EPA accountable. That's why, with today's lawsuit, my Office has sue EPA Administrator Pruitt a total of 11 times."

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Though California has its own strict agricultural worker safety training requirements, many of California's agricultural workers cross state lines for seasonal agricultural work. Without the federal safeguards at issue, these workers will not receive the information necessary to bette protect themselves and their families from pesticide exposure.

A copy of the complaint is attached to the electronic version of this release at oag.ca.gov/new

###

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Please visit the remainder of the Attorney General's site at: http://oag.ca.gov/

Unsubscribe from this list

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 5/30/2018 11:20:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

Thanks!

Sent from my iPhone

On May 30, 2018, at 6:53 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

FYI. I'll give you a shout tomorrow.

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: May 30, 2018 at 6:52:40 PM EDT
To: Paul Schlegel <pauls@fb.org>
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

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May 30, 2018
FOR IMMEDIATE RELEASE
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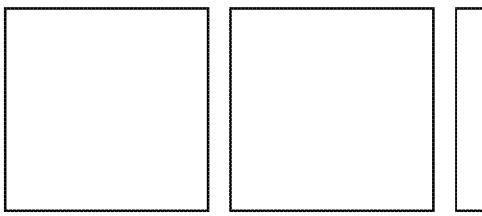

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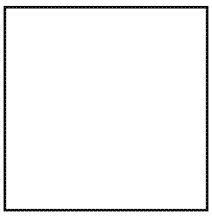
You may view the full account of this posting, including possible attachments, in the News & Alerts section c
at: https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-epa-suspending-critical-safeguarc



You may view all News & Alerts on our website at: http://oag.ca.gov/news

Please visit the remainder of the Attorney General's site at: http://oag.ca.gov/

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Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/5/2018 5:45:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report June 5, 2018

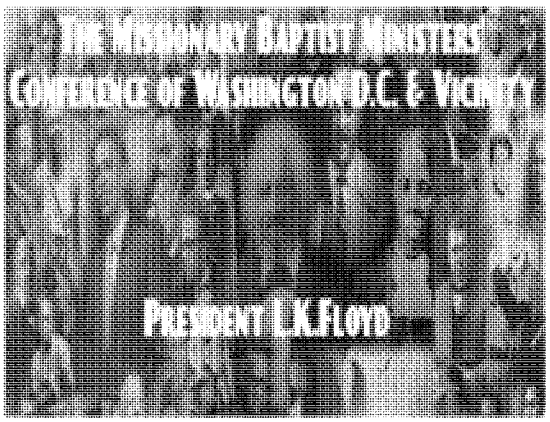
June 5, 2018

NBCC | National Black Chamber of Commerce®

The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

Join Today

Black Church Partnership Program:



We have begun a partnership with the Missionary Baptist Church Ministers' Conference (DMV – DC, Maryland & Virginia) which comprises over 300 churches. All NBCC members are welcome to attend their upcoming Black Economic Symposium – June 18th. There is no charge for attendance and the NBCC will be speaking. Likewise, membership from their conference will be attending our upcoming 26th Annual Conference,

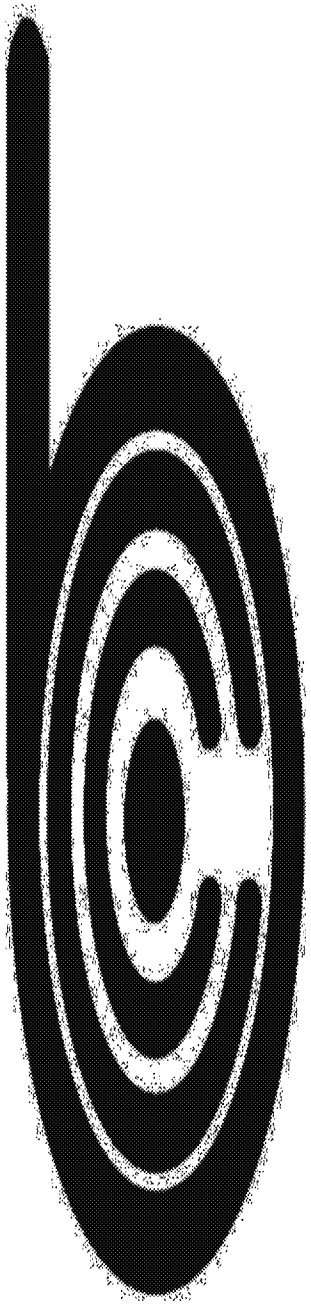
July 19th – 21st. The intent is to economically empower congregations by their process of recycling the congregation's dollars through guided Black business interaction.

Trouble in Pittsburgh:

The City of Pittsburgh has been duped into signing a Project Labor Agreement for all its construction projects of $500,000+. It claims it will attain minority participation at 12% (the city is 24% Black) which will be impossible with the particulars of a PLA in place (they won't hit 4%). This Pennsylvania city needs to look at the other end of the state – Philadelphia and see the racist disasters of a construction PLA. Here is our take on the depressing matter.

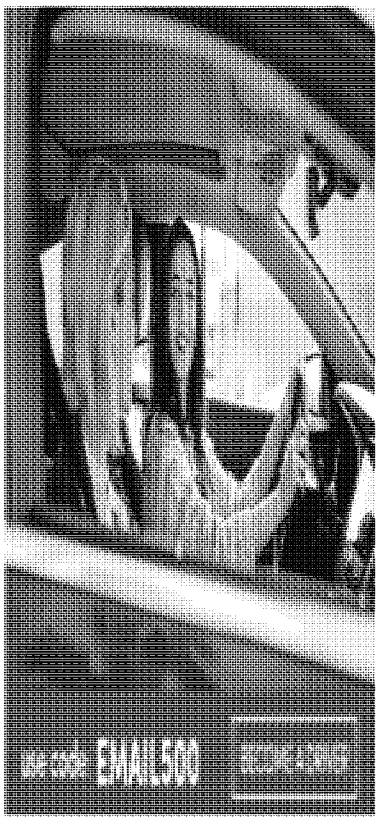
What's Happening in Illinois?

It's ALL GOOD!!! Here is the first edition of the Illinois State Black Chamber of Commerce's newsletter. Congratulations to Larry Ivory and his impressive crew.



Growing Demand for LYFT:

Business is growing by leaps and bounds for our corporate partner LYFT. Here's a recent ad requesting more qualified drivers



A New Dynamic Economy:

The opportunities are limitless due to innovation, tax reform, 5G deployment and Opportunity Zones.

First things first: Make your hotel reservation at The Fairfield Inn and Suites in Chinatown is our host hotel. We've negotiated a price of $169 plus tax per night. The address is 500 H St NW Washington, DC. This rate includes Internet and complimentary breakfast. To reserve a room call 1-888-236-2427 and use "NBC" for the code or you may book online at **Book your group rate for NBCC**.

The early bird registration rate is awaiting you. Just go to https://nvite.com/dynamiceconomy/f923 See you in Washington, DC.

Click Here To Register

| National Black Chamber of Commerce | Washington, DC| info@nationalbcc.org|

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Don Parrish [donp@fb.org]
Sent: 4/30/2018 4:03:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Are you around?

I like to visit if you are.

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 24, 2018 2:07 PM
To: Don Parrish <donp@fb.org>
Subject: FW: Tune in at 2 PM for a special announcement

From: Bennett, Tate
Sent: Tuesday, April 24, 2018 1:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Tune in at 2 PM for a special announcement

https://www.epa.gov/home/live

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/30/2018 3:26:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Opportunities With 3M

NBCC | National Black Chamber of Commerce®

4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

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1. Opportunities with 3M: Urgent! Time Sensitive! 3M Corporation is looking for minority businesses. To participate in this program, you must register by tomorrow - May 1, 2018. The Summit will take place here in Washington, DC on May 21, 2018. A list of capabilities can be found at the bottom of this email.

3M Science. Applied to Life.™

Ready to grow your business and partner with a Fortune 100 company?

Small and Diverse Supplier Networking Event

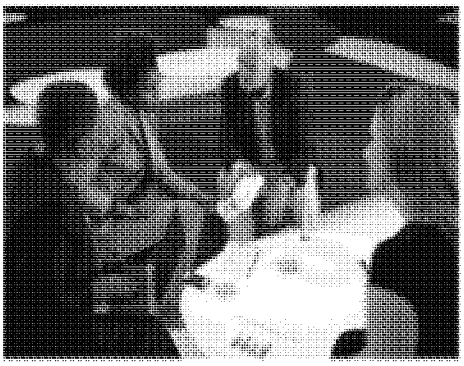
Monday, May 21, 2018
8:30AM to 1:00PM

3M Washington, D.C. Innovation Center
1425 K Street, NW
Suite 300
Washington, D.C. 20005

3M's Vice President of Strategic Sourcing will be hosting a networking event at our company's Washington, D.C. Innovation Center for small and diverse[1] suppliers who are interested in doing business with 3M.

At 3M we believe that innovation is strengthened by our relationships with diverse and small business suppliers. This is why 3M is committed to providing small and diverse suppliers equal access to business opportunities.

Join us at this event to learn more about 3M, our commitment to supplier diversity, and current opportunities for doing business with us as a supplier.



Attendance is limited to those receiving invitations to ensure that attendees will have time to have meaningful discussions with our Sourcing leaders about supplier opportunities with 3M.

For event details and to register your interest in attending, please visit **https://www.3M.com/supplernetworking05**

Please register by **May 1st**

[1] For 3M purposes, a diverse supplier is any supplier who qualifies for one or more of the following classifications: Minority-owned business, Women-owned business, Small Business (including Small Disadvantaged, HUBZone, Woman, and Veteran/Service Disabled Veteran).

For this event, 3M is looking for small and diverse[1] suppliers with these capabilities.

Category	Sub-Category / Capability	Service Area
Engineering Services	Professional engineering services (civil, structural, architectural, mechanical, electrical)	Local, Regional, National
Construction	General construction, electrical construction, mechanical construction, roofing	Local, Regional, National
Capital Equipment	Industrial manufacturing equipment	Local, Regional, National, Global
Converting Services	Foam converting, slitting, rewinding, lamination, die cutting (rotary/flatbed), coating services	Local, Regional, National
Facilities Services	Lawn care, janitorial service & supplies, security, waste hauling, vending services, MRO	Local, Regional, National
Molding	Injection molding, profile extrusion and blow molding	Regional, National
Packaging Services	Manual packing, semi-automated or automated packaging (flow wrapping, blister seal), compounding & mixing, filling (liquid or aerosol)	Regional, National
Packaging Components	Corrugated, folding cartons, thermoform, flexible packaging, labels	Regional, National
Professional Services	Marketing services, contingent labor (including MSP, Payroll, and Staffing), legal counsel	Regional, National

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

SafeUnsubscribe™ bennett.tate@epa.gov

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Message

From: Aline DeLucia [aline@nasda.org]
Sent: 5/4/2018 8:43:14 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Woodward, Cheryl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a0d6a3af92640248638ca24fe87a777-Woodward, Cheryl]
Subject: RE: Meeting with EPA Administrator Pruitt

Confirmed. Thank you!

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Friday, May 04, 2018 3:51 PM
To: Aline DeLucia
Cc: Bennett, Tate; Gordon, Stephen; Woodward, Cheryl
Subject: RE: Meeting with EPA Administrator Pruitt

Hi Aline,

Thanks for sending back. Does May 11 at 2:30PM still work for your group? If so, let's go ahead and confirm that time at EPA Headquarters. I've copied Cheryl Woodward on this message, who will follow up next week with arrival details.

We look forward to seeing you then!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, May 4, 2018 1:31 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Meeting with EPA Administrator Pruitt

Hayley,

Attached is the requested form.

Thank you in advance for your time and consideration,

Aline DeLucia|Associate Director, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

---

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Thursday, May 03, 2018 4:15 PM

To: Aline DeLucia
Cc: Bennett, Tate; Gordon, Stephen
Subject: Meeting with EPA Administrator Pruitt

Hello Aline,

Tate Bennett sent me your contact information and I understand that NASDA leadership would be interested in meeting with Administrator Pruitt in the next few weeks. Would you want to complete the attached request form with more information and to provide dates/times that would work for your group? I will then find a time that works on the schedule.

Thank you and we look forward to hosting you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 4/25/2018 4:44:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Wanted to flag this

Thanks Patrick!

From: Bennett, Tate
Sent: Wednesday, April 25, 2018 12:44 PM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Wanted to flag this

Thanks for the heads up!

On Apr 25, 2018, at 12:15 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

> We're going on offense.
>
> http://www.freedomworks.org/content/freedomworks-releases-obama-era-wasteful-spending-memo-to-help-activists-fight-hypocrisy
>
> --
> **Patrick Hedger**
> Director of Policy
> FreedomWorks Foundation
> **Ex. 6**

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 5/4/2018 5:30:59 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Meeting with EPA Administrator Pruitt
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hayley,

Attached is the requested form.

Thank you in advance for your time and consideration,

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

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From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Thursday, May 03, 2018 4:15 PM
To: Aline DeLucia
Cc: Bennett, Tate; Gordon, Stephen
Subject: Meeting with EPA Administrator Pruitt

Hello Aline,

Tate Bennett sent me your contact information and I understand that NASDA leadership would be interested in meeting with Administrator Pruitt in the next few weeks. Would you want to complete the attached request form with more information and to provide dates/times that would work for your group? I will then find a time that works on the schedule.

Thank you and we look forward to hosting you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

Meeting Request Form for Administrator Scott Pruitt

Today's Date: May 4, 2018

Meeting Date: May 10th at 10am or 11am; May 11th anytime from 9am to 3pm

Meeting Time: See above

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor: Barb Glenn, CEO, National Association of State Departments of Agriculture (NASDA)

Purpose of the Meeting: Representing the regulatory partners in the state level, NASDA leadership would like the opportunity to discuss developments in areas that impact our membership.

Background on the Meeting: NASDA members oversee a broad range of programs and mission areas that help promote and protect U.S. agriculture and foster the economic vitality of our rural communities. NASDA members are also regulatory partners with EPA. It is in the spirit of regulatory partnership and collaboration that we request an opportunity for NASDA leadership to meet with Administrator Pruitt.

Role of the Administrator:

Attendees:

- Barb Glenn, NASDA CEO
- Nathan Bowen, Public Policy Executive Director, NASDA
- Aline DeLucia, Public Policy Associate Director, NASDA

Point of Contact: Aline DeLucia

Delivery Report

From: postmaster@HollyFrontier.com [postmaster@HollyFrontier.com]
Sent: 6/4/2018 2:43:39 PM
To: blake.barfielld@hollyfrontier.com
Subject: Undeliverable: 500 Days...
Attachments: 500 Days...

Your message
To: Bennett, Tate
Subject: 500 Days...
Sent: 6/4/2018 2:43:30 PM

Delivery has failed to these recipients or groups:

blake.barfielld@hollyfrontier.com
The email address you entered couldn't be found. Please check the recipient's email address and try to resend the message. If the problem continues, please contact your email admin.

Diagnostic information for administrators:

Generating server: USTXRICEXCH03.corp.local

blake.barfielld@hollyfrontier.com
Remote Server returned '550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address lookup'

Original message headers:


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To: "Bennett, Tate" <Bennett.Tate@epa.gov>
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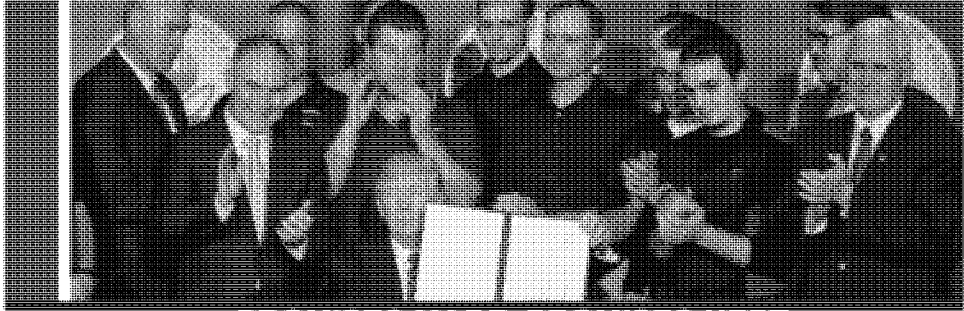
Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/4/2018 2:43:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: 500 Days...
Attachments: Promises Made and Kept.pdf

Good morning. As we approach the 500th day of the Trump Administration, I thought you might be interested in the attached document. Let me know if you have any questions. -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

AMERICAN GREATNESS



PROMISES MADE, PROMISES KEPT

Notable Policy Achievements

1. Withdraw From The Paris Climate Accords
2. Ensure Clean Air & Water
3. Reduce Burdensome Government Regulations
4. Repeal The So Called "Clean Power Plan"
5. Repeal The Waters of The United States Rule
6. Promote Energy Dominance
7. Promote Science Transparency
8. End Sue & Settle
9. Promote the Auto Industry

Withdraw From The Paris Climate Accords

Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Accord. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement. (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Accords, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Ensure Clean Air and Water

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a "sound, solid" solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Reduce Burdensome Government

Promise made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated." (President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalize 22 Deregulatory Actions, Which Could Save Americans more Than $1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's year On Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (Washington Examiner, 9/27/2017)

Repeal The So Called "Clean Power Plan"

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Repeal The Water of The United States Rule

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The United States" Rule On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama A dministration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promote Energy Dominance

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth – while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promote Science Transparency

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (Washington Post, 5/10/2018)

End Sue & Settle

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

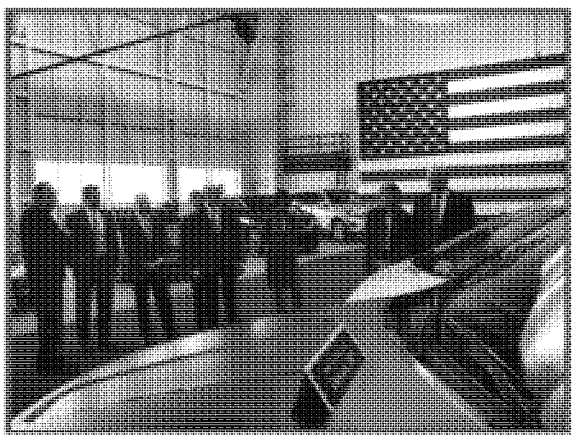
Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "… Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promote the Auto Industry

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)



Promise Kept

In April 2018, Administrator Pruitt Determined that Obama-Era Standards for Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 5/21/2018 6:54:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report May 21, 2018

May 21, 2018

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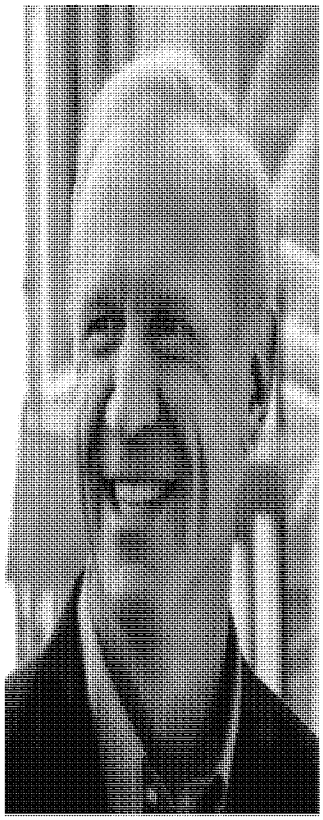
The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

Join Today

We Want Your Input!

Praise for Governor Rauner of Illinois:



There is no elected official in our nation who is showing the commitment of Governor Bruce Rauner, Governor, State of Illinois. His recent Executive Order should be used as an example for all mayors, county executives and governors throughout our nation. We, the federation of the National Black Chamber of Commerce, should show our appreciation and recognize his wisdom. We are preparing a thank you letter and, hereby, ask for all NBCC chapters and other business associations to join in.

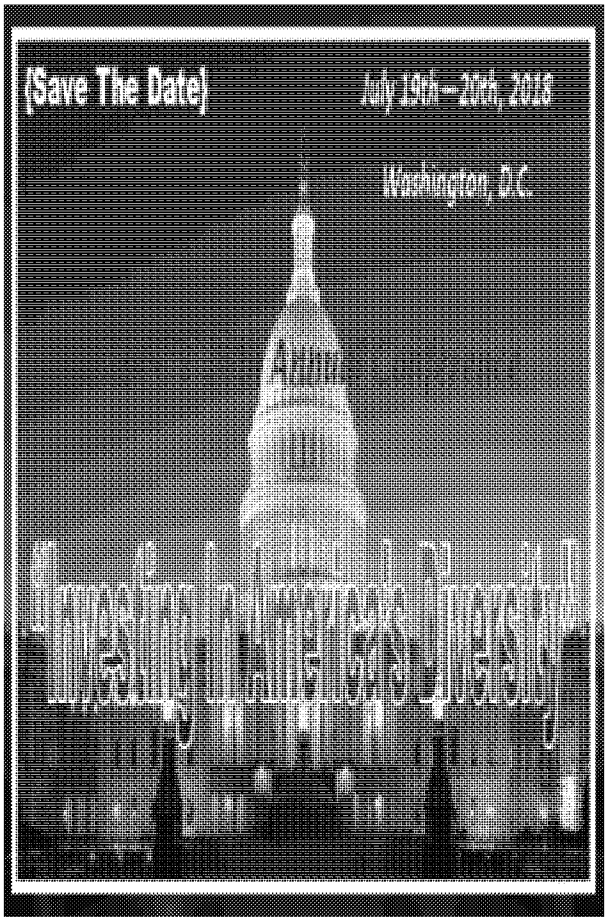
Time to put CAFÉ to Rest:

According to the National Auto Dealers Association, the existing mandates under the CAFÉ program would cause the price of an average vehicle to increase by $3,000 in 2025. The Heritage Foundation concluded that repealing the mandate would save 2025 car buyers at least $7,200 per vehicle. What started as a mandate in the mid – 1970's to reduce foreign imports of oil was changed by the previous Administration to an environmental mandate. Its foundational assumption – that oil is becoming scarce and needs to be rationed by the government action - has proved false. The entire mandate is a relic of the narrative of scarcity. The surge in American energy production has rendered it moot. We are preparing a coalition letter signed by participating NBCC members and other advocacy and business organizations to request the end to this mandate. Here is a draft of the letter. Please consider signing on with us.

A New Dynamic Economy:

Our 26th Annual Conference convenes July 19-20th in Washington, DC. The goal of the conference is to highlight "A New Dynamic Economy" through Opportunity Zones, Infrastructure Development, 5G Deployment, Smart Cities, Capital Access, Procurement Levels at Federal Agencies, International Trade including Matchmakers and Trade Missions, Section 3 of the HUD Act. Your suggestions and input are requested as we finalize our plans.

The above items are time sensitive we need your responses by close of business Wednesday May 23.



| National Black Chamber of Commerce | Washington, DC| info@nationalbcc.org|

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/26/2018 6:03:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report April 26, 2018

April 26, 2018

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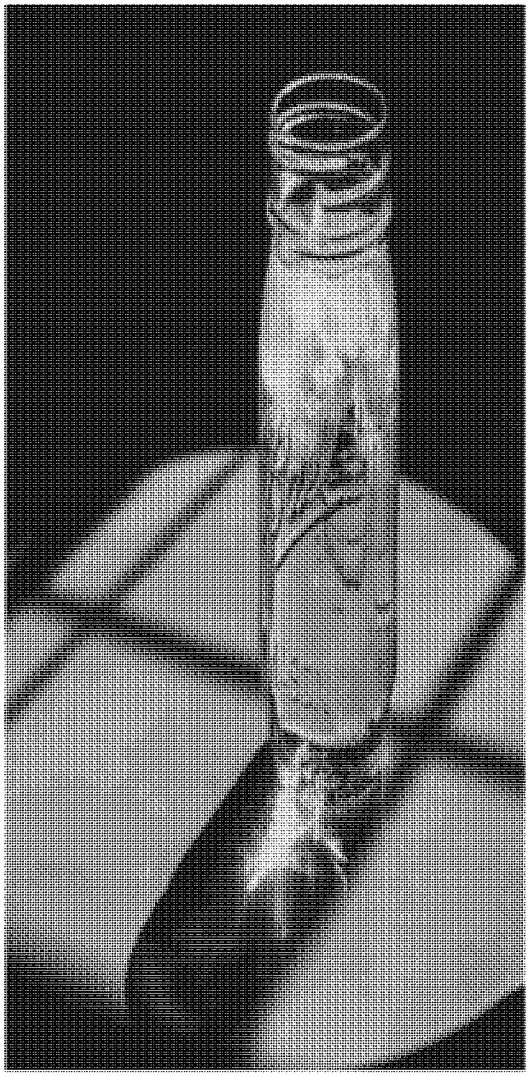
Join Today

Grants are Available for Drinking Water Research:

The Environmental Protection Agency has recently awarded $4 million in research grants...

Read More



Tribute to the Great Barbara Bush:

Conway Jones, Publisher of the Post News Group gave a worthy acknowledgement...

Learn More

FCC steps up for Supplier Diversity:

Are you interested in doing business with the Telecoms? Mark your calendar for June 4th ...

Learn More

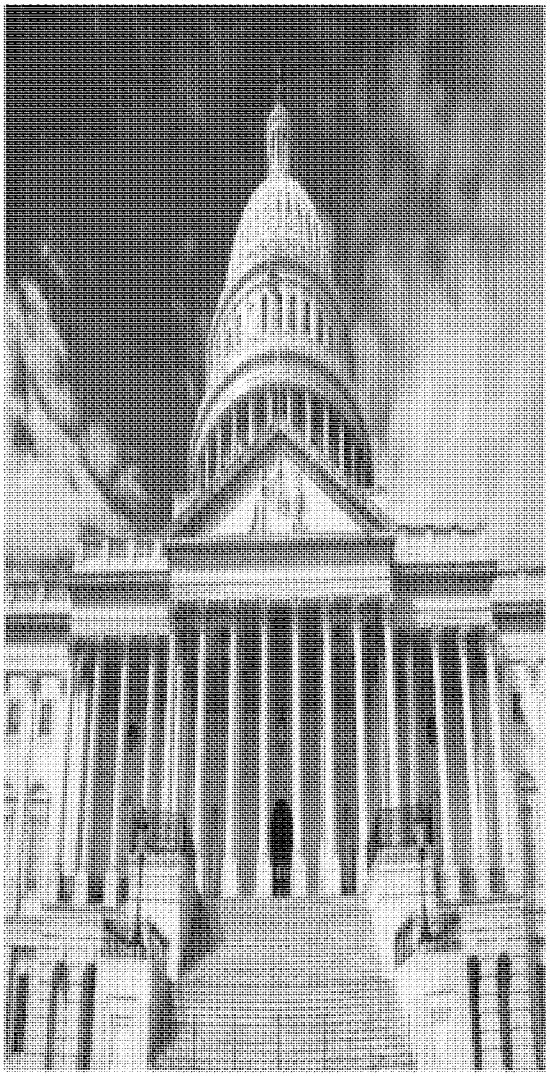
EPA Administrator announces Brownfield Grants:

Administrator Pruitt has announced that there are $54.3 million dollars available for remediation of brownfield sites...

Learn More

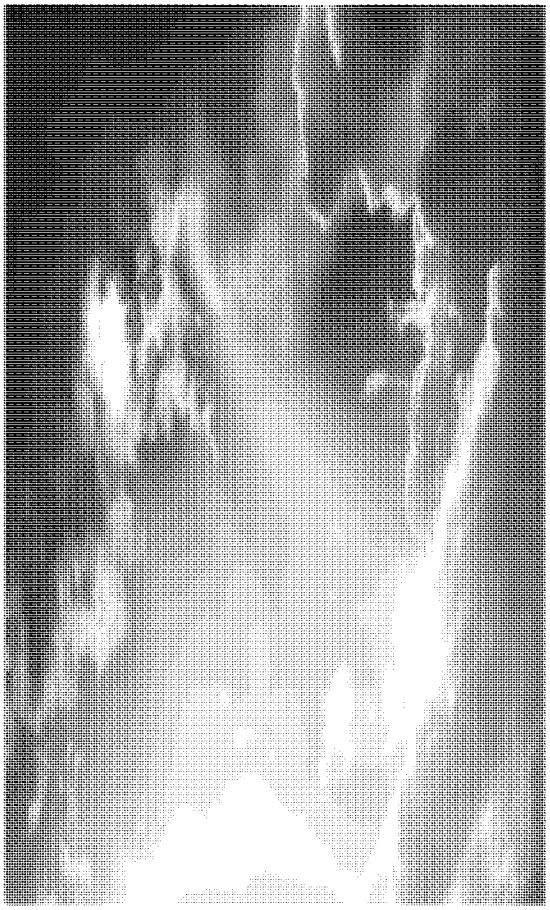
Our Annual Conference:

Join us in the nation's capital for our annual conference July 19-20, 2018. Save the date! Alternative capital, Bitcoin, Federal Procurement for various agencies, Infrastructure (including 5G), International Trade, various speakers including President Trump Cabinet members and leading industry experts. Sponsorships are available, please contact Kay DeBow. While you're in Washington, DC you may want to visit the National African American Museum of History and Culture which was built with 65% minority participation thanks to NBCC members SR Smoot and H.J. Russell.



More News About the Passing of Eric Vickers:

The official memorial will be held April 28, 2018, between 1 – 3PM, at the Brittany Woods Middle School, 8125 Groby Rd., University City (St. Louis), MO 63130. "In Memory of Eric Vickers" by Franklin Lee, "Obituary of Eric Vickers", "Missing Eric Vickers" by Harry C. Alford.



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Message

From: Smith, Loren (OST) [Loren.Smith@dot.gov]
Sent: 5/23/2018 6:19:19 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
CC: Jon DeBow [jdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: NBCC CAFE Letter

Has the letter been posted to the website? Happy to discuss, and thanks very much, again.

Loren Smith
USDOT
Ex. 6

On May 23, 2018, at 1:51 PM, Tanner, Lee <Tanner.Lee@epa.gov> wrote:

Thank you!

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Ex. 6

From: Smith, Loren (OST) [mailto:Loren.Smith@dot.gov]
Sent: Wednesday, May 23, 2018 12:38 PM
To: Jon DeBow <jdebow@nationalbcc.org>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>; Harry Alford <halford@nationalbcc.org>
Subject: Re: NBCC CAFE Letter

Thank you Jon! Happy to discuss further if you like.

Harry, it was a pleasure to speak with you yesterday; thank you very much for your time.

•••
Loren A. Smith, Jr.
Senior Advisor – Office of the Under Secretary for Policy
U.S. Department of Transportation
W82-326 | Ex. 6

On May 23, 2018, at 12:28 PM, Jon DeBow <jdebow@nationalbcc.org> wrote:

Good Afternoon,

I have attached the CAFÉ Letter to the Honorable Chao and Honorable Pruit.

Thank you,

Jon DeBow
Communications Manager
National Black Chamber of Commerce
4400 Jenifer St NW #331
Ex. 6
Washington, DC 20015
www.nationalbcc.org
<image001.png>
<image004.jpg>

<NBCC CAFE Letter Chao Pruitt.docx>

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 4/27/2018 11:05:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Call this weekend

Sure. I will give you a call later today.

Sent from my iPhone

> On Apr 27, 2018, at 5:45 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Hey Aline! Sorry to bother on a weekend, but do you have 5 min to hop on this phone in the next 48 hrs or so? Ex. 6 Thank you!
>

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 4/17/2018 2:19:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Do you have a second?

Yeap. **Ex. 6** thanks

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 17, 2018 10:19 AM
To: Aline DeLucia
Subject: Re: Do you have a second?

Is now an ok time?

On Apr 17, 2018, at 10:04 AM, Aline DeLucia <aline@nasda.org> wrote:

> Hey Tate,
>
> Hope all is well. I am guessing you are approaching our due date, right? Do you have a time to catch up? Thanks!
>
> **Aline DeLucia** | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 6/11/2018 8:57:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Most updated chart
Attachments: Dicamba Chart_2.23.18.xlsx

Tate – This is the most updated chart that I have on Dicamba. Let me know if you have any questions.

Aline DeLucia|Associate Director, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

2018 Dicamba State Requirements

[Date]
[Time]

	States		Training Reciprocity		Training		Recordkeeping		Application Windows		Max Wind Speed
1	Alabama				State : Alabama Cooperative System (ACES)		Required				10 MPH
2	Arizona				Registrants*		Required				10 MPH
3	Arkansas				State				4/16 - 9/15		10 MPH
4	Colorado				Registrants		Required				10 MPH
5	Delaware				Registrants		Required				10 MPH
6	Florida				Registrants		Required				10 MPH
7	Georgia		NO		State: University of GA. & GA Dept. of Agriculture		Required				10 MPH
8	Illinois		NO		Registrants: IL Chem & Fert Assn leading but using registrants		Required				10 MPH
9	Indiana				State		Required				10 MPH
10	Iowa		Yes - MN		Registrants: but must register w/ state & have Extension agent present.		Required				10 MPH
11	Kansas		Yes		Registrants: w/K-State Research and Extension		Required				10 MPH
12	Kentucky				Registrants: but must register w/ state & have Extension agent present.		Required				10 MPH

2018 Dicamba State Requirements

[Date]
[Time]

13	Louisiana				Registrants		Required				10 MPH
14	Maryland				Registrants		Required				10MPH
15	Michigan		Yes - MN		Registrants		Required				
16	Minnesota		Yes - ND, SD, IA, WI, MI		Registrants		Required		20-Jun		
17	Mississippi				State		Required				10 MPH
18	Missouri		NO		State		Required		June 1 for 10 boothill counties. July 15 for rest of state.		10 MPH
19	Nebraska		NO		Registrants		Required				10 MPH
20	New Jersey				Registrants		Required				10 MPH
21	New York				Registrants		Required				10 MPH
22	New Mexico				Registrants		Required				10 MPH
23	North Carolina		Yes to GA, SC		State: Extension Service		Keep 3 years, not 2. Final in 72 hours.				10 MPH
24	North Dakota		Yes- MN		Registrants		Final in 24 hours		June 30 & 85°		10 MPH
25	Ohio				Registrants		Required				10 MPH
26	Oklahoma		Yes -TX & KS		Registrants: w/ ODAFF and Extension		Required		No applications between May 1 and Oct. 15 in Greer, Harmon, Kiowa, Jackson, and Tillman		10 MPH
27	Pennsylvania				Registrants		Required				10 MPH
28	South Carolina				Registrants		Required				10 MPH
29	South Dakota		Yes- MN		Registrants		Required				10 MPH

2018 Dicamba State Requirements

[Date]
[Time]

30	Tennessee				State: w/ provision to ask registrants for help		Required		June 15 unless w/ hooded sprayer		10 MPH
31	Texas		Yes to OK		Registrants: TX is lead but have registrants using TX program.		Required				10 MPH
32	Virginia		NO		Registrants		Required				10 MPH
33	West Virginia				Registrants		Required				10 MPH
34	Wisconsin		Yes - MN		Registrants		Required				10 MPH

*Registrants: Registrants are providing training

2018 Dicamba State Requirements

[Date]
[Time]

	Buffer Zone		Cutoff Temp		Other
					24(C) labeling
	400 ft.				(1) Training Requirement (2) Tank mixes may not increase driftable fines by >10% of prodcut alone (3) No > 10% of total mix's droplets smaller than 200 microns (4) VMD of spray droplets > 400 microns
	If wind speed is 0-3 MPH, then 1/8 Mile downwind, 1/8 mile crosswind, 20 feet upwind. If wind speed is 3-6 MPH, then ¼ mile downwind, 1/8 mile crosswind, and 5 feet upwind. If wind speed is 6-10 MPH, buffer zone is ½ mile downwind, ¼ mile crosswind, and 5 feet upwind.				(1) Applicators should minimize production of droplets < 200 microns (2) Flat fan nozzles or their equivalent shall be used (3) Application pressures shall not exceed 35 lbs/in2
					(1) 24(C) Special Local Needs Labels, (2) State Record Keeping Requirements; and (3) Sign Posting
					(1) Additional dicamba-specific training; and (2) 25(c) Special Needs Local Registration

					(1) Application of restricted herbicides requires waiver from Dept. of Ag; (2) Shall not be applied by commercial applicators between March 1 – June 1 between the Miss. River and HWY 61 in the parishes of St. James and St. John the Baptist; (3) Special permit requirements for Sabine River Authority; and (4) No application in the parish of Plaquemines.
			85		(1) State classified as Restricted Use Pesticide;
	10 MPH				
	Vary by county				(1) 24(c) labeling requires: (2) Training Requirement; (3) Record Keeping Requirement (3 years); (4) Notice of Application Form; and (5) Application time: 7:30AM – 5:30PM.
					(1) 24(c) labeling; (1) 24(c) labeling; (2) mandatory training through Extension Service. (1) 24(c) labeling; (2) mandatory training through Extension Service.
			85		(1) Maximum aerial application speed: 12 MPH; (2) Applications must be made with minimum 15 gallons solution/acre; (3) No applications with nozzles 80 degree or less.
					(1) Notification of intent to apply; and (2) Report of application after application date.

					(1) Prohibition of older formulations; (2) Application time: 9AM – 4PM; and (3) Application over the top of cotton after first bloom prohibited.

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 5/23/2018 4:44:58 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: NBCC CAFÉ Letter

NBCC | National Black Chamber of Commerce®

4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

May 23, 2018

The Honorable Elaine
Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: CAFÉ Standards

Dear Secretary Chao and Administrator Pruitt:

We write you today to express our strong support for your reconsideration of the Corporate Average Fuel Economy (CAFE) and

automobile greenhouse gas emission standards for Model Years 2022-2025.

The National Black Chamber of Commerce and its 140 affiliated chapters (worldwide) are dedicated to the economic empowerment of African American communities across the United States. The NBCC is a nonprofit, nonpartisan, nonsectarian organization that reaches 100,000 Black-owned businesses. As leaders in our communities, we believe in the power of consumer choice - and in empowering individuals to make their own decisions.

The existing model-year 2022-25 mandates for automobiles were forced through during the waning days of the previous administration, without respect for prescribed regulatory timelines and in complete disregard of the safety and economic interests of American families. If allowed to stand, these mandates will place choices about what kinds of vehicles Americans may or may

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not drive squarely in the hands of politicians and unelected bureaucrats - leaving families nationwide to shoulder the costs of the higher-priced vehicles that automakers are forced to sell.

The National Automobile Dealers Association estimates that the fuel economy mandates, if left untouched, "will increase the average price of a new vehicle by about $3,000 in 2025 and shut nearly 7 million Americans out of the new car market." Various economic studies find that these regulations will likely cost American families tens of billions of dollars each year.

As is so often the case with ill-conceived government mandates, these consequences will fall hardest on those who can least afford it: the economically disadvantaged and those who live in our nation's underserved communities. One academic study finds that as the automobile mandates progress, the economic impacts "become

sharply regressive, with low-income households suffering welfare losses (as a fraction of income) more than three times as large as those of the high-income group."[1]

American families and small business owners understand their own transportation needs far better than bureaucrats in Washington, D.C. or Sacramento, California. They deserve automobile regulations that promote - not impede - consumer choice and economic growth. We applaud your recent decision to reconsider the existing unachievable, unrealistic, and economically destructive federal fuel economy mandates. Thank you for your leadership on this very important issue.

Sincerely,

Harry C. Alford
Harry C. Alford
President/CEO

Courtney Reynolds
Courtney Reynolds
Chair

On behalf of our US federation:

African American Chamber of Commerce NCF
African American Chamber of Commerce of New Jersey
African American Chamber of Commerce of W.P.
Alabama Black Chamber of Commerce
Alabama State Black Chamber of Commerce
Augusta Black Chamber of Commerce
Bethels Place Black Chamber of Commerce
Biloxi-Gulfport Black Chamber of Commerce
Birmingham Black Chamber of Commerce
Black Chamber of Commerce of Western NY
Capital District Black Chamber of Commerce (NY)

---

[1] Jacobsen, Mark R. "Evaluating U.S. Fuel Economy Standards in a Model with Producer and Household Heterogeneity" (March 2012), p. 34.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/6/2018 9:22:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: talk

Can you call me on my cell when you have a second? Ex. 6

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 5/29/2018 5:35:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Illinois Farm Bureau requests a meeting Weds. June 27 with Administrator Pruitt

Sounds good. Enjoy your time Ex. 6

Don

Sent from my iPhone

On May 29, 2018, at 11:38 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Let's catch up soon. I'm back June 4.

Begin forwarded message:

From: "Nielsen, Adam" <ANielsen@ilfb.org>
Date: May 29, 2018 at 12:36:49 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Ford, Hayley" <ford.hayley@epa.gov>, "Hupp, Millan" <hupp.millan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: RE: Illinois Farm Bureau requests a meeting Weds. June 27 with Administrator Pruitt

Congratulations Tate and thank you! Adam

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, May 29, 2018 11:25 AM
To: Nielsen, Adam <ANielsen@ilfb.org>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Re: Illinois Farm Bureau requests a meeting Weds. June 27 with Administrator Pruitt

Hi Adam! Good to hear from you! I'm Ex. 6 but am roping in the rest of our scheduling team to see if we can accommodate your request. Talk soon!
Tate

On May 29, 2018, at 12:02 PM, Nielsen, Adam <ANielsen@ilfb.org> wrote:

Hi Tate,
Illinois Farm Bureau president Richard Guebert and our Board of Directors (group of 25) will be in town Wednesday, June 27 and they would like to meet with Administrator Pruitt that morning, if he's available to discuss WOTUS and the Renewable Fuel Standard.

Are you the correct person I should be reaching out to?

Thanks for your help!
Adam

Adam Nielsen
Director of National Legislation & Policy Development
Illinois Farm Bureau
1701 Towanda Ave.
Bloomington, IL 61701
Ex. 6 – mobile
anielsen@ilfb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2018 2:14:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Meeting next week

Sounds good. Be safe.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:37 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Just when convenient. I'll be driving all afternoon.

On Aug 8, 2018, at 9:30 AM, Don Parrish <donp@fb.org> wrote:

> That works – any specific time?
>
> ---
>
> **From:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Sent:** Wednesday, August 8, 2018 9:27 AM
> **To:** Don Parrish <donp@fb.org>
> **Subject:** Re: Meeting next week
>
> Just for a call with me?
>
> On Aug 8, 2018, at 9:14 AM, Don Parrish <donp@fb.org> wrote:
>
> > Sounds good – send me the details.
> >
> > ---
> >
> > **From:** Bennett, Tate <Bennett.Tate@epa.gov>
> > **Sent:** Wednesday, August 8, 2018 9:02 AM
> > **To:** Don Parrish <donp@fb.org>
> > **Subject:** Re: Meeting next week
> >
> > Friday afternoon?
> >
> > On Aug 8, 2018, at 8:58 AM, Don Parrish <donp@fb.org> wrote:
> >
> > > Sure – When are you thinking? I have a couple of meetings on Thursday and one on Friday morning.
> > >
> > > drp
> > >
> > > ---
> > >
> > > **From:** Bennett, Tate <Bennett.Tate@epa.gov>
> > > **Sent:** Tuesday, August 7, 2018 4:55 PM
> > > **To:** Scott Yager <syager@beef.org>; Don Parrish <donp@fb.org>
> > > **Subject:** Meeting next week

Do you all have time to touch base before the 16th? I believe you should receive a confirmation e-mail soon. Want to see what issues you think will be covered so that we can have the Acting Admin ready. 202-329-3948

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 5/14/2018 6:44:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Progress Report May 14, 2018

May 14, 2018

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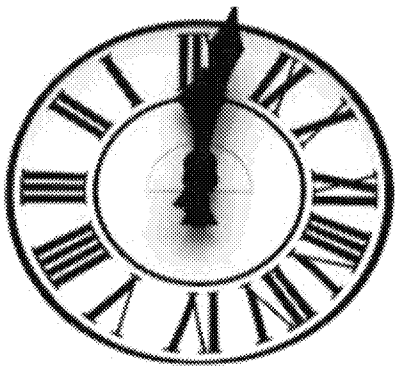
The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

Join Today

Need More Time to File?

Attention all nonprofits. The deadline for filing your form 990 Tax , May 15, 2018. However, you can prolong that deadline for six additional months. Kindly Google IRS Form 8868, fill it out and mail it by tomorrow. No excuses!



Read More

Loving Costa Rica

The National Office certainly enjoyed Costa Rica last week. We joined in on the celebration of the election of Epsy Campbell as Vice President of the nation. She becomes the first Afro-Descendant to become a Vice President within the Americas. Despite the American continents to comprise an African descendant population of more than 30%, this is still a breakthrough. First Obama and now Campbell, the times are changing indeed. Enjoy the photos that we took during this historical journey.

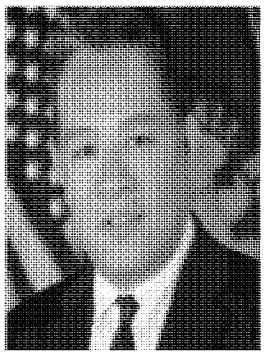
See Here

A Great Partnership in New Jersey

The Economic Development Authority of the state of New Jersey recently approved a partnership between them and the African American Chamber of Commerce of New Jersey providing to New Jersey minority and/or woman owned construction companies. We applaud NBCC Board Member John Harmon for providing such productive leadership to the Garden State.

See Here

SBA Associate Administrator will debut at Energy Expo.



The 17th Annual Energy Expo which will be held in Houston, TX during May 24, 2018 will have Robb Wong added to the speakers list. This will be Mr. Wong's first public appearance since joining the SBA.

Learn More

Diversity Springs up at the US Department of Education.

The U.S. Department of Education Office of Small and Disadvantaged Business Utilization (OSDBU) will host the Service Disabled Veteran Owned Small Business (SDVOSB) Conference Thursday, May 24, 2018. Registration cut-off is Wednesday, May 16.

Get Ready for the New Farm Bill!

With or without any Democrats we are going to have a new farm bill that will include long over-due job training and placement components within it. With the intent of lessening poverty and welfare, the NBCC is in 100% support of this progressive movement. Let's employ all the people!!!

The Business Case for Racial Equity.

We don't use the terms "Diversity", "Equal Opportunity", etc. as a chic way of talking. We mean serious business and a greater America. Please follow our strategy for growth.

Where's the Beef???

The House Small Business Committee is serious about enforcing the "Small Business Regulatory Enforcement Fairness Act". Our federal agencies are sitting on their "butts". It is time to get busy!

Mark Your Calendar.

Save the date for our annual conference July 19-20, 2018 in Washington, DC! Details to be released shortly!

Details Here

| National Black Chamber of Commerce | Washington, DC| info@nationalbcc.org|

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

Unsubscribe bennett.tate@epa.gov

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Message

From: Sarah Anderson [sanderson@freedomworks.org]
Sent: 4/2/2018 4:58:59 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Mike Thompson [mthompson@crcpublicrelations.com]
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

Will do! And Patrick is out of town unfortunately, but I can attend -- just let me know the details. Thanks!

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 12:49 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Thanks! Please share. Also, do you or Patrick have any interest in attending our event tomorrow?
>
> **From:** Sarah Anderson [mailto:sanderson@freedomworks.org]
> **Sent:** Monday, April 2, 2018 11:40 AM
> **To:** Mike Thompson <mthompson@crcpublicrelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: FW: EMBARGOED UNTIL NOON- MTE Announcement
>
> We'll have a statement out on this today.
>
> Sarah
>
> ---
>
> Sarah Anderson
>
> Policy Analyst
>
> FreedomWorks

sanderson@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 11:04 AM, Mike Thompson <mthompson@crcpublicrelations.com> wrote:

FYI

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate (202) 329-3948

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

--
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For more options, visit https://groups.google.com/d/optout.

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 4:29:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Introductions

That is so cool! Go home team!

Sent from my iPhone

> On Apr 7, 2018, at 8:39 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Sure enough I'm at the hospital for game day. Looks like we should have held off!
>
>> On Apr 7, 2018, at 7:54 AM, Don Parrish <donp@fb.org> wrote:
>>
>> Sure.
>>
>>
>> Sent from my iPhone
>>
>>> On Apr 6, 2018, at 8:33 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>
>>> Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Nicole Rolf [nicoler@mfbf.org]
Sent: 4/10/2018 4:36:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Don Parrish [donp@fb.org]
Subject: RE: Introductions

Oh my goodness, congratulations!!! Ex. 6 and we'll talk later. :)

Congrats again!
Nicole

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 10, 2018 7:20 AM
To: Nicole Rolf
Cc: Don Parrish
Subject: Re: Introductions

Thanks! I'll touch base after Ex. 6

> On Apr 9, 2018, at 6:40 PM, Nicole Rolf <nicoler@mfbf.org> wrote:
>
> Hello Tate! Thanks for the introduction, Don. :)
>
> Tate, I'm happy to visit any time. My contact information is below.
>
> Have a good week,
>
> Nicole Griffin Rolf
> Montana Farm Bureau Federation
> Director of National Affairs
> Eastern Montana Regional Manager
> nicoler@mfbf.org
> Ex. 6 (office)
> (cell)
>
>
>
> -----Original Message-----
> From: Don Parrish [mailto:donp@fb.org]
> Sent: Saturday, April 7, 2018 6:09 AM
> To: Bennett, Tate
> Cc: Nicole Rolf
> Subject: RE: Introductions
>
> Nicole
>
> I would like to introduce you to Tate Bennett - She works for Administrator Pruitt and is a great contact at EPA.
>
> Don R Parrish
> American Farm Bureau Federation(r)
> Ex. 6
> donp@fb.org
>
> -----Original Message-----
> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Friday, April 06, 2018 8:33 PM
> To: Don Parrish
> Subject: Introductions
>
> Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/8/2018 12:47:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: WPS draft language
Attachments: WPS Senate.docx

This is what I gave House folks. Base text is Senate bill; italicized portion is what we could accept
Call me if Q's

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

1 **SEC. 8. AGRICULTURAL WORKER PROTECTION STANDARD;**

2 **CERTIFICATION OF PESTICIDE APPLICATORS**

3 (a) IN GENERAL. —Except as provided in subsection (b), during the period
4 beginning on the date of enactment of this Act and ending not earlier than
5 October 1, 2021, the Administrator of the Environmental Protection Agency
6 (referred to in this section as the "Administrator")—
7 (1) shall carry out—
8 (A) the final rule of the Administrator entitled "Pesticides;
9 Agricultural worker Protection Standard Revisions" (80 Fed.
10 Reg. 67496 (November 2, 2015)); and
11 (B) the final rule of the Administrator entitled "Pesticides;
12 Certification of Pesticide Applicators" (82 Fed. Reg. 952
13 (January 4, 2017)); and
14 (2) shall not revise or develop revisions to the rules described in
15 subparagraphs (A) and (B) of paragraph (1).
16 (b) EXCEPTIONS.—Prior to October 1, 2021, the Administrator may propose,
17 and after a notice and public comment period of not less than 90 days,
18 promulgate—
19 (1) revisions to the final rule described in subsection (a)(1)(A)
20 addressing application exclusion zones under part 170 of title 40,
21 Code of Federal Regulations, consistent with the Federal Insecticide,
22 Fungicide, and Rodenticide At (7 U.S.C. 136 et seq.); *and*
23 (2) *revisions to such rule related to the use by workers of designated*
24 *representatives if such revisions—*
25 (A) *do not restrict the right of a worker to use anyone as a*
26 *designated representative;*
27 (B) *provide guidance to employers on how to respond to requests*
28 *that do not appear to be authentic or bona fide requests from*
29 *workers; and*

30 (C) *limit or proscribe the use by a designated representative of*
31 *records when such use is not related to providing the records*
32 *to the worker who requested the records on the worker's*
33 *behalf.*
34 (c) GAO REPORT.—The Comptroller General of the United States shall—
35 (1) conduct a study *that*—
36 (A) *evaluates* ~~on~~ the use of designated representative *provisions*
37 *in states that have such provisions*, including the effect of that
38 ~~use~~ *provision* on the availability *to workers* of pesticide
39 application and hazard information;
40 (B) *compares* ~~and~~ worker health and safety *in states that have*
41 *had such provisions with health and safety of workers in*
42 *states that have not had such provisions*; and
43 (2) not later than October 1, 2021, *shall* make publicly available a report
44 describing the study under paragraph (1), including any
45 recommendations to prevent ~~the misuse of pesticide application and~~
46 ~~hazard information, if that misuse is identified~~ *the use or release by*
47 *designated representatives of pesticide application and hazard*
48 *information to parties other than to the worker on whose behalf the*
49 *designation and release was requested.*

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:15:14 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Introductions

Tate

Steve is the EXE Director of the West Virginia FB.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Sarah Anderson [sanderson@freedomworks.org]
Sent: 4/2/2018 3:39:54 PM
To: Mike Thompson [mthompson@crcpublicrelations.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

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- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

--
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For more options, visit https://groups.google.com/d/optout.

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:14:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: West Virginia Steve Butler [steveb@wvfarm.org]
Subject: RE: Introductions

Steve

I would like to introduce you to Tate Bennett, she works for Administrator Pruitt and is a great EPA contact.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 3/22/2018 6:04:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Wyoming

Thanks – no kidding on that being a quick trip.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, March 22, 2018 10:15 AM
To: Barfield, Blake
Subject: Re: Wyoming

Hey Blake- He's only going to be there on the ground 2 hours that day on the other side of the state. VERY quick trip. Will let you know when he can come back.

On Mar 22, 2018, at 10:49 AM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

> Hey Tate:
>
> Hope you're well
>
> I was visiting with a Wyoming colleague who heard on the radio Administrator Pruitt is heading to Wyoming next week with Chairman Barrasso.
>
> Wanted to see if you guys had an itinerary and/or plans to be in Cheyenne?
>
> Happy to help anyway we can (have a facility in Cheyenne).
>
> Thanks
> Blake
>
> --
> Blake D. Barfield
> Director, Government Affairs
> The HollyFrontier Companies
> 2828 N. Harwood, Suite 1300
> Dallas, TX 75201
> (214) 954-6506
> blake.barfield@hollyfrontier.com
>
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contained in this message should be construed as a digital or electronic signature or a commitment to a binding agreement.

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 4/2/2018 8:04:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: ICYMI: EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

Great news here

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 3:04 PM
To: Bennett, Tate
Cc: Gordon, Stephen; Letendre, Daisy
Subject: ICYMI: EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

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

EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

WASHINGTON (April 2, 2018) — Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt is announcing the completion of the Midterm Evaluation (MTE) process for the greenhouse gas (GHG) emissions standards for cars and light trucks for model years 2022-2025, and his final determination that, in light of recent data, the current standards are not appropriate and should be revised. Administrator Pruitt is also announcing the start of a joint process with the National Highway Traffic Safety Administration (NHTSA) to develop a notice and comment rulemaking to set more appropriate GHG emissions standards and Corporate Average Fuel Economy (CAFE) standards.

"The Obama Administration's determination was wrong," **said EPA Administrator Scott Pruitt**. "Obama's EPA cut the Midterm Evaluation process short with politically charged expediency, made assumptions about the standards that didn't comport with reality, and set the standards too high."

Under the Clean Air Act (CAA), EPA sets national standards for vehicle tailpipe emissions of certain pollutants. Through a CAA waiver granted by EPA, California can impose stricter standards for vehicle emissions of certain pollutants than federal requirements. The California waiver is still being reexamined by EPA under Administrator Pruitt's leadership.

"Cooperative federalism doesn't mean that one state can dictate standards for the rest of the country. EPA will set a national standard for greenhouse gas emissions that allows auto manufacturers to make cars that people both want and can afford — while still expanding environmental and safety benefits of newer cars. It is in America's best interest to have a national standard, and we look forward to partnering with all states, including California, as we work to finalize that standard," **said Administrator Pruitt**.

Additional Background

As part of the 2012 rulemaking establishing the model year 2017-2025 light-duty vehicle GHG standards, EPA made a regulatory commitment to conduct a MTE of the standards for MY 2022-2025 no later than April 1, 2018. This evaluation would determine whether the standards remain appropriate or should be made more, or less stringent.

In November 2016, the Obama Administration short-circuited the MTE process and rushed out their final determination on January 12, 2017, just days before leaving office. Since then, the auto industry and other stakeholders sought a reinstatement of the original MTE timeline, so that the Agency could review the latest information.

EPA and the U.S. Department of Transportation announced a reestablishment of the MTE process in March 2017. And, in August 2017, EPA reopened the regulatory docket and asked for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, and assessing advanced fuels technologies. EPA also held a public hearing on this topic.
For more information: https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas
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Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:11:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Introductions

Tate

Both Nicole and Bob are the national affairs coordinator.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:10:37 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Indiana Bob White [BWhite@infarmbureau.org]
Subject: RE: Introductions

Bob

I would like to introduce you to Tate Bennett. She works for Administrator Pruitt and is a great contact at EPA.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/9/2018 7:17:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Progress Report April 9, 2018

NBCC | National Black Chamber of Commerce®

4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

---

1. Buffalo Chapter honors our Vets: We congratulate our affiliate chapter in Buffalo, New York for supporting the effort to erect the new African American Veterans Monument.

2. Columbian Entrepreneurs head to Tampa Summit: Here is the list of our entrepreneurs from our Columbian chapter who will be visiting Southeast Regional Conference in Tampa this week. They are looking for potential matchmaking business partners from within the NBCC. Come and meet them!

3. It's Lobby Day in Illinois: Congratulations to our Illinois State Black Chamber of Commerce who will be having their annual event in Springfield, IL. The Governor, key members of the Illinois legislature and administrators of major state agencies will come out and host this mega entourage of Black business owners.

---

4. SNAP Fraud is Real: Food stamps costs accounts for nearly 80% of the entire budget of the U.S. Department of Agriculture. The issue of fraud is growing and ever serious. Here's an example of a city whose concerns are big - advertising about it on a DC transit bus.

5. Costa Rica elects First Black Vice President: We send kudos to our chapter in Costa Rica for organizing and supporting the successful campaign of Epsy Campbell Barr. At our last conference in Cali, Columbia Ms. Campbell Barr greatly impressed the participants with her platform. The people of Costa Rica evidently felt the same. Congratulations Epsy!

6. The Life and Times of Black American Entrepreneurs: Here are two parts of the three -part series of articles I have published in newspapers via the NNPA (Black Press). Here and Here.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

SafeUnsubscribe™ bennett.tate@epa.gov

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Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 5/3/2018 8:14:45 PM
To: Aline DeLucia [aline@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Meeting with EPA Administrator Pruitt
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hello Aline,

Tate Bennett sent me your contact information and I understand that NASDA leadership would be interested in meeting with Administrator Pruitt in the next few weeks. Would you want to complete the attached request form with more information and to provide dates/times that would work for your group? I will then find a time that works on the schedule.

Thank you and we look forward to hosting you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Sarah Anderson [sanderson@freedomworks.org]
Sent: 4/2/2018 7:26:41 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: EMBARGOED UNTIL NOON- MTE Announcement

Tate,

FreedomWorks' statement is here: http://www.freedomworks.org/content/freedomworks-applauds-epa's-plan-revise-greenhouse-gas-emission-standards

Thanks,
Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org
(202) 942-7601 (office)
Ex. 6 (cell)

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Am 02.04.2018 um 12:58 schrieb Sarah Anderson <sanderson@freedomworks.org>:

> Will do! And Patrick is out of town unfortunately, but I can attend -- just let me know the details. Thanks!
>
> Sarah Anderson
> Policy Analyst
> FreedomWorks
>
> sanderson@freedomworks.org
> (202) 942-7601 (office)
> Ex. 6 (cell)
>
> 400 North Capitol St NW #765
> Washington, DC 20001
>
> The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.
>
> On Mon, Apr 2, 2018 at 12:49 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Thanks! Please share. Also, do you or Patrick have any interest in attending our event tomorrow?

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Monday, April 2, 2018 11:40 AM
To: Mike Thompson <mthompson@crcpublicrelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson

Policy Analyst

FreedomWorks

sanderson@freedomworks.org

(202) 942-7601 (office)

Ex. 6 (cell)

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 11:04 AM, Mike Thompson <mthompson@crcpublicrelations.com> wrote:

> FYI

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate Ex. 6

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

--
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For more options, visit https://groups.google.com/d/optout.

Message

From: Barb Glenn [carly@nasda.org]
Sent: 8/6/2018 4:25:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: 2018 NASDA Annual Meeting Early Bird Rates Ending August 10!

REGISTER TODAY

We invite you to attend the 2018 Annual Meeting of the National Association of State Departments of Agriculture. Not only will the chief agricultural officials from across the U.S. gather to have critical policy discussions on emerging food and agriculture issues, but attendees will be immersed in the culture of Connecticut's rich heritage and diverse agriculture industry.

Make plans to travel to Hartford, CT, September 9 -12. You won't want to miss it!

> "We look forward to sharing Connecticut's rich and diverse agricultural economy with other state departments of agriculture, partners and federal employees."

— Steve Reviczky, NASDA President &
Connecticut Commissioner of Agriculture

Join leading agriculture policymakers to hear from amazing keynote speakers, gain insight on emerging legislative and regulatory issues, expand your networking opportunities, and more.

Early Bird Registration Fees are:

NASDA Members, State Staff, Affiliates & Federal Employees: $675 ($75 savings)

NASDA Partners, Local Partners & Industry Partners $775 ($75 savings)

Spouses & Guests $450 ($50 savings)

One-Day Registration: $275 ($25 savings)

Click here for the event agenda

REGISTER TODAY

BECOME A PARTNER

Partnerships are critical to the success of our events.
We have many opportunities available to highlight your organization at this national event.

REQUEST INFORMATION

NASDA

4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

No, I am not attending.

---

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Message

From: Don Parrish [donp@fb.org]
Sent: 4/10/2018 1:51:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: How is everyone?

I can't believe you are on email...

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 3/26/2018 5:13:23 PM
To: Charles DeBow [cdebow@nationalbcc.org]
CC: Kay DeBow [kdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Checking-in MOU meeting

Hi Charles,

Can we set a quick meeting to discuss a MOU with EPA this week?

Regards,

Lee

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Tel: 202.564.4988
Cell: Ex. 6

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 3/30/2018 5:32:41 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Progress Report March 30, 2018

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Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

---

1. We are Partnering with ELAM: Mission Statement - "To assist ELAM students in their journey to becoming committed physicians so that they may practice in communities and for persons that need them most." These "warriors" are graduates from the Cuba School of Medicine. They return to the United States to complete their MD requirements and then serve our underserved communities. The ELAM Graduate Support Foundation, Inc. is leading the way in populating doctors and emulating the best healthcare delivery system in the world. Please read our MOU.

2. KUDOS for John Harmon: NBCC Board Member John Harmon has been formally recognized for his precious work and activism in the State of New Jersey. Keep it up John!

3. We support the Latest FCC Order: The future of Telecom is very bright!

4. Pray for our Brothers and Sisters in Brazil: It is so terrible when a government turns its police into a vicious "army" Brazil is the second largest Black population in the world.

5. Is China Good or Bad for Mother Africa: Here is my take on it.

6. See you in Tampa! Register For The Conference Here

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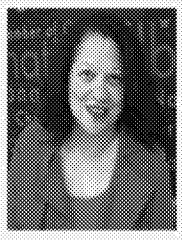
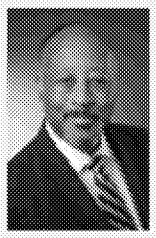
Southeastern Regional Black Chamber of Commerce Conference

April 12 – 14, 2018

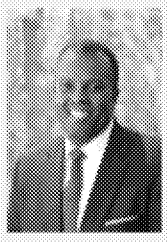
Port of Tampa, Berth 208. Tampa, Florida



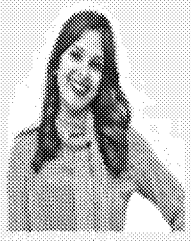
Kay DeBow
Co-Founder, National
Black Chamber of Commerce



Harry C. Alford
President/CEO, National
Black Chamber of Commerce

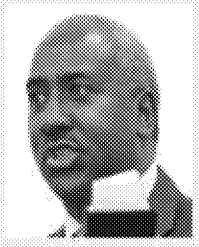


John Harmon
Founder/President, African
American Chamber of Commerce of New Jersey

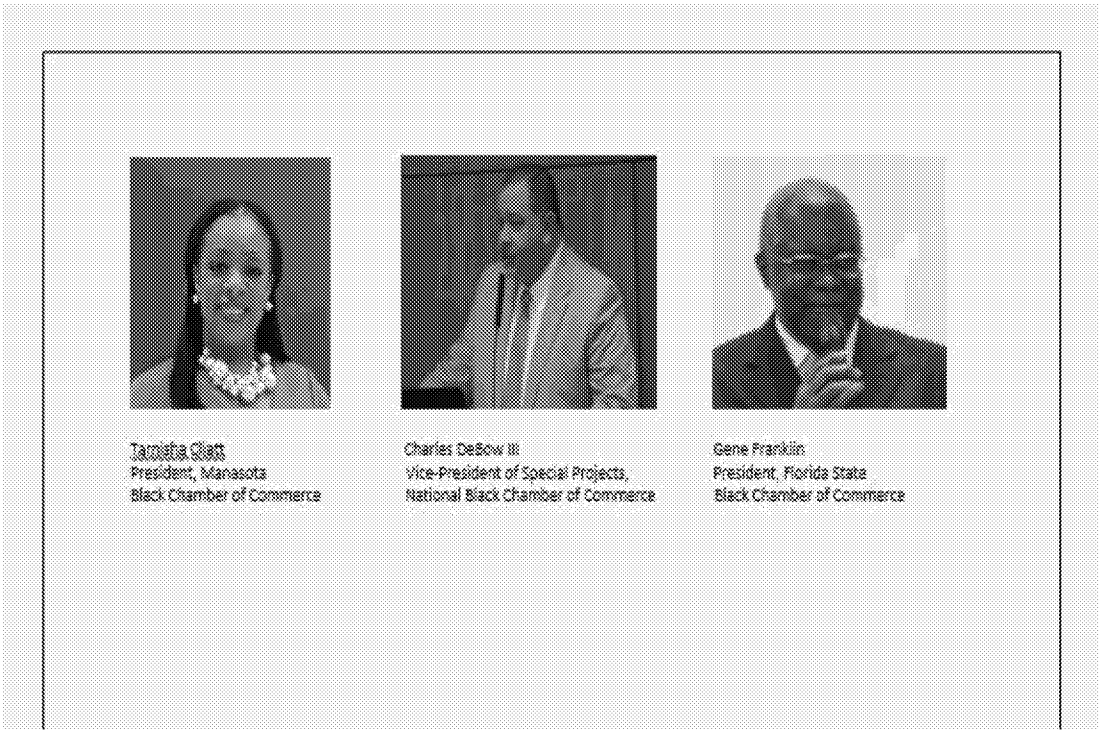


Courtney Reynolds
Incoming NBCC Chair, Greater
Southwest Louisiana BCC

Larry Ivory
President, Illinois Black
Chamber of Commerce



J.R. Jones
Outgoing NBCC Chair, Mississippi
State Black Chamber of Commerce



Hotel Rooms Are Selling Out Fast So Be Sure To Book Your Hotel Room At The *Hilton Garden Inn* Using Group Code: MBCC. For The *Hampton Inn & Suites* Tampa/Ybor Book Here.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 3/22/2018 2:48:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Wyoming

Hey Tate:

Hope you're well

I was visiting with a Wyoming colleague who heard on the radio Administrator Pruitt is heading to Wyoming next week with Chairman Barrasso.

Wanted to see if you guys had an itinerary and/or plans to be in Cheyenne?

Happy to help anyway we can (have a facility in Cheyenne).

Thanks
Blake

--
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
(214) 954-6506
blake.barfield@hollyfrontier.com

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Message

From: Aline DeLucia [aline@nasda.org]
Sent: 4/2/2018 1:06:28 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Catch up

Tate,

I have availability for coffee this Wed. – anytime from 10am-3pm. I am also available from 1pm to 3pm on Thursday. Let me know if any of these dates/times work for you. Thanks!

Aline DeLucia|Associate Director, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Steven Rowe [steven.rowe@newtrient.com]
Sent: 3/21/2018 2:33:24 PM
To: Sawyers, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=49214552a00b4ab7b168ec0edba1d1ac-Sawyers, Andrew]; Frace, Sheila [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba25b075cb55480595d789b5e0765367-sfrace]; Goodin, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3eac342f280a4b9db4079c81f66d1913-JGoodin]; Connors, Sandra [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc4f8f838be74de797ba9f894a0bc7b5-SCONNORS]; Lape, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8d208a4970394d869eb5419e1ac8d589-Jlape03]; Zobrist, Marcus [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=844deb75a43b4d319c6adcaf8a5b2e4b-mzobrist]; Wall, Tom [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=128011ac603c4d1a82301ada1bdfd733-Twall]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Farris, Erika D. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d37183fb40d3482187e8f179b5b85386-EFarris]; Bruce Knight [bknight@stratconserve.com]; Ziobro, Joseph [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=43c5dc68527b46d08f0787a63a54b5bc-Ziobro, Jos]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Kevin O. Swanson [koswanson@michaelbeststrategies.com]; Denise Bode [denisebode@me.com]
Subject: Newtrient and an Update on Our Collective Efforts Supporting Environmental Market Mechanisms

Dear all:

I am sending a quick update and note of thanks to you as leaders within the EPA who have helped foster key meetings and what is becoming a healthy conversation regarding new market approaches to pollution prevention by non-point sources. For those who were not in attendance, an excellent meeting was held on March 5th that clearly displayed the Agency's depth of knowledge and excitement about the possibilities of a truly coordinated effort to engage agriculture in a new and meaningful way. Thank you for facilitating and hosting that meeting, Andrew.

This discussion started with the Administrator's office many months ago and we are grateful for the continued and consistent support that we have experienced from each of you along the way. Your collective buy-in and willingness to work with Newtrient to achieve our shared objectives of delivering measurable environmental benefits through market driven approaches is very encouraging and exciting.

I'm confident this collaborative effort will ultimately lead to unleashing the pollution prevention power of the agricultural sector. Technological innovation now allows for that exciting outcome when combined with a viable income stream to offset upfront capital costs and ongoing operating costs. Newtrient's ultimate goal is to set up a mechanism for enabling this outcome and its environmental, economic and social benefits.

As recommended in the March 5th meeting, I am working with Joseph Ziobro to form a working group to keep this discussion active and convert it to action within the EPA framework and in states where Newtrient is already involved (initially Vermont and Wisconsin). Your continued support for this working group is vital to its success. We will keep you posted along the way.

Thank you,

Steve

Steven P. Rowe
President & CEO
C: (Ex. 6
steven.rowe@newtrient.com
Newtrient.com

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 3/23/2018 5:48:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: [SPAM-Sender] Conference In Tampa April 12 - 14, 2018

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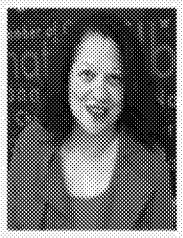
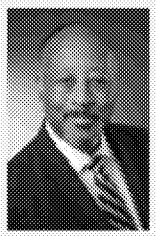
April 12 – 14, 2018

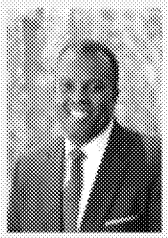
Port of Tampa, Berth 208. Tampa, Florida



Kay DeBow
Co-Founder, National
Black Chamber of Commerce



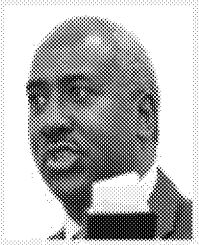
Harry C. Alford
President/CEO, National
Black Chamber of Commerce



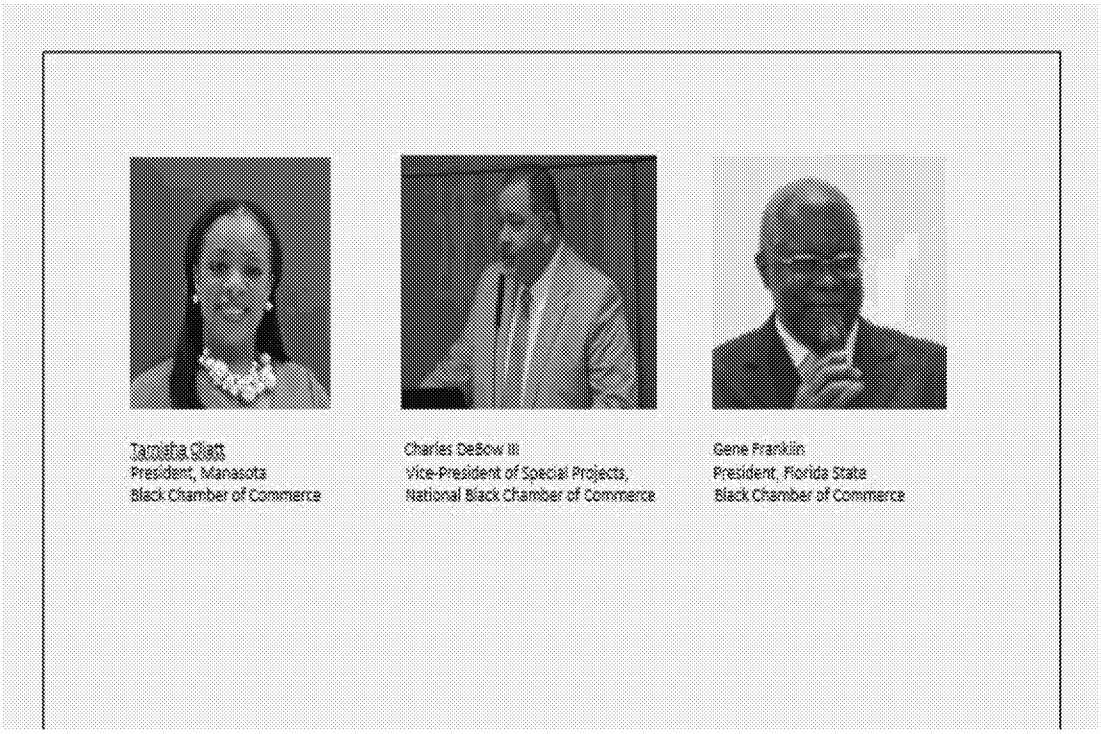
John Harmon
Founder/President, African
American Chamber of Commerce of New Jersey

Courtney Reynolds
Incoming NBCC Chair, Greater
Southwest Louisiana BCC

Larry Ivory
President, Illinois Black
Chamber of Commerce



J.R. Jones
Outgoing NBCC Chair, Mississippi
State Black Chamber of Commerce



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From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/17/2018 6:41:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Progress Report April 17, 2018

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---

1. Hail to our new Chair! Last week we installed **Courtney Reynolds** of the Louisiana African American Chamber of Commerce as our Chair of the Board of Directors. At the same time, we applaud JR Jones of Mississippi, who was an excellent Chair during his tenure. We expect big things out of Courtney (Bio).

2. The Dorothy Leavell Story: NBCC Board Member recently celebrated her 50 years as Publisher of the two (Chicago and Gary) Crusader newspapers. This is the "stuff" movies are made of. Congratulations Dorothy!

3. World Series for 5-G Deployment: Right now, China leads the world in the deployment of 5-G (fifth generation internet). We, the United States, come in as a close 2nd with South Korea and Japan rounding out the top 4 nations. Certainly, the normal resolve and diligence of the Great USA will eventually overtake China and become the perennial leader. Our telecoms and the FCC will make it happen.

4. The Transition of a NBCC Hero: With a heavy heart we announce the passing of Eric Vickers (April 14, 2018). Eric was a true Black Business Development Warrior. A devoted student of the late Parren J. Mitchell, we would marvel at his courage, intelligence, and courtroom charisma. Parren gave him the nickname "Rambo" for

his aggressiveness. We learned a lot from Eric. He taught me to be brave and the importance of protecting your principles. A memorial celebrating and reflecting the life of Eric Vickers will be held in St. Louis on May 6, 2018 at the Omega Center, 3900 Goodfellow Blvd., St. Louis, MO 63120-1531, tel. 314-385-4100. I look forward to seeing all the gang there.

---

5. KUDOS from the Georgia State Legislature: Congratulations to Shelley "Butch" Anthony, owner of "This is It" bar-b-que restaurants and franchises. A proud Christian, philanthropist and entrepreneur Mr. Butch is rising like a shooting star. He is also a proud Board Member of the Georgia Greater Black Chamber of Commerce. The Georgia legislature recently recognized his accomplishments. His book has just been released!

6. Meet the "Top CEO of Western Pennsylvania": The African American Chamber of Commerce of Western Pennsylvania (Pittsburgh) is celebrating the recognition of one of its members. Congratulations are in store for Emmai Alaquiva for winning this distinction.

7. Changes coming to Department of Agriculture: We have been recently working with the staff of Congressman Mike Conaway, Chair of the House Agriculture Committee. Standby for a big development soon.

8. Shake it Up! The NBCC is joining other industry leaders to encourage the restructure of the Consumer Financial Protection Bureau. This is overdue.

9. COX presents GSLBCC 18th Annual Banquet: It seems like yesterday when I visited the Greater Southwest Louisiana Black Chamber of Commerce's first initial event. But here we are looking

at the 18th year of serving the greater Lafayette, Louisiana business infrastructure. Congratulations!

10. Part III of my OP-ED: My account of the evolution of Black business policy on Capitol Hill.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/1/2018 7:47:40 PM
To: Tennessee Rhedona Rose [rrose@tfbf.com]; Tennessee Stefan Maupin [smaupin@tfbf.com]; Mississipi Andy Whittington [awhittington@msfb.org]; Mississippi Justin Ferguson [jferguson@msfb.org]; Arkansas Matt King [matt.king@arfb.com]; Arkansas John Bailey [john.bailey@arfb.com]; Georgia Farm Bureau Tripp Cofield [mtcofield@gfb.org]; Joe Cain (JCain@kyfb.com) [JCain@kyfb.com]; Nebraska Jordan Dux [jordand@nefb.org]; Kansas Ryan Flickner [flicknerr@kfb.org]; North Dakota Pete Hanebutt [pete@ndfb.org]; Illinois Adam Nielsen [anielsen@ilfb.org]; Missouri Leslie Holloway [lholloway@mofb.com]; Tuma, Spencer [Spencer.Tuma@mofb.com]; Scott VanderWal [svanderwal@fb.org]; Tennessee Kevin Hensley [khensley@tfbf.com]; Tanksley, BJ [bj.tanksley@mofb.org]; Bohl, Eric [Eric.Bohl@mofb.com]; Kentucky Ed McQueen [Ed.McQueen@kyfb.com]; Blake Julie Hurst [Ex. 6]; Missouri Debbie Johnson [djohnson@mofb.com]; Missouri Blake Hurst [bhurst@mofb.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Correction - EPA Dicamba Conference Call is Aug 8, not Aug 3

Importance: High

All –

I want to clarify that the conference call with EPA that was originally scheduled for this Friday at 2 pm will take place on Wednesday, August 8 at 3 pm. There is no conference call with EPA this Friday.

Someone pointed out that when I updated the calendar invitation, I neglected to update the relevant information in the details. I apologize for the mistake. Correct information is below.

SUBJECT: Conference call with EPA on dicamba
DATE: Wednesday, August 8, 2018
TIME: 3 pm EDT
CALL-IN: Ex. 6
PASSCODE:

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Patrick Hedger [phedger@freedomworks.org]
Sent: 4/2/2018 5:58:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re:

Just landed in Florida. Will give you a shout within an hour

Sent from my iPhone

On Apr 2, 2018, at 11:39 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Can you give me a shout Ex. 6

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/1/2018 7:10:57 PM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EPA presence at NASDA national meeting

Thanks, Hema! We will put you down for 12pm on Monday – Sept. 10th. We can follow up on a couple of weeks to discuss details.

I would need to know by Aug. 14th on his participation.

Thank you!

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Wednesday, August 01, 2018 1:21 PM
To: Aline DeLucia
Cc: Nitsch, Chad; Bennett, Tate
Subject: RE: EPA presence at NASDA national meeting

Hello Aline,

I've confirmed -- Tate Bennett and I would be happy to speak at the lunch on Monday the 10th at the NASDA Annual Meeting, to provide general EPA updates. If you need, Tate's title is Associate Administrator of EPA's Office of Public Engagement and Environmental Education. My title in the Ag Advisor's Office is currently in flux, but I can provide to you soon.

Looks like Mike Goodis, Director of our Office of Pesticide Programs' Registration Division, is out of office until Aug. 9th. I'm trying to get confirmation on his availability for speaking to the pesticide committee before then, but let me know if you have a drop dead date by which you need to know?

Thank you, and more soon.
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041
c: Ex. 6

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 4/5/2018 6:59:22 PM
To: Kay DeBow [kdebow@nationalbcc.org]
CC: Charles DeBow [cdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Follow-up

Thank you.

Sent from my iPhone

On Apr 5, 2018, at 2:10 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

Lee, I'm working on this now.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

From: Tanner, Lee <Tanner.Lee@epa.gov>
Sent: Monday, April 02, 2018 12:46 PM
To: Charles DeBow <cdebow@nationalbcc.org>
Cc: Kay DeBow <kdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>
Subject: Follow-up

Hi Charles,

Please fill out the attached speaker request form.
I also have an update for you on our efforts; please let me know when you can take a call.

Regards,

Lee

From: Bennett, Tate
Sent: Thursday, March 1, 2018 3:09 PM
To: Tanner, Lee <Tanner.Lee@epa.gov>; Kay DeBow <kdebow@nationalbcc.org>

Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Lee!

Thank you all for taking the time to meet with the Admin! Do you mind filling out the attached request form when you have time, Kay?

Tate

From: Tanner, Lee
Sent: Thursday, March 1, 2018 3:06 PM
To: Kay DeBow <kdebow@nationalbcc.org>
Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Lee!

You are welcome. I am glad to hear it went well.

Best,

Lee

Sent from my iPhone

On Mar 1, 2018, at 2:02 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

> Dear Lee, thank you for setting up yesterday's meeting. It was a success! Secretary Pruitt agreed to speak at our conference in July. We will get back to you with details. Thank you so much.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 8/1/2018 6:45:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report August 1, 2018

August 1, 2018

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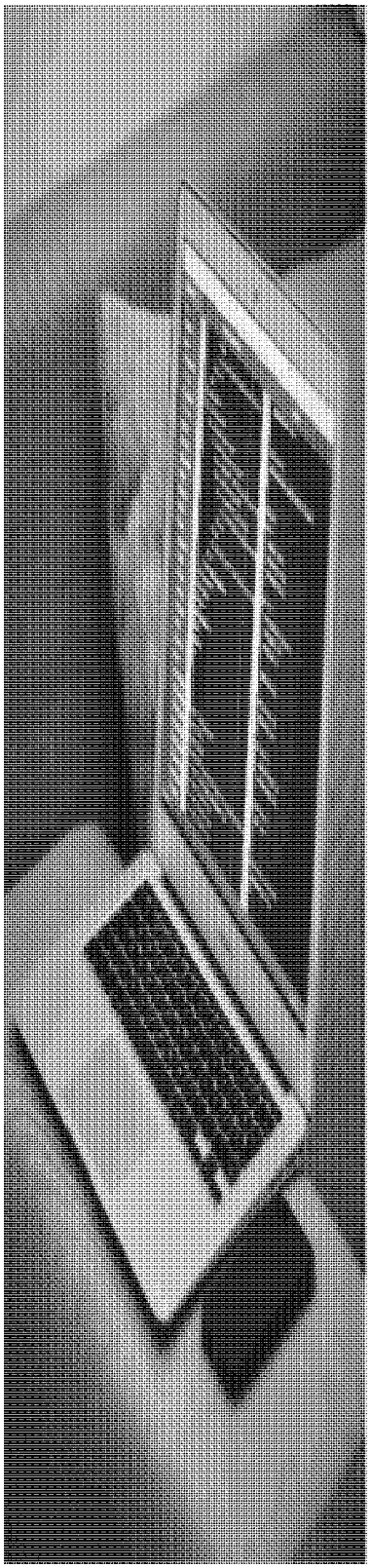
Mission: To exponentially increase the amount of Black business procurement at the federal government level which will lead to greater empowerment, demand for Capital Access, a sharp rise in employment opportunities, aka JOBS! In doing so, we prepare our constituents to earn a

greater market share in the global marketplace and improved communities from an economic perspective. "What is the status of Black business procurement?" Should be the number one topic of discussion amongst our leaders and bureaucrats throughout all levels of our national structure. Our chapters will receive technical assistance in preparing for this initiative.

Quarterly Reviews on Each Government Agency: Beginning at the end of the next fiscal quarter, September 30, 2018, the NBCC will review the status of Black procurement with each federal agency. We will rank them and submit our findings to each top official of each agency and to the Chief of Staff of the White House. These quarterly reviews will continue through Fiscal Year 2020. They will be available to the public. The intent is to encourage procurement officers and their managers to focus on the need to improve the amount of volume they procure with certified Black firms, including those certified as 8a firms. The current status is disappointing so we must improve as soon as possible.

SBA Lending to Black Firms: Consistent with the above we shall obtain the status of SBA lending to Black owned firms on a quarterly basis. We will develop a communication flow to the applicable banks encouraging them to become aggressive in this area. We will also review the CRA ratings (Community Reinvestment Act) of the major banks in the nation. Our chapters will do personal reviews with their applicable banks.

Exploitation of Model Programs: We will identify locally based model programs that deal with job training and placement. Where possible we will partner with them and assist them in growing their markets and increasing their success levels. Two of these programs were identified during our recent annual conference.



Monitor our Utility Companies: The General Services Administration has an excellent program of reviewing the status of Small and Disadvantaged Business Enterprise (DBE) procurement with local utility companies. The companies are required to submit bi-annual plans for doing business with the DBE's within their marketplace. The plan's results are reported and then updated every two years. We will begin reporting on this process and publicize the results. Our local chapters will be charged in dealing face to face with their applicable utility firms.

Review State Minority Business Programs: We will review the MBE programs for most states within our nation. They will be assigned rankings and reviews will be updated on an annual basis. This should provide technical support for our local chapters as they provide advocacy for their members. The first review will be due by the end of this calendar year.

The above should keep our "plate full". We are going to make changes – GOOD CHANGES!

JOIN US TODAY!

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Message

From: Don Parrish [donp@fb.org]
Sent: 3/16/2018 2:01:21 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: Re: Quick ?

I will check.

Don

Sent from my iPhone

On Mar 15, 2018, at 6:38 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Don! Does AFBF have a fly in next week? It's my impression there is not one master fly-in, but rather states come in individually. Just wanted to make sure we weren't missing anything! Let me know.
>
> Elizabeth Tate Bennett
> Associate Administrator for Public Engagement & Environmental Education
> Office of the Administrator
> U.S. Environmental Protection Agency
> (202) 564-1460
> Bennett.Tate@epa.gov

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/1/2018 3:27:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EPA presence at NASDA national meeting

Winter Policy Conference – early Feb. Let me check internally....I will get back to you. Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 01, 2018 11:20 AM
To: Aline DeLucia
Subject: RE: EPA presence at NASDA national meeting

Sorry- what is WPC? It would be nice if Hema or myself had an opportunity to update your membership on Wheeler's priorities at some point during the conference.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, August 1, 2018 11:13 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Britt Aasmundstad <britt@nasda.org>
Subject: RE: EPA presence at NASDA national meeting

Thanks for the update, Tate. We will no longer hold the EPA speaking slot. Let's see if we can work something out for WPC. Thanks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 01, 2018 10:53 AM
To: Aline DeLucia
Cc: Britt Aasmundstad
Subject: RE: EPA presence at NASDA national meeting

She cannot attend either.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, August 1, 2018 10:52 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Britt Aasmundstad <britt@nasda.org>
Subject: RE: EPA presence at NASDA national meeting

How about Anna?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 01, 2018 10:43 AM
To: Aline DeLucia
Subject: RE: EPA presence at NASDA national meeting

As of now he cannot make it. I'll let you know if that changes.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, August 1, 2018 9:20 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: EPA presence at NASDA national meeting

Hey Tate – Do you have any updates? I just got an out of the office reply from Chad. We are trying to finalize our agenda soon, so any feedback would be very helpful!

Thanks!

Aline

From: Aline DeLucia
Sent: Tuesday, July 31, 2018 1:48 PM
To: 'Nitsch, Chad'
Subject: FW: EPA presence at NASDA national meeting

Chad,

Just wanted to follow....any updates?

From: Aline DeLucia
Sent: Wednesday, July 25, 2018 7:45 PM
To: 'Nitsch, Chad'
Subject: RE: EPA presence at NASDA national meeting

Chad,

Thank you for the update. Yes and yes. No problem on waiting until Monday and Anna W. would be ok as well.

Thanks again!

Aline

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Wednesday, July 25, 2018 2:38 PM
To: Aline DeLucia
Subject: RE: EPA presence at NASDA national meeting

Looks like Dave is out until next Monday, so their scheduling office will be able to determine his presence at the NASDA conference then. I'm told his calendar is showing available, they just need to talk it through. Sorry for the continued delay, but can you wait for an answer by Monday? Also, as a backup would Anna Wilderman, the appointed Deputy Assistant Administrator for Water, be acceptable?

Thank you,

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Tuesday, July 24, 2018 2:30 PM

To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: Re: EPA presence at NASDA national meeting

Sure. Thanks

Sent from my iPhone

On Jul 24, 2018, at 2:22 PM, Nitsch, Chad <Nitsch.Chad@epa.gov> wrote:

> I'll have a confirmation for you by the end of the week. Does that work?
>
> Chad Nitsch
> State and Regional Partnerships
> Office of Congressional and Intergovernmental Relations
> United States Environmental Protection Agency
> 202-564-4714
>
> ---
>
> **From:** Aline DeLucia [mailto:aline@nasda.org]
> **Sent:** Monday, July 23, 2018 3:16 PM
> **To:** Nitsch, Chad <Nitsch.Chad@epa.gov>
> **Cc:** Subramanian, Hema <Subramanian.Hema@epa.gov>
> **Subject:** RE: EPA presence at NASDA national meeting
>
> Chad,
>
> It looks like Monday, September 10th from 9:15AM-9:45AM (slot 1) and 9:45AM-10:15AM (slot 2) are available. We are waiting for USDA to confirm one of those spots – the other spot would be for EPA. This would be a plenary session, with someone from EPA on the podium talking to all our members. Giving everything that is going on with WOTUS, we would love to have David Ross as the EPA speaker. Would that work for you all?
>
> If we could go ahead and lock that day and time that would be great! We are trying to finalize things between this week and next...
>
> Thank you for all your help!
>
> Aline
>
> ---
>
> **From:** Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
> **Sent:** Monday, July 23, 2018 8:08 AM
> **To:** Aline DeLucia; Nathan Bowen; Britt Aasmundstad
> **Cc:** Subramanian, Hema
> **Subject:** RE: EPA presence at NASDA national meeting
>
> Aline and crew,
>
> For NASDA's national conference in Hartford, I suggest inviting David Ross (Assistant Administrator for the Office of Water), Nancy Beck (Deputy Assistant Administrator for the Office of Chemical Safety and Pollution Prevention), and Tate Bennett (Associate Administrator for Public Engagement and Environmental Education). Nancy may delegate as she might have a conflict, but at least we'll try to get someone from the pesticides office. You can send the invite to me, and I can get it to the right people.

We talked about an overview that EPA could message in the regional breakout sessions. As I said in my voicemail, I think it makes more sense for EPA's message to be conveyed amongst the larger group (once instead of four times), followed by Q&A. If there is anyway you can make this happen, we'd be very much appreciative. I also understand that there are time constraints for the overall conference and plenary sessions, so we'll make something work.

For the invite, please send one invite addressed to David, Nancy, and Tate. Please be specific on what you'd like each of them to discuss. Please also include:

- Draft agenda
- Time and dates you'd like EPA to participate
- Requested speech topics
- Who is the audience?
- Will there be press? If so, which organizations?
- Will the conference be recorded/webcasted/transcribed?

Thanks and let me know if you have any questions.

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, July 13, 2018 2:23 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Subject: RE: EPA presence at NASDA national meeting

Hey Chad,

This is great news! It seems like most of our plenary spots are already booked. Do you think they would be available to give an update at our regional brake outs? Basically they would give an update 4x, and members would ask questions. Let me know your thoughts. I would love to get a formal invite going!

Happy to chat over the phone if you would like. Thanks!

Aline

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Friday, July 13, 2018 1:32 PM
To: Nathan Bowen; Aline DeLucia; Britt Aasmundstad
Subject: EPA presence at NASDA national meeting

Hi Nathan,

We were wondering if EPA would be requested to talk to at NASDA's national conference in Hartford. Aline discussed a bit, and I've just learned that David Ross might be available, alone with Tate, and possibly Hema. I know folks have generally been happy with EPA's senior level

participation, and I want to keep that momentum going if we can. I'm preparing for a series of eight large meetings next week, so I'll be ~~busy~~, ~~drowning~~, at a undisclosed beach location with no cell service! I'll definitely follow up when I can!

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/2/2018 6:34:01 PM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Goodis, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=50ed0b92dc4945b7a808fe8dbc9224f0-Michael Goodis]
Subject: RE: RE: EPA presence at NASDA national meeting

Great! Thank you so much, Hema.

Mike – I will follow up with on as relates to the committee agenda. Thanks!

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Thursday, August 02, 2018 2:15 PM
To: Aline DeLucia
Cc: Nitsch, Chad; Bennett, Tate; Goodis, Michael
Subject: RE: RE: EPA presence at NASDA national meeting

Aline, Mike confirmed that he will be able to address NASDA's pesticides committee on the 10th. I'm cc'ing him here, and we look forward to further coordination for the event.

Thank you,
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041
c: Ex. 6

From: Subramanian, Hema
Sent: Wednesday, August 01, 2018 1:21 PM
To: 'aline@nasda.org' <aline@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: EPA presence at NASDA national meeting

Hello Aline,

I've confirmed -- Tate Bennett and I would be happy to speak at the lunch on Monday the 10th at the NASDA Annual Meeting, to provide general EPA updates. If you need, Tate's title is Associate Administrator of EPA's Office of Public Engagement and Environmental Education. My title in the Ag Advisor's Office is currently in flux, but I can provide to you soon.

Looks like Mike Goodis, Director of our Office of Pesticide Programs' Registration Division, is out of office until Aug. 9th. I'm trying to get confirmation on his availability for speaking to the pesticide committee before then, but let me know if you have a drop dead date by which you need to know?

Thank you, and more soon.
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041
c: Ex. 6

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 8/10/2018 2:12:17 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, Ell]
Subject: That "be your own boss" feeling.

August 10, 2018

NBCC | National Black Chamber of Commerce®

Ahhhhhhh.
That "be your own boss" feeling.
Join the Cricket Authorized Retailer Network!

Why Join?

Location, Location, Location:

- We have over 4800+ stores
- 95% of them being independently owned and operated by Authorized Retailers

Development and Expansion:

- Cricket Wireless is one of the fastest-growing prepaid wireless companies
- We now have over 9 million subscribers – doubling our subscriber base from 2014

Cricket is looking for exclusive authorized retailers across the nation who want to be part of an extraordinary team. With nationwide coverage, unlimited talk, text and various data options, an exceptional line-up of smartphones, and no annual contract, we pride ourselves on providing a simple, delightful customer experience, and you can, too.

If you think you have the drive to be part of our amazing Cricket Authorized Retailer Team contact us today!

Smile, You're on

cricket

Take the next step by contacting us:

[illegible]

Take the next step by contacting us:
becomeacricketdealer@cricketwireless.com

| National Black Chamber of Commerce | Washington, DC| info@nationalbcc.org|

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

Unsubscribe bennett.tate@epa.gov

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Sent by halford@nationalbcc.org in collaboration with

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/7/2018 10:06:07 PM
To: Emily Stack [estack@freedomworks.org]; Patrick Hedger [phedger@freedomworks.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Daniel Savickas [dsavickas@freedomworks.org]; Sarah Anderson [sanderson@freedomworks.org]; Ken Cuccinelli [ktc21968@gmail.com]
Subject: RE: Thanks

Thanks! We will circle back soon.

From: Emily Stack [mailto:estack@freedomworks.org]
Sent: Tuesday, March 6, 2018 2:27 PM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Daniel Savickas <dsavickas@freedomworks.org>; Sarah Anderson <sanderson@freedomworks.org>; Ken Cuccinelli <ktc21968@gmail.com>
Subject: Re: Thanks

Good Afternoon Everyone,

As Patrick said we can be pretty flexible with dates on the Regulatory Livestream. As for our Weekly Educational Activist Livestream we do them every Tuesday at 5pm but can be flexible on the time for those. Our upcoming dates available are the 6th, 13th, and 20th. Let me know when everyone is available to come in and I will help move things along.

Best,
Emily

On Tue, Mar 6, 2018 at 1:47 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

> No problem!
>
> Certainly. Cc'd is Emily Stack, who manages our weekly townhall-style livestream as well as Dan Savickas and Sarah Anderson, who can help coordinate the regulatory-specific livestream in my absence. While I am gone, I believe Ken Cuccinelli would be a likely host. Ken is CC'd as well.
>
> Thanks!
>
> Sent from my iPhone
>
> On Mar 6, 2018, at 12:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>> Patrick - we haven't forgotten you! Will get back to you on timing. Is there a good poc while you are out?
>>
>> On Mar 2, 2018, at 9:48 AM, Patrick Hedger <phedger@freedomworks.org> wrote:
>>
>>> Tate, Liz,

It was an absolute pleasure getting to chat yesterday. Here's a press release related to yesterdays oil and gas announcements: http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0

As far as the livestreams we discussed, again we have one activist townhall-style livestream and my Regulatory focused weekly livestream. We're very flexible on time and date. Liz, I would love to have you on next week, either Thursday afternoon or sometime Friday as we discussed. But, again, we need guests every week and we're focusing on energy and environmental policy in March. Ken Cuccinelli would be available to conduct interviews as well. At the link below you should be able to see various examples and viewership numbers. Let me know what you both think!

https://www.facebook.com/pg/FreedomWorks/videos/

Looking forward to collaborating further!

Best,

Patrick

On Thu, Mar 1, 2018 at 3:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Hey Patrick!
>
> Thanks for being so flexible today! Feel free to pass along info for next week.
>
> Tate
>
> Elizabeth Tate Bennett
>
> Associate Administrator for Public Engagement & Environmental Education
>
> Office of the Administrator
>
> U.S. Environmental Protection Agency
>
> (202) 564-1460
>
> Bennett.Tate@epa.gov

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

--
Emily Stack
Grassroots Coordinator
FreedomWorks

estack@freedomworks.org
(202) 783-3870 (office)
Ex. 6 (direct)

400 North Capitol Street N.W. Suite 765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/24/2018 6:15:15 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Ringel, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1654bdc951284a6d899a418a89fb0abf-Ringel, Aar]; Palich, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=330ad62e158d43af93fcbbece930d21a-Palich, Chr]; Frye, Tony (Robert) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=58c08abdfc1b4129a10456b78e6fc2e1-Frye, Rober]; Rodrick, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6515dbe46dae466da53c8a3aa3be8cc2-Rodrick, Ch]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Beach, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b124299bb6f46a39aa5d84519f25d5d-Beach, Chri]; Clowser, Jessica (Fischer) [Jessica_Clowser@fischer.senate.gov]; Gardner, Judd (Moran) [Judd_Gardner@moran.senate.gov]; Appleton, Brooke - OSEC, Washington DC [Brooke.Appleton@osec.usda.gov]; Tim Lust [tim@sorghumgrowers.com]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Jennifer Blackburn [jennifer@sorghumgrowers.com]; Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Andrew Walmsley [andreww@fb.org]
Subject: FYI Speaking lineup tonight

Importance: High

Looking forward to seeing everyone tonight!

Only those listed on this sheet are actually scheduled to speak, and in this order. Please keep 3-5 minutes max. Note- NOT everyone seated at the table will speak, so folks shouldn't automatically assume their neighbor seated next to them will give remarks. Just pay attention to this speaking order, and you will be good to go! Acting Admin Wheeler will call on folks to speak as we go around the table- putting him to work as the MC.

Feel free to reach out with any questions. My work cell is Ex. 6 Will see everyone before 5 PM.

Tate

Sorghum Roundtable in Green Room
Speakers List Lineup

1	Don Bloss	National Sorghum Producers Chairman, NE
2	Acting Administrator Andrew Wheeler	EPA
3	Sen. Jerry Moran	U.S. Senator Jerry Moran, KS
4	Sen. Deb Fischer	U.S. Senator Deb Fischer, NE
5	Rep. Roger Marshall	U.S. Rep. Roger Marshall, KS-1
6	Dan Atkisson	National Sorghum Producers Vice Chairman, KS
7	Bobby Nedbalek	National Sorghum Producers, TX
8	Kody Carson	National Sorghum Producers, TX
9	Tim Lust	National Sorghum Producers
10	Mandy Gunasekara	EPA, OAR
11	Bill Hohenstein	USDA
13	Zippy Duvall	American Farm Bureau Federation

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/2/2018 2:51:28 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: Thanks

Thanks for flagging this release, Patrick! I'll huddle with Liz on the interview and see what she thinks.

On Mar 2, 2018, at 9:48 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

> Tate, Liz,
>
> It was an absolute pleasure getting to chat yesterday. Here's a press release related to yesterdays oil and gas announcements: http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0
>
> As far as the livestreams we discussed, again we have one activist townhall-style livestream and my Regulatory focused weekly livestream. We're very flexible on time and date. Liz, I would love to have you on next week, either Thursday afternoon or sometime Friday as we discussed. But, again, we need guests every week and we're focusing on energy and environmental policy in March. Ken Cuccinelli would be available to conduct interviews as well. At the link below you should be able to see various examples and viewership numbers. Let me know what you both think!
>
> https://www.facebook.com/pg/FreedomWorks/videos/
>
> Looking forward to collaborating further!
>
> Best,
>
> Patrick
>
> On Thu, Mar 1, 2018 at 3:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Hey Patrick!
> >
> > Thanks for being so flexible today! Feel free to pass along info for next week.
> >
> > Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/30/2018 3:28:55 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Julia Recko [juliad@fb.org]
CC: Don Parrish [donp@fb.org]
Subject: RE: Agriculture Education Grant Opportunities at EPA

Julia- can you disseminate this information to your members?

From: Tanner, Lee
Sent: Tuesday, January 30, 2018 10:28 AM
To: Julia Recko <juliad@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Agriculture Education Grant Opportunities at EPA
Importance: High

Julia,

In case you missed it, an announcement regarding EPA's 2018 Environmental Education (EE) Local Grant Program is below. Please refer to the Request for Proposals (RFP) for eligibility information and consider sharing the RFP with your stakeholders.

Full information on the EE Grants Program, including open RFPs, tips on applying, and answers to frequently asked questions, is available at: https://www.epa.gov/education/environmental-education-ee-grants.

You can submit specific questions regarding the EE Grant Program or RFP to eegrants@epa.gov.

We invite interested organizations to join the Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE Local Grant RFP. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's EE Local Grants Program at EPA.

Register now for a webinar on the 2018 EE Local Grants Program

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.

Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.

Register for January 31, 2018.

Register for February 21, 2018.

The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please visit: https://www.epa.gov/education/environmental-education-ee-grants.

For questions regarding the EE Grants Program, please email eegrants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: https://www.epa.gov/newsroom/email-subscriptions.

Office of Public Engagement and Environmental Education
Office of the Administrator / U.S. Environmental Protection Agency

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U.S. EPA, Office of Environmental Education, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/31/2018 3:02:55 PM
To: nathan@nasda.org; Britt Aasmundstad [britt@nasda.org]
Subject: EMBARGOED WOTUS Step 0

FYI in the midst of everything today, this will be signed at 10:45 AM ☺

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, January 30, 2018 6:24 PM
To: Block, Molly <block.molly@epa.gov>
Subject: EPA and Army Finalize "Waters of the United States" Applicability Date - Preview

EPA and Army Finalize "Waters of the United States" Applicability Date

WASHINGTON (January 31, 2018) - Today, the U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (Army) have finalized a rule adding an applicability date to the 2015 Clean Water Rule (the 2015 Rule). This rule provides clarity and certainty about which definition of "waters of the United States" is applicable nationwide in response to judicial actions that could result in confusion. The new applicability date will be two years after today's action is published in the Federal Register, during which time both agencies will continue the process of reconsidering the 2015 Rule.

"Today's action completes the next step in our plan to provide certainty for our nation's farmers and ranchers," **said EPA Administrator Scott Pruitt**. "In this day and age, it is critical to provide our state, local and tribal partners with clarity regarding federal jurisdiction under the Clean Water Act. I look forward to continuing our meaningful engagement and dialogue as we work to reconsider the definition of the 'waters of the United States' so that Americans receive the clarity they deserve."

"We are committed to transparency as we execute the Clean Water Act Section 404 regulatory program. The Army and EPA proposed this rule to provide the regulated public clarity and predictability during the rule making process," **said Acting Assistant Secretary of the Army (Civil Works) Ryan Fisher**.

The 2015 Rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. The U.S. Court of Appeals for the Sixth Circuit's nationwide stay halted implementation of the 2015 Rule. But last week the Supreme Court determined that the U.S. Courts of Appeals do not have original jurisdiction to review these challenges and, therefore, the Sixth Circuit lacked authority to issue a stay. Given uncertainty about litigation in multiple district courts over the 2015 Rule, this action provides much needed certainty and clarity to the regulated community during the ongoing regulatory process.

Today's final rule is separate from the two-step process the agencies are currently taking to reconsider the 2015 Rule. The public comment period for the Step 1 rule proposing to rescind the 2015 Rule closed in September 2017, and those comments are currently under review by the agencies. EPA and the Army are also in the process of reviewing input from state, local, and tribal governments and other stakeholders as they work to develop a proposed Step 2 rule that would revise the definition of "waters of the United States."

Background

On February 28, 2017, President Trump issued Executive Order (EO) 13778, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." As EO 13778 stated, it is in the national interest to ensure that the nation's navigable waters are kept free from pollution, while simultaneously promoting economic growth, minimizing regulatory uncertainty, and respecting the roles of both Congress and States under the Constitution.

Additional information on this final rule: www.epa.gov/wotus-rule

Visit The EPA's Newsroom

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 6:34:02 PM
To: Don Parrish [donp@fb.org]
Subject: Fwd: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Hope you all can make it

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: March 9, 2018 at 12:48:13 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Good morning!

You and two additional guests are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."

Key items to discuss include:

- <!--[if !supportLists]--><!--[endif]-->Restored Cooperative Federalism;
- <!--[if !supportLists]--><!--[endif]-->Restoring the Rule of Law;
- <!--[if !supportLists]--><!--[endif]-->WOTUS Repeal;
- <!--[if !supportLists]--><!--[endif]-->CPP Repeal;
- <!--[if !supportLists]--><!--[endif]-->Ending Sue-and-Settle
- <!--[if !supportLists]--><!--[endif]-->Independence on Science Advisory Boards;
- <!--[if !supportLists]--><!--[endif]-->CERCLA Hard Rock Mining;
- <!--[if !supportLists]--><!--[endif]-->And Other Items.

Date: Monday, March 12th

Time: 1:30 PM-2:30 PM

Location: The Heritage Foundation
214 Massachusetts Ave NE
Washington, DC 20002

Please RSVP as soon as possible to Stephen Gordon at Gordon.Stephen@epa.gov

Please note that this invitation is for you specifically and two guests. Please do not distribute externally due to limited space.

Thank you, and see you soon!

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/15/2018 7:29:52 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Chlorpyrifos

Received. Thank you, Paul.

On Aug 15, 2018, at 3:24 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate –

In the wake of the 9th Circuit ruling on chlorpyrifos last week, we asked our state farm bureaus to assess the potential impact of the loss of this product for farmers. I'm setting out below a few of the responses we have already received. I expect we will be receiving more in coming days and weeks. To put it bluntly, most of our members who rely on this product are extremely concerned about the ramifications of the court decision:

- Florida is greatly concerned about the potential impact of its loss, particularly as it is one of the critical tools available to the citrus industry in combating citrus greening. That disease alone has devastated the Florida citrus industry and losing chlorpyrifos would greatly hamper their efforts to combat the disease.
- Michigan Farm Bureau has indicated that losing chlorpyrifos would be devastating to specialty crop growers in that state. Currently, the pesticide is used on approximately:
  - 32,000 acre of cherries
  - 32,000 acres of apples
  - 9,000 acres of peaches

It is primarily used as a trunk application for the protection against borers (normally one application per season). As of today, there are no affordable alternatives to the product.

- Maryland orchardists currently rely on chlorpyrifos as a defense against peach tree borer. Because of its ability to kills egg masses on woody surfaces, they are hopeful it can be a major player in controlling the Spotted Lanternfly that has invaded Southeast PA and could move into Northeast Maryland in the near future. If it does kill the over-wintering egg masses, it could be one of the only pesticides out there to control the pest outside of the growing season. Maryland Department of Agriculture indicates that only about 3,000 lbs. of the pesticide was used annually in the state – a reduction attributed primarily to the expanded use of Bt corn.
- Texas producers employ chlorpyrifos as one tool to help combat insect infestations; by offering a different mode of action, it helps producers in protecting their crops. The main crops that it is used on in Texas are winter wheat and pecans due to its effectiveness of controlling certain insect populations. Other crops for which it is used include:
  - Corn – not used as widely due to Bt traits in corn.
  - Cotton – used in cotton, but use varies. Not the number one insecticide used, but used for resistance management.
  - Citrus – use has declined in citrus, but still used.
  - Sorghum – again, not the number one insecticide used, but is one more 'tool in the tool box'
  - Peanuts – used to control corn rootworm on peanuts in Texas.
  - Pecans – widely used in pecans.
  - Wheat – Widely used in wheat during the winter months.

- California estimates that the loss of chlorpyrifos would lead to higher uses of pyrethroids and neonicotinoids, which are already under scrutiny. As dependence on those products goes up, so does the risk for resistance and damage from pests and diseases.

I am also attaching a couple of documents I hope will be helpful. One is comments from California Farm Bureau outlining in greater detail usage of chlorpyrifos in that state. The other is comments filed by American Farm Bureau which gives a broader overview, from a national perspective, on the importance of the product to a wide range of crops and why it is important to maintain its availability.

Thanks for your attention to this matter. Please let me know if I can provide any further information.

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

<Comment.pdf>

<pesticides-AFBFComments16a.0104.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/7/2018 3:16:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Patrick Carolan [pcarolan@franciscanaction.org]; Molly Rauch [mrauch@momscleanairforce.org]; Trisha Sheehan [tsheehan@momscleanairforce.org]; Kevin_gundersen@huntsman.com; Milbourn, Cathy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=235d8027f05546dba9897972f0b78419-Cmilbour]; grizzle@grizzleco.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=607f0c9ada1547d0b72901f88202889c-grizzle@grizzleco.com]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Reaves, Doretta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b492e80457741579ff01d9f01981e02-Dreaves]; Cassandra Carmichael [cassandra@nrpe.org]; Patrick Hedger [phedger@freedomworks.org]; Myron Ebell [Myron.Ebell@cei.org]; Teller, Paul S. EOP/WHO [Ex. 6
Subject: EPA Meets Another TSCA Milestone, Releases Draft Strategy to Reduce Animal Testing

Just FYI. This is going out later this morning.

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

EPA Meets Another TSCA Milestone, Releases Draft Strategy to Reduce Animal Testing

WASHINGTON (March 7, 2018) — Today, U.S. Environmental Protection Agency (EPA) is releasing a draft strategy to reduce the use of vertebrate animals in chemical testing for public comment. This fulfills another milestone the Agency has met under the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which amended the Toxic Substances Control Act (TSCA).

"This draft strategy is a first step toward reducing the use of animals and increasing the use of cutting-edge science to ensure chemicals are reviewed for safety with the highest scientific standards," **said EPA Administrator Scott Pruitt**. "EPA is committed to working with animal welfare groups, industry and stakeholders to produce a sound, effective plan in line with the law."

"We welcome the draft strategy as a progressive step to reduce and ultimately replace the use of animals to regulate chemicals in the U.S. through the implementation of TSCA reform," **said Catherine Willett, director of science policy at The Humane Society of the United States**. "We have every indication that EPA intends to make good

on this unprecedented opportunity to not only reduce animal use, but improve the science used to evaluate chemical safety."

Under the Lautenberg Chemical Safety Act, EPA is required to develop a strategy to promote the development and implementation of alternative test methods and strategies to reduce, refine or replace vertebrate animal testing by June 22, 2018. The draft document incorporates input from a November 2017 public meeting held on the development of the draft strategy, as well as written comments submitted after the meeting, and draws upon EPA research on test methods.

The draft strategy follows the progress EPA has made finalizing three important rules and proposing a fees rule as outlined by the Lautenberg Chemical Safety Act. EPA is working diligently to implement the new law, the first major update to an environmental statute in 20 years, and get the most modern and safe chemicals to market quickly in order to provide regulatory certainty for manufacturers and confidence for American consumers.

This draft strategy will be available for comment for 45 days in docket EPA-HQ-OPPT-2017-0559. Comments received will be considered in the Agency's development of the final strategy.

A public meeting will be held on the draft strategy in Washington, DC on April 10, 2018.

Read the draft strategy and learn more about the April 10 public meeting: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/alternative-test-methods-and-strategies-reduce

Background

On June 22, 2017 - the one-year anniversary of the Lautenberg Chemical Safety Act - EPA met milestones for three framework TSCA rules: the Prioritization Process Rule, the Risk Evaluation Process Rule, and the Inventory Rule.

The Prioritization Process Rule establishes a framework and criteria for identifying high-priority chemicals for EPA risk evaluations.

The Risk Evaluation Process Rule establishes a framework for evaluating high priority chemicals to determine whether or not they present an unreasonable risk to health and/or the environment. The rule ensures transparency and confidence in the risk evaluation process while retaining flexibility to allow for new scientific approaches as they are developed.

The Inventory Rule requires industry reporting of chemicals manufactured, imported, or processed in the U.S. over the past 10 years to identify which chemical substances on the TSCA Inventory are active in U.S. commerce. This will inform the chemicals EPA prioritizes for risk evaluations.

In addition to finalizing framework TSCA rules so the Agency can properly implement the law within the timeframes set by Congress, EPA has effectively addressed and eliminated the backlog of new chemicals awaiting EPA review. The current caseload is back at the baseline level.

EPA also proposed a fees rule on certain chemical manufacturers - including importers and processors - to provide a sustainable source of funding to defray resources that are available for implementation of new responsibilities under the amended law.

For more information on TSCA implementation, visit: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/8/2018 11:52:42 PM
To: Andrew Walmsley [andreww@fb.org]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
Subject: Re: Meeting Request: Issue Advisory Committee

Thank you!

On Mar 8, 2018, at 6:48 PM, Andrew Walmsley <andreww@fb.org> wrote:

The folks on our committee come from the following States:

Indiana
Iowa
Kansas
Maryland
Michigan
Pennsylvania
Arkansas
Georgia
Illinois
Oklahoma
South Dakota
Texas

They have the ability to recommend policy for the whole organization though.

Look forward to seeing y'all in the morning.

Andrew

On Mar 8, 2018 6:42 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:
Hello Andrew – would you be able to share which states the Energy committee appointees are from?

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant for Agriculture Policy
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Tuesday, March 06, 2018 3:57 PM

To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Great, thank you both!

Had planned for about 20 - 30 min for remarks and then some time for questions. Want to be respectful of y'all's time so just appreciate y'all making it over.

Please let me know if you need anything else and look forward to seeing y'all Friday.

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Mar 6, 2018 3:53 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

> Andrew,
>
> Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.
>
> Thank you,
>
> ---Hema.
>
> ---
> Hema Subramanian
>
> Acting Special Assistant to the Senior Advisor for Agriculture
>
> Office of the Administrator
>
> U.S. Environmental Protection Agency
>
> 1200 Pennsylvania Avenue, NW
>
> Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Monday, March 05, 2018 1:09 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Monday, March 05, 2018 9:36 AM
To: Andrew Walmsley
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew, I am looking into this and will get back to you. Just as FYI Jeff's last day was Friday, and he no longer has access to EPA email.

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Monday, March 05, 2018 8:28 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Jeff indicated that he will be unable to participate on Friday. He wasn't sure if he was going to be able to find someone to fill-in…if someone is available, please let me know. Attached are the materials that were sent to our IAC members.

Thank you for the consideration.

Andrew

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 15, 2018 3:32 PM

To: Subramanian.Hema@epa.gov
Cc: Jeff Sands EPA
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Yes. Thank you so much!

Andrew

On Feb 15, 2018 3:19 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Andrew,

Jeff is available to meet with the group at 10:30 am on March 9th. Is this the address?

American Farm Bureau Federation

600 Maryland Ave SW #1000w

Washington, DC 20024

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Thursday, February 15, 2018 12:34 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

Thank you again for finding time. How does 10:30 a.m. sound? We are really flexible at this point so anytime from 10:00 a.m. until noon should work.

Thanks,

Andrew

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Sands, Jeffrey [mailto:sands.jeffrey@epa.gov]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew,

Thanks for reaching out regarding the meeting for AFBF Energy Issue Advisory Committee. March 9th will work for my schedule, please suggest a time that works best in the window you provided and I will put it on the calendar.

Best,

Jeff

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Monday, February 12, 2018 7:11 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley

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andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM

To: 'Sands, Jeffrey'
Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

I hope you are well. I was wondering if you might be willing and able to meet with a group of farmers here at the AFBF office on Friday, March 9th sometime between 10:00 a.m. and 3:00 p.m.? The meeting would be with a select group of farmers from around the country who are appointed by our President to serve on the AFBF Energy Issue Advisory Committee. They would like to know the latest thinking from the agency concerning issues like the RFS, the Clean Power Plan and any other regulatory issue that might impact rural America that the agency is working on in regards to energy.

Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

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Sent: 2/12/2018 10:02:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: zach@coloradofb.org; pete@ndfb.org; Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaeec14283e8fc914-PFLEMI02]; 'Starling, Ray A. EOP/WHO' [Raymond.A.Starling@who.eop.gov]; Thomas, Latosha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a405bd473fff4b80b3065d03d9b48eb9-LaThomas]; amy.belcher@agi.alabama.gov; Arthur.Keyes@alaska.gov; storrens@azda.gov; adriane.barnes@arkansas.gov; steve.lyle@cdfa.ca.gov; karen.lover@state.co.us; steve.jensen@ct.gov; sheree.nichols@state.de.us; Jennifer.Meale@FreshFromFlorida.com; Julie.McPeake@agr.georgia.gov; hdoa.info@hawaii.gov; chanel.tewalt@isda.idaho.gov; morgan.booth@illinois.gov; bgavelek@isda.in.gov; Stephanie.groom@iowaagriculture.gov; Heather.Lansdowne@ks.gov; chris.aldridge@ky.gov; PressSecretary@ldaf.state.la.us; john.c.bott@maine.gov; julie.oberg@maryland.gov; Keri.Cornman@state.ma.us; holtonj@michigan.gov; Margaret.Hart@state.mn.us; Paige@mdac.ms.gov; sarah.alsager@mda.mo.gov; AFjeseth@mt.gov; christin.kamm@nebraska.gov; jfagundes@agri.nv.gov; beth.kiley@agr.nh.gov; nancy.trivette@ag.state.nj.us; ddapr@nmda.nmsu.edu; kevin.king@agriculture.ny.gov; heather.overton@ncagr.gov; mmielke@nd.gov; Mark.Bruce@agri.ohio.gov; bryan.painter@ag.ok.gov; bpokarney@oda.state.or.us; aastacio@agricultura.pr.gov; ken.ayars@dem.ri.gov; meubanks@scda.sc.gov; maggie.stensaas@state.sd.us; samantha.jean@tn.gov; Mark.Loeffler@TexasAgriculture.gov; larrylewis@utah.gov; Trevor.audet@vermont.gov; elaine.lidholm@vdacs.virginia.gov; HCastro@agr.wa.gov; bdavidson@wvda.us; william2.cosh@wisconsin.gov [william2.cosh@wisconsin.gov]; derek.grant@wyo.gov; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; 'mwalker@alfafarmers.org'; 'amy.seitz@gmail.com'; 'anakennedy@azfb.org'; 'zac.bradley@arfb.com'; 'jrolph@cfbf.com'; 'zach@coloradofb.org'; 'henryt@cfba.org'; 'pam.bakerian@defb.org'; 'johnwalt.boatright@ffbf.org'; 'tasmith@gfb.org'; brian@hfbf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a82620bb144e8496bd7bf63de940a8-brian@hfbf.org]; 'rhendricks@idahofb.org'; 'anielsen@ilfb.org'; 'bwhite@infarmbureau.org'; 'kkuhle@ifbf.org'; 'flicknerr@kfb.org'; 'joe.cain@kyfb.com'; 'Kylem@lfbf.org'; 'asmart@mainefarmbureau.com'; 'cferguson@mdfarmbureau.com'; 'brad@mfbf.net'; 'jkran@michfb.com'; 'amber.hanson@fbmn.org'; 'jferguson@msfb.org'; 'Spencer.tuma@mofb.com'; 'nicoler@mfbf.org'; 'jordand@nefb.org'; 'doug@nvfb.org'; 'robj@nhfarmbureau.org'; 'lizt@njfb.org'; 'mattg@nmflb.org'; 'ewolters@nyfb.org'; 'linda.andrews@ncfb.org'; 'pete@ndfb.org'; 'jirvin@ofbf.org'; 'LeeAnna.mcnally@okfb.org'; 'gail@oregonfb.org'; 'klwatson@pfb.com'; 'isoly@agricultorpr.org'; 'haquinn@rifb.org'; 'gspires@scfb.com'; 'k.smit@sdfbf.org'; 'rrose@tfbf.com'; 'ladams@txfb.org'; 'scb@fbfs.com'; Ex. 6 'wilmer.stoneman@vafb.com'; 'tdavis@wsfb.com'; 'dwayneo@wvfarm.org'; 'kgefvert@wfbf.com'; 'kenhamilton@wyfb.org'; 'kgreer@bamabeef.org'; 'baja@arizonabeef.org'; 'lscheller@arizonabeef.org'; 'acacommdept@arbeef.org'; 'justin@calcattlemen.org'; 'sarah@coloradocattle.org'; 'bhammerich@coloradolivestock.org'; 'sard@asrlegal.com'; 'kaytlyn@gabeef.org'; 'dale@hicattle.org'; 'Britany@idahocattle.org'; 'jill@illinoisbeef.com'; 'jmoore@indianabeef.org'; 'janlee@iabeef.org'; 'apopelka@kla.org'; 'jredway@kycattle.org'; 'rjoyner@labeef.org'; 'gquackenbush@mibeef.org'; 'ashley@mnsca.org'; Ex. 6 'Candace@mocattle.com'; 'kori@mtbeef.org'; 'lfield@necattlemen.org'; 'nca@nevadabeef.org'; 'nmcga@nmagriculture.org'; 'phil@trowbridgefarms.com'; 'bryan@nccattle.com'; 'rorvigranchco@gondtc.com'; 'lcorry@ohiobeef.org'; 'chanson@okcattlemen.org'; 'jerome.rosa@orcattle.com'; 'pacattlemen@aol.com'; 'scbeef@scda.sc.gov'; 'executive@sdcattlemen.org'; 'Lauren@tncattle.org';

'jskaggs@tscra.org'; 'jwinegarner@tcfa.org'; 'utahbeef@aol.com'; 'tfix@vacattlemen.org'; 'jackfield@kvalley.com'; 'wacattle@k.com'; 'wvca@wvbeef.org'; Ex. 6 ; 'haley@wysga.org'; Ex. 6 Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; 'Bill Couser' Ex. 6 'DickWhite@DurangoGov.org'; 'kim.peterson@guymonok.org'; 'dani@coloagleaders.org'; 'dstroisch@ilfb.org'; Ex. 6 ; Ex. 6 'anielsen@ilfb.org'; 'rwhitehouse@ilfb.org'; 'leeanna.mcnally@okfb.org'; 'Tyler.Powell@ee.ok.gov'; Ex. 6 ; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; 'Marvin Childers' [marvin@thepoultryfederation.com]; Ex. 6 ; Grantham, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12a3c2ed7158417fb0bb1b1b72a8cfb0-Grantham, Nancy]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaeec14283e8fc914-PFLEMI02]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; 'Kunickis, Sheryl - OSEC' [Sheryl.Kunickis@osec.usda.gov]; 'Hazlett, Anne - OSEC, Washington, DC' [Anne.Hazlett@osec.usda.gov]; 'Rollins, Blake - OSEC, Washington, DC' [Blake.Rollins@osec.usda.gov]; juliad@fb.org; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; ebarrs@duesouthinvestments.com; cmurray@nafoalliance.org; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; wbarrs@duesouthinvestments.com; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Mitch Schulte [mitchschulte@iowadairy.org]; Walker, Mitt [MWalker@alfafarmers.org]; Strong, J. D. [jd.strong@odwc.ok.gov]; jirvin@ofbf.org; justin@calcattlemen.org; sarah@coloradocattle.org; bhammerich@coloradolivestock.org; sard@asrlegal.com; kaytlyn@gabeef.org; dale@hicattle.org; Britany@idahocattle.org; jill@illinoisbeef.com; jmoore@indianabeef.org; janlee@iabeef.org; apopelka@kla.org; jredway@kycattle.org; rjoyner@labeef.org; gquackenbush@mibeef.org; ashley@mnsca.org; Ex. 6 Candace@mocattle.com; kori@mtbeef.org; lfield@necattlemen.org; nca@nevadabeef.org; nmcga@nmagriculture.org; phil@trowbridgefarms.com; bryan@nccattle.com; rorvigranchco@gondtc.com; lcorry@ohiobeef.org; chanson@okcattlemen.org; jerome.rosa@orcattle.com; pacattlemen@aol.com; scbeef@scda.sc.gov; executive@sdcattlemen.org; Lauren@tncattle.org; jskaggs@tscra.org; jwinegarner@tcfa.org; utahbeef@aol.com; tfix@vacattlemen.org; jackfield@kvalley.com; wacattle@k.com; wvca@wvbeef.org; Ex. 6 haley@wysga.org; mwalker@alfafarmers.org; Ex. 6 ; anakennedy@azfb.org; zac.bradley@arfb.com; jrolph@cfbf.com; zach@coloradofb.org; henryt@cfba.org; pam.bakerian@defb.org; johnwalt.boatright@ffbf.org; tasmith@gfb.org; brian@hfbf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a82620bb144e8496bd7bf63de940a8-brian@hfbf.org]; rhendricks@idahofb.org; anielsen@ilfb.org; bwhite@infarmbureau.org; kkuhle@ifbf.org; flicknerr@kfb.org; joe.cain@kyfb.com; Kylem@lfbf.org; asmart@mainefarmbureau.com; cferguson@mdfarmbureau.com; brad@mfbf.net; jkran@michfb.com; amber.hanson@fbmn.org; jferguson@msfb.org; Spencer.tuma@mofb.com; nicoler@mfbf.org; jordand@nefb.org; doug@nvfb.org; robj@nhfarmbureau.org; lizt@njfb.org; mattg@nmflb.org; ewolters@nyfb.org; linda.andrews@ncfb.org; pete@ndfb.org; jirvin@ofbf.org; LeeAnna.mcnally@okfb.org; gail@oregonfb.org; klwatson@pfb.com; isoly@agricultorpr.org; haquinn@rifb.org; gspires@scfb.com; k.smit@sdfbf.org; rrose@tfbf.com; ladams@txfb.org; scb@fbfs.com; Lyn.desmarais@gmail.com; wilmer.stoneman@vafb.com; tdavis@wsfb.com; dwayneo@wvfarm.org; kgefvert@wfbf.com; kenhamilton@wyfb.org; Williams, Mark [Mark.Williams@mail.house.gov]; Hawkins, Garrett [Garrett.Hawkins@mda.mo.gov]; William.H.Kirkland@who.eop.gov; Douglas.L.Hoelscher Ex. 6 Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Palich, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=330ad62e158d43af93fcbbece930d21a-Palich, Chr]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Ringel, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1654bdc951284a6d899a418a89fb0abf-Ringel, Aar]; 'Bill Couser' Ex. 6 kgreer@bamabeef.org; baja@arizonabeef.org; lscheller@arizonabeef.org; acacommdept@arbeef.org; justin@calcattlemen.org; sarah@coloradocattle.org; bhammerich@coloradolivestock.org; sard@asrlegal.com; kaytlyn@gabeef.org; dale@hicattle.org; Britany@idahocattle.org; jill@illinoisbeef.com; jmoore@indianabeef.org; janlee@iabeef.org; apopelka@kla.org; jredway@kycattle.org; rjoyner@labeef.org; gquackenbush@mibeef.org; ashley@mnsca.org; Ex. 6 Candace@mocattle.com; kori@mtbeef.org; lfield@necattlemen.org; nca@nevadabeef.org; nmcga@nmagriculture.org; phil@trowbridgefarms.com; bryan@nccattle.com; rorvigranchco@gondtc.com; lcorry@ohiobeef.org; chanson@okcattlemen.org; jerome.rosa@orcattle.com; pacattlemen@aol.com; scbeef@scda.sc.gov; executive@sdcattlemen.org; Lauren@tncattle.org; jskaggs@tscra.org; jwinegarner@tcfa.org; utahbeef@aol.com; tfix@vacattlemen.org; jackfield@kvalley.com; wacattle@k.com; wvca@wvbeef.org; Ex. 6 haley@wysga.org; nathan@nasda.org; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Sarah Greenwalt (greenwalt.sarah@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]

Subject: FW: Feb 14 @1PM CALL: Agriculture Education Grant Opportunities at EPA

Importance: High

Just a friendly reminder about the EE Local Grants Program (now accepting applications for this year) call THIS Wednesday. Let us know if you have any questions.

- **The call will take place at 1 p.m.-2:30 PM EST on Wednesday February 14, 2018**
- **Click here to Register for the call.**
- CALL IN NUMBER Ex. 6 PROVIDE THE OPERATOR WITH CONFERENCE ID NUMBER: Ex. 6
- **Questions will be accepted during the call at eegrants@epa.gov**
- **Slides are available at https://www.epa.gov/education/environmental-education-ee-grants-webinar-and-teleconference-materials**
- **To apply for the EE Local Grants Program, visit: https://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice**
- **Applications for the EE Local Grants Program are due March 15th 2018**

From: Bennett, Tate
Sent: Wednesday, February 7, 2018 12:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Subject: Feb 14 @1PM CALL: Agriculture Education Grant Opportunities at EPA
Importance: High

EPA's office of Environmental Education (EE) is currently accepting applications for the EE Local Grants Program at EPA until March 15th, 2018. **Projects in agriculture are eligible in this year's grant solicitation, including projects on water quality, conservation, food sustainability and integrated pest management best practices— among other traditional topics.**

EPA will hold **a** teleconference on the overall grant program at 1 p.m.-2:30 PM EST on February 14, 2018:

- **The call will take place at 1 p.m.-2:30 PM EST on Wednesday February 14, 2018**
- **Click here to Register for the call.**
- **CALL IN NUMBER** Ex. 6 **PROVIDE THE OPERATOR WITH CONFERENCE ID NUMBER:** Ex. 6
- **Questions will be accepted during the call at eegrants@epa.gov**
- **Slides are available at https://www.epa.gov/education/environmental-education-ee-grants-webinar-and-teleconference-materials**
- **To apply for the EE Local Grants Program, visit: https://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice**
- **Applications for the EE Local Grants Program are due March 15th 2018**

Let us know if you have any questions.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 8:56:35 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Thanks

Hey Patrick!

Thanks for being so flexible today! Feel free to pass along info for next week.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/31/2018 9:22:06 PM
To: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: Don Parrish [donp@fb.org]; 'Rollins, Blake - OSEC, Washington, DC' [Blake.Rollins@osec.usda.gov]
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Don- it's an MOA so I don't think it will show up there, unless CEQ sends it to FR. We are taking our queues from CEQ. Are you asking for a copy of it?

From: Cory, Preston (Katherine)
Sent: Wednesday, January 31, 2018 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Has this gone in the FR?

From: Don Parrish [mailto:donp@fb.org]
Sent: Wednesday, January 31, 2018 3:36 PM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Katherine

Can you help with this question - has the rule been posted?

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Cory, Preston (Katherine) [mailto:Cory.Preston@epa.gov]
Sent: Wednesday, January 31, 2018 3:15 PM
Cc: Rollins, Blake - OSEC, Washington, DC
Subject: FW: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

K. Preston Cory
Special Advisor
Office of the Administrator, Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-579-4281

EPA Administrator Scott Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

WASHINGTON (January 31, 2018) — Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt spoke at the National Association of State Departments of Agriculture Winter Policy Conference and signed a Memorandum of Agreement (MOA) establishing an interagency Working Group to evaluate and improve the Endangered Species Act consultation process for pesticide registration.

"The current Endangered Species Act pesticide consultation process is broken," **said EPA Administrator Scott Pruitt**. "Today, the Trump Administration is taking action to improve and accelerate this process, harmonize interagency efforts, and create regulatory certainty for America's farmers and ranchers."

"Once again, EPA has acted on the calls for regulatory reform from rural communities across the country. I'm glad to see Administrator Pruitt carrying out President Trump's pro-growth agenda benefiting Oklahoma farmers and ranchers," **said Oklahoma Commissioner of Agriculture Jim Reese**.

"It's a breath of fresh air to have an EPA willing to listen to farmers and ranchers across the country. I applaud President Trump and Administrator Pruitt for partnering with rural America to provide the regulatory certainty that our agriculture community deserves," **said Kentucky Commissioner of Agriculture Ryan Quarles**.

The interagency Working Group includes the Department of the Interior and Department of Commerce and comes at a critical time as EPA has 700 pesticide registrations to complete by 2022.

In addition to the MOA, Administrator Pruitt discussed EPA's efforts this past year to rescind the 2015 "Waters of the United States" (WOTUS) rule, to address dicamba drift issues, and other actions to help farmers and ranchers across the country. Later today, Administrator Pruitt and the Department of the Army will finalize a rule adding an applicability date to WOTUS. The new applicability date will be two years after today's action is published in the Federal Register, during which time both agencies will continue the process of reconsidering the 2015 Rule.

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 8:08:57 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Kay DeBow [kdebow@nationalbcc.org]
CC: Charles DeBow [cdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Lee!
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Thank you all for taking the time to meet with the Admin! Do you mind filling out the attached request form when you have time, Kay?

Tate

From: Tanner, Lee
Sent: Thursday, March 1, 2018 3:06 PM
To: Kay DeBow <kdebow@nationalbcc.org>
Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Lee!

You are welcome. I am glad to hear it went well.

Best,

Lee

Sent from my iPhone

On Mar 1, 2018, at 2:02 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

> Dear Lee, thank you for setting up yesterday's meeting. It was a success! Secretary Pruitt agreed to speak at our conference in July. We will get back to you with details. Thank you so much.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015

www.nationalbcc.org

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	
Requesting Individual / Affiliation:	
Event Title:	
Event Date:	
Is the Above Date Flexible:	
Event Time & Duration:	
Type of Event:	*Reception, Conference, Meeting*
Purpose of the Event:	*Brief Description*
Role of the Administrator:	*E.g., speaking engagement, keynote, panel, roundtable, attendance*
Requested Presentation Topic, if Speaking Involved:	
Requested Presentation Format:	*Keynote, Panel, Q&A, Introduction, etc.*
Speech/Presentation Duration:	*Length of Remarks*
Would You Consider a Surrogate:	
Event Location:	*Location Name* *Street Address, City, State, Zip* *Location Telephone Number* *Room Name/Number*
Event Audience:	*Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.*
Event Host(s)/Organizer(s):	*List all hosts organizing the event*
Host(s)' Relationship to EPA:	
Run of Show/ Agenda:	*Provide full agenda of the event, including events immediately following the Administrator speaking.*
Is there a Hold Room Available for the Administrator?	

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Open Press/Closed Press? _____

Dress Code: *Casual/Business/Black Tie Optional/Black Tie/Etc.*

Teleprompter Available: _____

Microphone / Room Setup: *What kind of microphone will be used? What is the room setup?*

Honorable Guests Attending: *Name & Title*

Notable Federal, State or Local Appointed or Elected officials attending: *Name & Title*

Individual Introducing Administrator: *Name & Title*

Person to contact for media purposes: *Name & Title; Email; Office Number, Cell Number*

Is this event held Weekly, Monthly, Annually? _____

Day of Event Point of Contact: *Name & Title; Email; Office Number, Cell Number*

Security Contact: *Name & Title; Email; Office Number, Cell Number*

Suggested Entrance/ Exit to Event Venue: _____

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): _____

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? _____

Will a meal be provided, if so what is the US currency value? _____

Please return this form completed to scheduling@epa.gov and Aaron Dickerson at dickerson.aaron@epa.gov

---

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/30/2018 1:28:48 PM
To: donp@fb.org
Subject: Fwd: Agriculture Education Grant Opportunities at EPA

Can you pass along? Deadline to apply is in March

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: January 29, 2018 at 5:04:41 PM EST
To: "Gordon, Stephen" <gordon.stephen@epa.gov>
Cc: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Agriculture Education Grant Opportunities at EPA

All,

I hope that you will be able to join our Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE local grant requests for proposals. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's environmental education grant program at EPA.

Feel free to reach out to me with any questions you may have.

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Register now for a webinar on the 2018 EE Local Grants Program

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.
Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.
Register for January 31, 2018.
Register for February 21, 2018.
The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please visit: https://www.epa.gov/education/environmental-education-ee-grants.
For questions regarding the EE Grants Program, please email eegrants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: https://www.epa.gov/newsroom/email-subscriptions.
Office of Public Engagement and Environmental Education
Office of the Administrator / U.S. Environmental Protection Agency

If you would rather not receive future communications from U.S. EPA, Office of Environmental Education, let us know by clicking here.
U.S. EPA, Office of Environmental Education, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 10:55:20 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; kkuhle@ifbf.org
CC: willr@fb.org; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]
Subject: RE: Farm Bureau Event
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Hey there! We have a tentative hold placed on his calendar for that day and time. Great idea y'all!

Kevin- can you fill out the attached request form (you are probably used to it by now!) for details on the event (no promoting the event, closed to outside press, etc.). We will officially lock in once we have all the deets. We also want to be sure it stays out of the DC trade press until after the event, if at all possible.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Konkus, John
Sent: Thursday, March 1, 2018 5:26 PM
To: kkuhle@ifbf.org; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: willr@fb.org; Dewey, Amy <Dewey.Amy@epa.gov>
Subject: Farm Bureau Event

Kevin: Per our phone conversation, I am handing you off to Tate who will help us tentatively work toward a speaking engagement with your groups and the Administrator at the Holiday Inn at 6th and C Streets on March 14, at 11am. Included in the event will be the Alabama, Iowa, Missouri and Ohio Farm Bureaus, approximately 270 total farmers.

Thank you!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	
Requesting Individual / Affiliation:	
Event Title:	
Event Date:	
Is the Above Date Flexible:	
Event Time & Duration:	
Type of Event:	*Reception, Conference, Meeting*
Purpose of the Event:	*Brief Description*
Role of the Administrator:	*E.g., speaking engagement, keynote, panel, roundtable, attendance*
Requested Presentation Topic, if Speaking Involved:	
Requested Presentation Format:	*Keynote, Panel, Q&A, Introduction, etc.*
Speech/Presentation Duration:	*Length of Remarks*
Would You Consider a Surrogate:	
Event Location:	*Location Name* *Street Address, City, State, Zip* *Location Telephone Number* *Room Name/Number*
Event Audience:	*Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.*
Event Host(s)/Organizer(s):	*List all hosts organizing the event*
Host(s)' Relationship to EPA:	
Run of Show/ Agenda:	*Provide full agenda of the event, including events immediately following the Administrator speaking.*
Is there a Hold Room Available for the Administrator?	

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

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Notable Federal, State or Local Appointed or Elected officials attending: *Name & Title*

Individual Introducing Administrator: *Name & Title*

Person to contact for media purposes: *Name & Title; Email; Office Number, Cell Number*

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Will a meal be provided, if so what is the US currency value? _____

Please return this form completed to scheduling@epa.gov and Aaron Dickerson at dickerson.aaron@epa.gov

---

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/15/2018 2:59:37 PM
To: Nathan@nasda.org
Subject: Morning

Can you give me a shout when you have a second? Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/27/2018 12:35:44 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Myron Ebell [Myron.Ebell@cei.org]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; KBrookes@cato.org; Annie Dwyer [Annie.Dwyer@cei.org]; David Boaz [dboaz@cato.org]; phedger@freedomworks.org
Subject: FYI

Feel free to give me a shout. My work phone is Ex. 6 -Tate

EPA Administrator Scott Pruitt Suspends Withdrawal of Proposed Determination in Bristol Bay Watershed, Will Solicit Additional Comments

WASHINGTON (January 26, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt is following through on his promise to restore the rule of law and process to the previous Administration's action to restrict mining in Bristol Bay, Alaska.

As a result of Administrator Pruitt's actions last summer, proponents of mining in the region were allowed to apply for a permit with the U.S. Army Corps of Engineers. Today, after hearing directly from stakeholders and the people of Alaska, EPA is suspending its process to withdraw those proposed restrictions, leaving them in place while the Agency receives more information on the potential mine's impact on the region's world-class fisheries and natural resources.

"We have restored process, reviewed comments, and heard from a variety of stakeholders on whether to withdraw the proposed restrictions in the Bristol Bay watershed," Administrator Scott Pruitt said. "Based on that review, it is my judgment at this time that any mining projects in the region likely pose a risk to the abundant natural resources that exist there. Until we know the full extent of that risk, those natural resources and world-class fisheries deserve the utmost protection. Today's action allows EPA to get the information needed to determine what specific impacts the proposed mining project will have on those critical resources."

This decision neither deters nor derails the application process of Pebble Limited Partnership's proposed project. The project proponents continue to enjoy the protection of due process and the right to proceed. However, their permit application must clear a high bar, because EPA believes the risk to Bristol Bay may be unacceptable.

EPA intends to solicit additional public comment on the impact of the mining application on the existing proposed determination to better inform that analysis.

Background

In 2014, the Obama Administration issued what was widely considered a preemptive veto of the Pebble Limited Partnership mining project. This effectively brought the mine's application process and, more importantly, due process to a halt. Litigation resulted and continued into this Administration.

In May of 2017, Administrator Pruitt took the first step to rescind this due process denial and allow the Pebble mine proponents to proceed and progress through the process. EPA received over one million comments from interested stakeholders. Administrator Pruitt's action allowed the litigation to be resolved and the proponent's application was allowed to finally move forward. That application is proceeding through the Army Corps's permitting process.

Today's action is important for several reasons. First, EPA has serious concerns about the impacts of mining activity in the Bristol Bay Watershed. From public comments to community meetings, stakeholders stressed the importance of balancing a singular mine venture with the risk to one of the world's largest commercial fisheries. Second, for EPA not to express an environmental position at this stage would be disingenuous.

This action demonstrates the Agency's commitment to both the rule of law and process, and upholding the EPA's core mission of environmental stewardship.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 6:10:35 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Call today or Monday?

Yep! I'll be there!

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Thursday, March 1, 2018 1:09 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Call today or Monday?

Yes! 2pm?

On Thu, Mar 1, 2018 at 1:07 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Still on for today?
>
> **From:** Patrick Hedger [mailto:phedger@freedomworks.org]
> **Sent:** Friday, December 8, 2017 3:36 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: Call today or Monday?
>
> Feel free to call me back on my cell at Ex. 6 Not sure how much longer I'll be at the office. Thanks!
>
> On Fri, Dec 8, 2017 at 3:20 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Give me a shout when you can? Ex. 6
>
> --
>
> **Patrick Hedger**
> Director of Policy
> FreedomWorks Foundation
> office (202) 942-7611

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 6:07:31 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Call today or Monday?

Still on for today?

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Friday, December 8, 2017 3:36 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Call today or Monday?

Feel free to call me back on my cell at Ex. 6 Not sure how much longer I'll be at the office. Thanks!

On Fri, Dec 8, 2017 at 3:20 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Give me a shout when you can? Ex. 6

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/24/2018 10:12:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; tim@sorghumgrowers.com; jennifer@sorghumgrowers.com; andreww@fb.org; Ex. 6 Judd_Gardner@moran.senate.gov; Jessica Clowser (Fischer) [Jessica_Clowser@fischer.senate.gov]
Subject: Fwd: Acting EPA Administrator Wheeler Approves Sorghum Oil Pathways Under RFS

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: July 24, 2018 at 6:03:48 PM EDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: Acting EPA Administrator Wheeler Approves Sorghum Oil Pathways Under RFS
Reply-To: press@epa.gov

Acting EPA Administrator Wheeler Approves Sorghum Oil Pathways Under RFS

New Feedstock Provides Added Flexibility and Diversity

WASHINGTON (July 24, 2018) – Today, as a part of the Renewable Fuel Standard (RFS) program, U.S. Environmental Protection Agency (EPA) issued a final notice approving a variety of pathways for renewable fuel derived from sorghum, including biodiesel. EPA Acting Administrator Andrew Wheeler signed the final pathway alongside Sens. Jerry Moran and Deb Fisher, Rep. Roger Marshall, the National Sorghum Producers, and the American Farm Bureau Federation.

"Today's approval sets the stage for more homegrown fuels under the Renewable Fuel Standard and adds diversity to our mix of biofuels in the U.S.," said EPA Acting Administrator Andrew Wheeler. **"This is a win for American sorghum farmers and biofuel producers alike."**

"USDA welcomes this decision by EPA that biofuel made from sorghum oil qualifies for advanced biofuel and biomass-based diesel designation under the RFS," U.S. Secretary of Agriculture Sonny Perdue said. **"This decision recognizes the environmental benefits of home-grown renewable energy and will create new markets for agricultural commodities."**

"Kansas farmers are hurting – low commodity prices and falling farm revenue have made it increasingly difficult for producers to make ends meet," said Senator Jerry Moran (KS). **"Approving the pathway is long past due, and I applaud Administrator Wheeler for acting quickly to finalize the pathway after assuming leadership of the agency. It is critical for EPA to recognize the challenges faced by farmers and ranchers and to make certain it pursues biofuel policies that will benefit rural America."**

"More and more farmers are growing sorghum in Nebraska, and it's an important commodity in our state. EPA's approval of a sorghum oil fuel pathway under the RFS is good news for Nebraska ag producers and rural America. I look forward to continuing to work with the administration to provide opportunities for Nebraska farmers," said Senator Deb Fischer (NE).

"This announcement is big for our producers back home. This pathway has been a top issue for our office since I came to Washington. Kansas is the top sorghum producing state in the country; I am elated the EPA has finalized the long-awaited biofuels pathway for Grain Sorghum Oil. This pathway is crucial to not only our sorghum producers, but also our biofuels plants, and our rural economy. Farmers can use all the relief they can get in the midst of growing uncertainty in global markets," said Representative Roger Marshal (KS-1)l.

"With this decision, EPA is creating an opportunity for sorghum producers to support a new fuel source stream for biofuel production," said EPA Region 7 Administrator Jim Gulliford. **"This is a good news story in helping meet America's renewable fuels needs while protecting public health and the environment."**

"This is a great day for U.S. sorghum farmers and our partners in the ethanol and biodiesel industries," said National Sorghum Producers Chairman Don Bloss, a sorghum farmer from Pawnee City, Nebraska. **"NSP has worked tirelessly for over two years to make this happen. A pathway for sorghum oil opens new markets for ethanol plants extracting oil from sorghum and ultimately adds value to the grain farmers produce. We thank Acting Administrator Wheeler for taking the step to finalize this pathway and everyone involved in the process that lead to this achievement."**

"Farm Bureau applauds EPA's approval of an RFS pathway for sorghum biofuel production. At a time when sorghum farmers — like many in U.S. agriculture — are facing tough economic times and uncertainty in key markets, new opportunities like

this can go a long way in supporting their bottom line. This new pathway will create an important opportunity for rural America and our farm economy, while strengthening and diversifying U.S. homegrown energy sources," said American Farm Bureau President Zippy Duvall.

"Kansas produces more sorghum than any other state in the nation," said Kansas Farm Bureau President Rich Felts. **"The oppor tunity to add value to those bushels is critical to our farmers and could not be more timely as we seek any and all methods to balance the books in a tough agricultural climate."**

"Nebraska Farm Bureau supports efforts to expanded market opportunities for Nebraska agricultural commodities, including grain sorghum. EPA's announcement that sorghum-based biofuel meets emission requirements allowing it to be recognized as an advanced biofuel under the Renewable Fuels Standard (RFS) is a win for Nebraska grain sorghum producers," said Nebraska Farm Bureau President Steve Nelson.

"We are very pleased the EPA has finalized the RFS pathway for grain sorghum oil biofuel production. This pathway provides a great opportunity for farmers to market their crops and achieve better returns by producing ethanol from grain sorghum. Texas Farm Bureau sincerely thanks Acting EPA Administrator Wheeler and Congressional leaders who made this possible. We look forward to seeing the positive effect this pathway will have on hardworking farm families in Texas and the U.S.," said Texas Farm Bureau President Russell Boening.

The newly approved pathways include biodiesel, heating oil, jet fuel, heating oil, and liquified petroleum gas produced from sorghum oil, a by-product of ethanol produced from using grain sorghum as a primary feedstock. These pathways meet the greenhouse gas emissions reductions requirements to qualify to generate credits or Renewable Identification Numbers (RINs) for biomass-based diesel and advanced biofuels under the RFS program.

This new feedstock is estimated to produce around 21 million gallons providing flexibility in meeting volume standards of the RFS program. It also adds diversity to the biofuel mix in the country.

The RFS program was created by Congress as a national policy to increase volumes of renewable fuel to replace or reduce the consumption of petroleum-based transportation fuel, heating oil, or jet fuel. EPA implements the program in consultation with U.S. Department of Agriculture and the U.S. Department of Energy.

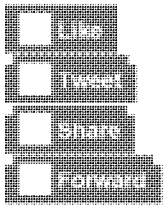
For more information, please visit: https://www.epa.gov/renewable-fuel-standard-program/2018-announcements-renewable-fuel-standard

Acting EPA Administrator Andrew Wheeler addresses stakeholders at today's signing.

Senator Deb Fischer (NE) addresses attendees.

Acting EPA Administrator Andrew Wheeler signs the final notice alongside Rep. Roger Marshall (right) and Don Bloss, chairman of the National Sorghum Producers (left).

<!--[if !mso]-->Visit The EPA's Newsroom<!--[endif]-->



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

Unsubscribe

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/11/2018 4:22:17 PM
To: Don Parrish [donp@fb.org]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
Subject: RE: Does AFBF do something similar?

Thanks for sharing this as well!

From: Don Parrish [mailto:donp@fb.org]
Sent: Thursday, January 11, 2018 11:11 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Does AFBF do something similar?

https://www.fb.org/newsroom/president-zippy-duvall-address-at-opening-general-session

note that WOTUS was talked about in the press release...

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 10, 2018 5:19 PM
To: Don Parrish
Cc: Sands, Jeffrey
Subject: Re: Does AFBF do something similar?

Were you all planning to mention WOTUS? Like how the President did on Nashville on Monday? Here is a broader year end review sheet as well in case it is helpful to the folks writing your piece.

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handlepending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas.https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle

- **Ended the War on Coal and the "Clean Power Plan"**: Following issued a Notice of Proposed Rulemaking (NPRM).

- o EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.
- o Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources.
- o When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source U.S. Bureau of Labor Statistics)

· **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence.https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity

- o According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of $77 million in direct EPA grant funding while concurrently serving on these committees.

· **Restored Cooperative Federalism**: Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.

- o Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

· **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus

· **Properly Implementing TSCA**: EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews

· **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.

- o EPA is on track to close in whole or in part 27 more in 2018.
- o EPA is on track to issue clean up decisions (RODs) on 14 of over $50 million in clean up this year.

· **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

On Jan 10, 2018, at 3:32 PM, Don Parrish <donp@fb.org> wrote:

I think so - I will send it your way tomorrow.

Don

Sent from my iPhone

On Jan 10, 2018, at 2:37 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

https://www.uschamber.com/speech/2018-state-american-business-address

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/26/2018 8:48:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Aline DeLucia [aline@nasda.org]; Paul Schlegel [pauls@fb.org]; bgreenwood@croplifeamerica.com
Subject: FW: EPA Notification: Atrazine Human Health Risk Assessment Now Available for Public Comment

From: Kaiser, Sven-Erik
Sent: Thursday, July 26, 2018 4:35 PM
Subject: EPA Notification: Atrazine Human Health Risk Assessment Now Available for Public Comment

Today EPA is releasing the atrazine draft human health risk assessment for public comment. The assessment identifies potential risks to children who crawl and play on lawns sprayed with atrazine and to workers who apply atrazine and/or enter treated fields after application.

Atrazine is one of the most widely used agricultural pesticides in the United States. It is used to control broadleaf and grassy weeds on corn, sorghum, and sugarcane, and to a lesser extent on residential lawns and golf courses. In the assessment, EPA reviewed all available scientific data, including published toxicity and epidemiology literature. The assessment uses multiple lines of evidence and methodologies that reflect current science.

In addition to the atrazine draft human health risk assessment, EPA is also releasing the simazine and propazine draft human health risk assessments and a cumulative human health risk assessment on these three triazines. We assessed these three pesticides together for human health risks because they share a common toxicity mechanism.

Comments must be submitted to docket # EPA-HQ-OPP-2013-0266 at www.regulations.gov on or before Sept. 24, 2018.

After public comments on the human health and the 2016 ecological assessments are reviewed, EPA will determine whether updates or revisions to the assessments are necessary. EPA plans to propose risk mitigation measures, if necessary, in 2019.

Please let me know if any questions. Thanks,

Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753 (o)
Ex. 6 (c)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/11/2018 3:38:57 PM
To: Don Parrish [donp@fb.org]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
Subject: Re: Does AFBF do something similar?

I can call you back in 10

On Jan 11, 2018, at 10:29 AM, Don Parrish <donp@fb.org> wrote:

Tate and Jeff

This is President Duvall's annual convention address.

I would like to speak with you when you get a minute. thanks

See highlights.

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 10, 2018 5:19 PM
To: Don Parrish
Cc: Sands, Jeffrey
Subject: Re: Does AFBF do something similar?

Were you all planning to mention WOTUS? Like how the President did on Nashville on Monday? Here is a broader year end review sheet as well in case it is helpful to the folks writing your piece.

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handlepending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas.https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle

- **Ended the War on Coal and the "Clean Power Plan"**: Following issued a Notice of Proposed Rulemaking (NPRM).
    - o EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.
    - o Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources.
    - o When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source U.S. Bureau of Labor Statistics)

- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence.https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity
    - o According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of $77 million in direct EPA grant funding while concurrently serving on these committees.

- **Restored Cooperative Federalism**: Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.
    - o Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

- **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus

- **Properly Implementing TSCA**: EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews

- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.
    - o EPA is on track to close in whole or in part 27 more in 2018.
    - o EPA is on track to issue clean up decisions (RODs) on 14 of over $50 million in clean up this year.

- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

On Jan 10, 2018, at 3:32 PM, Don Parrish <donp@fb.org> wrote:

I think so - I will send it your way tomorrow.

Don

Sent from my iPhone

On Jan 10, 2018, at 2:37 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

https://www.uschamber.com/speech/2018-state-american-business-address

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

<Annual_Address_of_AFBF_President_Zippy_Duvall.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/26/2018 7:31:53 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Call reschedule

Thanks.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Thursday, July 26, 2018 2:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call reschedule

Will check

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, July 26, 2018 1:26 PM
To: Paul Schlegel <pauls@fb.org>
Subject: Call reschedule

Paul-

Sorry to do this, but I really need to add our OCSPP counsel to the line. Do any of these days work instead?

8/8: 3-5pm
8/9: 12-2pm, 3-5pm
8/10: 11am-5pm

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/26/2018 7:28:34 PM
To: halford@nationalbcc.org; kdebow@nationalbcc.org
Subject: Fwd: Nice meeting you!

Begin forwarded message:

From: Bennett.Tate@epa.gov
Date: January 26, 2018 at 2:22:56 PM EST
To: kdeblw@nationalbcc.org, halford@nationalbcc.org
Cc: Stephen Gordon <gordon.stephen@epa.gov>, Lee Tanner <tanner.lee@epa.gov>
Subject: Nice meeting you!

Harry and Kay- Thanks for a productive meeting! We will circle back on our follow-up items, but I just wanted to say thanks and we look forward to working together. -Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/26/2018 4:46:42 PM
To: donp@fb.org
Subject: Fwd: EPA sends WOTUS delay rule for White House review

Begin forwarded message:

From: "POLITICO Pro" <politicoemail@politicopro.com>
Date: January 26, 2018 at 11:36:37 AM EST
To: <bennett.tate@epa.gov>
Subject: EPA sends WOTUS delay rule for White House review
Reply-To: "POLITICO subscriptions" <reply-fe8e13737764017472-1162770_HTML-791699120-1376319-0@politicoemail.com>

By Annie Snider

01/26/2018 11:34 AM EDT

EPA has sent the final version of its regulation to delay implementation of the Obama administration's Waters of the U.S. rule to the White House for review.

The administration needs to move quickly to finalize its delay of the controversial 2015 rule if it wants to prevent it from going into effect after Monday's Supreme Court ruling that will require lifting a stay issued by the 6th Circuit Court of Appeals, which the court said did not have jurisdiction in the first place. Without a delay from EPA, the regulation would go into effect in 37 states that aren't covered by a hold put in place by a North Dakota district court.

The delay rule was sent to the White House Thursday. EPA's water chief, David Ross, told POLITICO that it would be finalized within a month. The Supreme Court ruling could be finalized and sent to the 6th Circuit as soon as 25 days after the decision.

The delay rule would be the Trump administration's first official move in its bid to kill the Obama rule and replace it with one of its own writing. The agency has said it expects to finalize its rule to withdraw the Obama-era rule in April and has been collecting comments from states, industry groups and other stakeholders on what a rewrite should look like.

WHAT'S NEXT: The White House will review the delay rule, after which it can be finalized. Challenges to the rule from environmental groups and Democratic states are expected.

To view online:
https://www.politicopro.com/agriculture/whiteboard/2018/01/epa-sends-wotus-delay-rule-for-white-house-review-482567

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Yes, very

Somewhat

Neutral

Not really

Not at all

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POLITICOPRO

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 8:35:41 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Conference call

Yes that works

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 4:35 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference call

I can send out a note to those states asking them to hold some time. Shall we say 2 pm EDT?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, July 20, 2018 4:31 PM
To: Paul Schlegel <pauls@fb.org>
Subject: RE: Conference call

Can you find a time the afternoon of Friday, 8/3?

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 3:43 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference call

Might work better if you can give me a window of days to put on the calendar. If I try to solicit times from those states, might just drag things out.
I can send a note out to those states saying they should expect a notice from EPA setting up a conference call roughly in a certain day/time timeframe and that might work.
.

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, July 20, 2018 3:38 PM
To: Paul Schlegel <pauls@fb.org>
Subject: Conference call

Per our conversation, can you send me some dates/ times that would work for your key dicamba state members? I'm thinking TN, MS, AR, MO, GA, KY, NE, KS. ND, SD, AL, IL especially.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 7:44:23 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Conference call

Ok hang tight.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 3:43 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference call

Might work better if you can give me a window of days to put on the calendar. If I try to solicit times from those states, might just drag things out.
I can send a note out to those states saying they should expect a notice from EPA setting up a conference call roughly in a certain day/time timeframe and that might work.
.

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, July 20, 2018 3:38 PM
To: Paul Schlegel <pauls@fb.org>
Subject: Conference call

Per our conversation, can you send me some dates/ times that would work for your key dicamba state members? I'm thinking TN, MS, AR, MO, GA, KY, NE, KS. ND, SD, AL, IL especially.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/10/2018 7:39:54 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Paul Sapperstein [psapperstein@freedomworks.org]
Subject: RE: Friday lunch and official invitation

Happy New Year, Patrick and Paul! Give me a shout about the April conference. Ex. 6 Also, do you guys put out anything like this? https://www.uschamber.com/speech/2018-state-american-business-address

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Wednesday, December 6, 2017 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Paul Sapperstein <psapperstein@freedomworks.org>
Subject: Friday lunch and official invitation

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/8/2017 8:20:18 PM
To: phedger@freedomworks.org
Subject: Call today or Monday?

Give me a shout when you can? Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/18/2018 4:24:43 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: ICYMI

CONTACT: press@epa.gov

EPA Schedules Three Listening Sessions on Proposed Repeal of Clean Power Plan

Sessions to be held in Kansas City, San Francisco, Gillette, WY

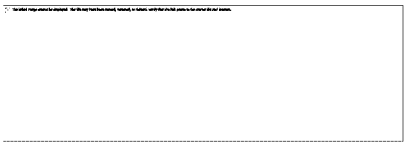
WASHINGTON (January 11, 2018) — The U.S. Environmental Protection Agency (EPA) is announcing the dates for three public listening sessions on the proposed repeal of the Clean Power Plan:

- February 21, 2018 - Kansas City, MO
- February 28, 2018 - San Francisco, CA
- March 27, 2018 - Gillette, WY

"In response to significant interest surrounding the proposed repeal of the Clean Power Plan and the success of the West Virginia hearing, we will now hold listening sessions across the country to ensure all stakeholders have an opportunity to provide input," **said EPA Administrator Scott Pruitt.**

Contact: Registration information and more details will be posted at: https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-repealing-clean-power-planPre-registration to provide an oral presentation will begin when the notice is published in the Federal Register and close one week prior to each session.

With the publication of an upcoming Federal Register notice, EPA will re-open the public comment period for the proposed repeal through April 26, 2018 and provide further details on the listening sessions. Written statements and supporting information submitted while the public comment period is open will be considered with the same weight as any oral comments and supporting information presented at the listening sessions. Comments should be identified by Docket ID No. EPA-HQ-OAR-2017-0355 and may be submitted by one of the methods listed on the Clean Power Plan Proposed Repeal: How to Comment web page.



Elizabeth Tate Bennett
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/14/2017 9:31:31 PM
To: donp@fb.org
Subject: Please call

Importance: High

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
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(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 9:31:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: tgaziano@pacificlegal.org; jw@pacificlegal.org; brian.seasholes@reason.org; daren.bakst@heritage.org; michael.costigan@heritage.org; robert.gordon@heritage.org; diane.katz@heritage.org; david.kreutzer@heritage.org; nick.loris@heritage.org; terry.miller@heritage.org; bndunlop@heritage.org; jack.spencer@heritage.org; katie.tubb@heritage.org; robert.bluey@heritage.org; Keith Appell [kappell@CRCPublicRelations.com]; Mike Thompson [mthompson@CRCPublicRelations.com]; Myron Ebell [Myron.Ebell@cei.org]; kent.lassman@cei.org; tphillips@afphq.org; THuelskamp@heartland.org; efeulner@comcast.net; tpyle@energydc.org; Lauren.Bowman@heritage.org; gnorquist@atr.org; abrandon@freedomworks.org; tschatz@cagw.org; annie.dwyer@cei.org
Subject: In Case You Missed It: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

ICYMI, this announcement was made by EPA last Friday. Let us know if you have any questions and please flag with us any statements/press your organizations may have subsequently put out. -Tate with Administrator Pruitt's Office

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

12/01/2017
Contact Information:
(press@epa.gov)

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in the Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of

hazardous substances from current hardrock mining operations, as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining: the management of hazardous substances at such facilities; federal and state regulatory controls on that management and federal and state financial responsibility requirements; and, the payment experience of the Fund in responding to releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT).** "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," **said Arizona Governor Doug Ducey.** "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter.** "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval.** "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association.** "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at: https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes

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

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2018 8:33:27 PM
To: Aline DeLucia [aline@nasda.org]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
Subject: Re: RE:

No problem! Thanks for letting us know!

On Jul 23, 2018, at 4:29 PM, Aline DeLucia <aline@nasda.org> wrote:

> Hey Tate! Just wanted to circle back on this. Thank you for the invite, but Barb is not able to attend. Thanks again! Have a great event.
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, July 23, 2018 1:28 PM
> **To:** Aline DeLucia
> **Subject:**
>
> Finalizing this rule:
>
> https://www.epa.gov/renewable-fuel-standard-program/notice-proposed-rulemaking-grain-sorghum-oil-pathways
>
> Current attendees include: Zippy Duvall, USDA Reps, Sen Fischer, Sen Moran, Rep. Roger Marshall, Board members from National Sorghum Producers Association.
>
> We'd love for Dr. Glenn to attend and speak about the importance of this to our co-regulators in NE, KS and TX!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]

Sent: 1/16/2018 8:17:46 PM

To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]

CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]

BCC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Ex. 6; juliar@fb.org; watts@ctic.org; ed.c.curlett@aphis.usda.gov; Sue.King@nass.usda.gov; catherine.mcdermott@fda.hhs.gov; wmg5@cdc.gov; bob@nasda.org; coursercattle@iowatelcom.net; tanya.c.espinosa@aphis.usda.gov; kjohnson@animalagalliance.org; fgould@agcenter.lsu.edu; andrea.vaubel@state.mn.us; christi.lightcap@state.co.us; lporter@lsu.edu; ghilburn@thenewsstar.com; jboneno@z-comm.com; lee@leezurik.com; pkovacs@theadvocate.com; aholan@tampabay.com; Shenk, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c18c4a63467e43c981e285fbbed6a297-Kshenk]; awold@thewaterinstitute.org; laura_p@ldaf.state.la.us; vmosgrove@ldaf.state.la.us; scanlon@dairy.org; goeser@ncga.com; dietz@ncga.com; jhankins@usarice.com; heather.overton@ncagr.gov; mmielke@nd.gov; Mark.Bruce@agri.ohio.gov; bryan.painter@ag.ok.gov; bpokarney@oda.state.or.us; aastacio@agricultura.pr.gov; ken.ayars@dem.ri.gov; meubanks@scda.sc.gov; maggie.stensaas@state.sd.us; samantha.jean@tn.gov; Mark.Loeffler@TexasAgriculture.gov; larrylewis@utah.gov; Trevor.audet@vermont.gov; elaine.lidholm@vdacs.virginia.gov; HCastro@agr.wa.gov; bdavidson@wvda.us; william2.cosh@wisconsin.gov [william2.cosh@wisconsin.gov]; derek.grant@wyo.gov; amy.belcher@agi.alabama.gov; Arthur.Keyes@alaska.gov; storrens@azda.gov; adriane.barnes@arkansas.gov; steve.lyle@cdfa.ca.gov; karen.lover@state.co.us; steve.jensen@ct.gov; sheree.nichols@state.de.us; Jennifer.Meale@FreshFromFlorida.com; Julie.McPeake@agr.georgia.gov; hdoa.info@hawaii.gov; chanel.tewalt@isda.idaho.gov; morgan.booth@illinois.gov; bgavelek@isda.in.gov; Stephanie.groom@iowaagriculture.gov; Heather.Lansdowne@ks.gov; chris.aldridge@ky.gov; PressSecretary@ldaf.state.la.us; john.c.bott@maine.gov; julie.oberg@maryland.gov; Keri.Cornman@state.ma.us; holtonj@michigan.gov; Margaret.Hart@state.mn.us; Paige@mdac.ms.gov; sarah.alsager@mda.mo.gov; AFjeseth@mt.gov; christin.kamm@nebraska.gov; jfagundes@agri.nv.gov; beth.kiley@agr.nh.gov; nancy.trivette@ag.state.nj.us; ddapr@nmda.nmsu.edu; kevin.king@agriculture.ny.gov; chanson@okcattlemen.org; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Milbourn, Cathy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=235d8027f05546dba9897972f0b78419-Cmilbour]; demerson@crystalsugar.com; pmiller@betterseed.org; alavigne@betterseed.org; stanley.hill@arfb.com; Ex. 6 DickWhite@DurangoGov.org; kim.peterson@guymonok.org; dani@coloagleaders.org; dstroisch@ilfb.org; Ex. 6 judd.berger@foxnews.com; Ex. 6 Ex. 6; anielsen@ilfb.org; rwhitehouse@ilfb.org; MCLARK@idem.IN.gov; Kayla.Lyon@iowa.gov; jacksonfarms@mahaska.org; Ex. 6 Sheaftractor@grics.net; Ex. 6 Ex. 6 n; kskunes@polarcomm.com; jmckenney@ndfu.org; kafletcher@nd.gov; Ex. 6 leeanna.mcnally@okfb.org; Tyler.Powell@ee.ok.gov; Ex. 6 Ex. 6 Ex. 6 Ex. 6 n; mseetin@usapple.org; Conner, Katelyn (McConnell) [Katelyn_Conner@mcconnell.senate.gov]; mwalker@alfafarmers.org; Ex. 6; anakennedy@azfb.org; zac.bradley@arfb.com; jrolph@cfbf.com; zach@coloradofb.org; henryt@cfba.org; pam.bakerian@defb.org; johnwalt.boatright@ffbf.org; tasmith@gfb.org; brian@hfbf.org

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(FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Sarah Greenwalt
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Subject: EPA fact sheets hazardous substances from animal waste

Attachments: CERCLA EPCRA Factsheet FINAL.PDF; CERCLA EPCRA Factsheet FINAL (SPANISH).pdf

All-

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of these fact sheets and FAQs is to provide an overview and basic information for those who are impacted by this new requirement.

If you have any questions, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

As always, our office is happy to be a resource as well.

Tate

Elizabeth Tate Bennett
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Requisitos de reportes para emisiones al aire de sustancias peligrosas provenientes de desechos animales en las granjas conforme a CERCLA y EPCRA

Generalidades

Hay dos leyes ambientales, la Ley de Responsabilidad, Compensación y Respuesta Ambiental Comprensiva (CERCLA, por sus siglas en inglés) y la Ley de Planificación para Emergencias y Derecho a Saber de la Comunidad (EPCRA, por sus siglas en inglés) que exigen reportar emisiones de una sustancia peligrosa que exceda una cantidad reportable en un periodo de 24 horas. El propósito de la notificación es para que los funcionarios federales, estatales y locales evalúen la necesidad de una respuesta de emergencia a fin de mitigar los efectos de la emisión a la comunidad.

Debido a una decisión judicial reciente, pronto se les exigirá a algunas granjas (incluidos ranchos, operaciones ganaderas y/u operaciones animales) reportar las emisiones al aire de sustancias peligrosas provenientes de desechos animales según CERCLA.

¿Por qué debo reportar?

Anteriormente, la EPA eximía a las granjas de reportar emisiones al aire de sustancias peligrosas provenientes de desechos animales según CERCLA, y solo las operaciones concentradas de gran envergadura para alimentar animales (CAFO, por sus siglas en inglés) estaban sujetas a reportes conforme a EPCRA, que es una ley separada pero relacionada.

Hubo grupos de ciudadanos que objetaron la validez de la regla de la EPA, y la Corte de Apelaciones de los EE. UU. correspondiente al Circuito DC anuló dicha regla de la EPA el 11 de abril de 2017. Por lo tanto, ya no es aplicable la exención reglamentaria de la EPA.

A causa de la decisión judicial, se exigirá a las granjas con operaciones animales que emiten ciertas cantidades de sustancias peligrosas que reporten estas emisiones al aire incluso a partir del 22 de enero de 2018.

¿Cuándo tengo que reportar?

Se espera que se emita la orden judicial el 22 de enero de 2018. Las granjas no deben reportar hasta que se emita la orden judicial.

¿Debo presentar un informe de CERCLA?

Se exige reportar cuando las emisiones de sustancias peligrosas (como amoníaco o sulfuro de hidrógeno) provenientes de desechos animales alcancen o excedan sus cantidades reportables dentro de un periodo de 24 horas. Para ver una lista completa de sustancias peligrosas conforme a CERCLA, consulte el enlace de Recursos en inglés en: www.epa.gov/animalwaste.

¿Qué sustancias se deben reportar?

El amoníaco (NH_3) y el sulfuro de hidrógeno (H_2S) son sustancias peligrosas comunes emitidas por los desechos animales que se exige reportar si se emiten al aire en cantidades que superen o igualen la cantidad reportable de 100 lbs dentro de un periodo de 24 horas. Si una granja emite cualquier otra sustancia peligrosa sobre sus cantidades reportables designadas dentro de un periodo de 24 horas, deben reportarse aquellas también.

¿Cómo estimo las emisiones?

¿Por qué no puede la EPA decirme cuántos animales se requiere reportar?

La EPA reconoce que será difícil para los agricultores estimar las emisiones porque no hay una metodología generalmente aceptada para estimar estas emisiones en este momento.

Hay muchos factores que influyen en las emisiones:

- ubicación geográfica;
- condiciones ambientales;
- prácticas administrativas (por ej, forraje, guano);
- características de los animales (por ej. número, especie, etapa de vida);
- condiciones operativas; y
- prácticas generales de gestión.

Debido a las interacciones complejas de estos factores, no pueden estandarizarse las emisiones basándose exclusivamente en el número y tipo de animales que haya en cada operación animal. Por ejemplo, hay muchas situaciones donde las operaciones con menos animales tienen mayores emisiones que las operaciones con mayor número de la misma especie animal.

La EPA está trabajando para desarrollar metodologías destinadas a estimar las emisiones de una amplia variedad de operaciones para así informar mejor sobre estimar emisiones provenientes de desechos animales. Sin embargo, no se terminará dicha labor antes del mandato judicial para que los agricultores reporten.

Para asistir a los agricultores con los requisitos de reportar, la EPA ha puesto recursos a disposición en su sitio web que pueden ser útiles para estimar las emisiones. También puede usar otros modelos para estimar emisiones o puede estimar cantidades de emisiones basándose en:

- Datos anteriores de emisiones;
- Estimados de ingeniería;
- Su conocimiento de las operaciones de la instalación y el historial de emisiones; o
- Su óptimo criterio profesional.

Se exige a los propietarios y operadores de instalaciones reportar solo un estimado; no se requieren datos de monitoreo. Además, no se exige a los agricultores reducir las emisiones. Los agricultores deben conservar una copia de los cálculos para referencia futura. Para obtener más información, vea el enlace de Recursos en: www.epa.gov/animalwaste.

¿Cómo reporto según CERCLA?

Para cumplir con los requisitos de reportes de CERCLA en cuanto a emisiones al aire de sustancias peligrosas provenientes de desechos animales, en vez de reportar todos los días, las granjas pueden seguir un proceso simplificado de reportes que se conoce como "reportes de emisiones continuas". Esto exige que el propietario u operador de la instalación siga los pasos descritos en la columna a la derecha.

¿Con qué frecuencia debo estimar las emisiones?

Si usted usa el proceso de reportes de emisiones continuas, debe revisar las emisiones de la grande una vez al año. También deberá estimar las emisiones después de que haya cambios considerables en las operaciones que puedan causar aumentos estadísticamente significativos en las emisiones.

¿Debo presentar un informe según EPCRA?

La EPA interpreta la ley como que excluye a las granjas que usan sustancias en "operaciones agrícolas de rutina" de los reportes según la sección 304 de la EPCRA. Esto abarca operaciones de rutina en las granjas, operaciones de alimentación de animales, criaderos de plantas, otras operaciones de horticultura y acuicultura. Para obtener más información, vea: www.epa.gov/epcra/question-and-answer-epcra-reporting-requirements-air-releases-hazardous-substances-animal.

Proceso de reportes de emisiones continuas según CERCLA

Paso 1: Proporcione al Centro Nacional de Respuesta (National Response Center, NRC, por sus siglas en inglés) una notificación inicial de emisiones continuas por correo electrónico (farms@uscg.mil) o por teléfono (1-800-424-8802). Un propietario u operador puede enviar una notificación por correo electrónico abarcando múltiples granjas.

Su mensaje de correo electrónico debe identificar que esta es una notificación inicial de emisiones continuas e incluir:

- Nombre de la granja
- Ubicación de la granja (por ej., nombre de la ciudad/pueblo y estado)
- Nombre(s) de la(s) sustancia(s) peligrosa(s) emitida (s) (amoníaco y/o sulfuro de hidrógeno)

Nota: El NRC no exige información personalmente identificable, como la dirección de una residencia privada. Una ubicación genérica (nombre de la ciudad/pueblo y estado) puede ser suficiente.

Recibirá un mensaje de correo electrónico del NRC con un solo número de identificación (CR-ERNS) para su(s) granja(s). Incluya el número de CR-ERNS en el informe de seguimiento mencionado en el Paso 2.

Paso 2: Dentro de un plazo de 30 días de la notificación al NRC, presente una notificación inicial por escrito a la Oficina Regional de la EPA correspondiente al área donde ocurre la emisión (vea www.epa.gov/epcra/cr-erns-regional-contacts). Use el Formulario de reportes de emisiones continuas.

Paso 3: Presente una sola vez un informe de seguimiento en el primer aniversario a la Oficina Regional de la EPA.

¿Deben cumplir las granjas que tienen animales mantenidos principalmente fuera de una estructura cerrada y pastando en pastizales, con reportar emisiones de sustancias peligrosas provenientes de desechos animales conforme a CERCLA?

Sí, en caso de que la instalación tenga emisiones sobre la cantidad reportable. La EPA considera toda propiedad contigua con propietario común como instalación única para fines de reportar. Con el objeto de determinar si tiene una emisión reportable, una persona debe identificar todas las fuentes de emisiones de sustancias peligrosas, identificar las cantidades

que se emiten de cada fuente y sumar las cantidades emitidas de la instalación. Al hacer esta determinación, las granjas deben incluir todas las emisiones de la instalación, incluso emisiones de desechos animales provenientes de animales que se mantienen principalmente fuera de una estructura cerrada.

Recursos adicionales

- Envíe por correo electrónico comentarios o sugerencias sobre materiales de orientación a: CERCLA103.guidance@epa.gov
- Contactos regionales: www.epa.gov/epcra/cr-erns-regional-contacts
- Formularios de reportes de emisiones continuas: www.epa.gov/animalwaste
- Centro Nacional de Respuesta: 800-424-8802 o farms@uscg.mil

¿Tiene alguna pregunta?

- Vea la orientación de CERCLA y EPCRA para obtener más información en inglés: www.epa.gov/animalwaste
- Llame al Centro de Información sobre EPCRA, RMP y Petróleo al: 1-800-424-9346

United States Environmental Protection Agency

Office of Land and Emergency Management

520-F-17-001
January 2018
www.epa.gov/animalwaste

CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

Overview

Two environmental laws, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning and Community Right-to-Know Act (EPCRA), require reporting releases of a hazardous substance that exceeds a reportable quantity within a 24-hour period. The purpose of the notification is for federal, state, and local officials to evaluate the need for an emergency response to mitigate the effects of the release to the community.

Due to a recent court decision, some farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under CERCLA.

Why do I need to report?

Previously, EPA exempted farms from reporting hazardous substance air releases from animal waste under CERCLA, and only large concentrated animal feeding operations (CAFOs) were subject to EPCRA reporting, which is a separate but related law.

Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017. Therefore, EPA's regulatory exemption no longer applies.

As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as January 22, 2018.

When do I need to report?

The Court is expected to issue its order on January 22, 2018. Farms do not have to report until the Court issues its mandate.

Do I need to submit a CERCLA report?

Reporting is required when releases of hazardous substances (like ammonia or hydrogen sulfide) from animal waste meet or exceed their reportable quantities within a 24-hour period. For a complete list of CERCLA hazardous substances, please see the Resources link at: www.epa.gov/animalwaste.

What substances need to be reported?

Ammonia (NH_3) and hydrogen sulfide (H_2S) are common hazardous substances emitted from animal waste that require reporting if released to the air in amounts greater than or equal to their reportable quantity of 100 lbs within a 24-hour period. If a farm releases any other hazardous substances above their designated reportable quantities within a 24-hour period, those need to be reported as well.

How do I estimate releases?

To help you comply with the reporting requirements, EPA has made resources available on its website that may be helpful in estimating emissions. You may also use other models for estimating emissions or you may estimate quantities of releases by relying on:

- Past release data;
- Engineering estimates;
- Your knowledge of the facility's operations and release history; or
- Your best professional judgment.

Why Can't EPA Tell Me How Many Animals Require Reporting?

EPA recognizes it will be challenging for farmers to estimate releases because there is no generally accepted methodology for estimating these emissions at this time.

Many factors influence emissions:

- geographic location;
- environmental conditions;
- management practices (e.g. feed, manure);
- animal characteristics (e.g. number, species, life stage);
- operating conditions; and
- general management practices.

Due to the complex interactions of these factors, emissions cannot be standardized based solely on the number and type of animals at each animal operation. For example, there are many scenarios when operations with fewer animals will have higher emissions than operations with greater numbers of the same species of animals.

EPA is working on developing methodologies to estimate emissions from a wide variety of operations and thus better inform emission estimates from animal waste. However, that work will not be completed prior to the Court's mandate that farms report.

Facility owners and operators are required to report an estimate only-monitoring data is not required. Additionally, farmers are not required to reduce emissions. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: www.epa.gov/animalwaste.

How do I report for CERCLA?

To comply with CERCLA reporting requirements for air releases of hazardous substances from animal waste, instead of reporting every day, farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to follow the steps outlined in the column to the right.

How often do I need to estimate emissions?

If you use the continuous release reporting process, you need to review emissions from the farm once a year. You'll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.

Do I need to submit an EPCRA report?

EPA interprets the statute to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304. This encompasses routine operations at farms, animal feeding operations, nurseries, other horticultural operations, and aquaculture. For more information, see: www.epa.gov/epcra/question-and-answer-epcra-reporting-requirements-air-releases-hazardous-substances-animal.

Do farms that have animals that reside primarily outside of an enclosed structure and graze on pastures, need to comply with reporting releases of hazardous substances from animal wastes under CERCLA?

Yes, if the facility has releases above the reportable quantity. EPA considers all contiguous property under common ownership to be a single facility for reporting purposes. For purposes of determining whether you have a reportable release, a person must identify all of the sources of hazardous substances releases, identify the quantities that are emitted from each source, and add up the quantities released for the facility. In making this determination, farms should include all releases from the facility, including releases from animal waste due to animals that reside primarily outside of an enclosed structure.

Additional Resources

- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Continuous Release Reporting Forms: www.epa.gov/animalwaste
- National Response Center: 800-424-8802 or farms@uscg.mil

CERCLA Continuous Release Reporting Process

Step 1: Provide the National Response Center (NRC) with an initial continuous release notificationby email (farms@uscg.mil) or by phone (1-800-424-8802). An owner or operator can send one email notification for multiple farms.

Your email should identify that this is an initial continuous release notification and include:

- Name of the farm
- Location of the farm (e.g., name of city/town and state)
- Name(s) of the hazardous substance(s) released (ammonia and/or hydrogen sulfide)

Note: The NRC does not require personally identifiable information, such as an address for a private residence. A generic location (name of city/town and state) may be sufficient.

You will receive an email from the NRC with a single identification number (CR-ERNS) for your farms(s). Include the CR-ERNS number on the follow-up report discussed in Step 2.

Step 2: Within 30 days of the NRC notification, submit an initial written notification to the EPA Regional Office for the area where the release occurs (see www.epa.gov/epcra/cr-erns-regional-contacts). Use the Continuous Release Reporting Form.

Step 3: Submit a one-time first anniversary follow-up report to the EPA Regional Office.

If there are significant changes at your operation that could result in a change in emissions, additional reporting may be necessary.

Questions?

- See the CERCLA and EPCRA guidance for more information: www.epa.gov/animalwaste
- Call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00074783-00002

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2018 7:17:27 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Conference Call with EPA

I created our own outlook but Rick, Nancy and myself will definitely be on the line.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Monday, July 23, 2018 3:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference Call with EPA

Sent you calendar invite. You can forward or if you want me to include anyone else let me know

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, July 23, 2018 12:34 PM
To: Paul Schlegel <pauls@fb.org>
Subject: RE: Conference Call with EPA

You all can use our line:

Conference Line Ex. 6
Access Code Ex. 6

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 4:46 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Conference Call with EPA

See below; just sent out

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Paul Schlegel
Sent: Friday, July 20, 2018 4:46 PM
To: Tennessee Rhedona Rose <rrose@tfbf.com>; Tennessee Stefan Maupin <smaupin@tfbf.com>; Mississipi Andy Whittington <awhittington@msfb.org>; Mississippi Justin Ferguson <jferguson@msfb.org>; Arkansas Matt King <matt.king@arfb.com>; Arkansas John Bailey <john.bailey@arfb.com>; Georgia Farm Bureau Tripp Cofield <mtcofield@gfb.org>; Joe Cain (JCain@kyfb.com) <JCain@kyfb.com>; Nebraska Jordan Dux <jordand@nefb.org>; Kansas Ryan Flickner <flicknerr@kfb.org>; North Dakota Pete Hanebutt <pete@ndfb.org>; Illinois Adam Nielsen <anielsen@ilfb.org>; Missouri Leslie Holloway <lholloway@mofb.com>; Spencer.tuma@mofb.com; Scott VanderWal <svanderwal@fb.org>
Subject: Conference Call with EPA

Folks –

EPA has contacted us and is requesting our help in setting up a conference call on dicamba. We have tentatively scheduled the call for 2 pm EDT on Friday, August 3. Please save this time on your calendar.

As I'm sure you know, the registration for over-the-top dicamba was only for two years. EPA will need to make a decision in the near future about the product registration. I hope you will be available to participate in this call.

I will provide further details once they are available.

Thanks,

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 4:33:00 PM
To: Paul Sapperstein [psapperstein@freedomworks.org]; Patrick Hedger [phedger@freedomworks.org]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Friday lunch and official invitation
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Great. Copying Hayley who can fill you in on the details both regarding Friday and on our scheduling process. Here is the events form I was mentioning. Do you mind completing it and getting it back to us?

Thanks.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Paul Sapperstein [mailto:psapperstein@freedomworks.org]
Sent: Wednesday, December 6, 2017 11:10 AM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Friday lunch and official invitation

Good Morning Tate,

Adam is available for lunch on Friday, just let me know the details and he'll be there.

Thanks!
Paul

On Wed, Dec 6, 2017 at 11:02 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

> Tate,
>
> Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.
>
> Also, attached is the formal invitation with details regarding the April conference I mentioned.
>
> Best,
>
> --
> Patrick Hedger
> Director of Policy

FreedomWorks Foundation
office (202) 942-7611

--
Paul Sapperstein
Executive Assistant
FreedomWorks

psapperstein@freedomworks.org
(202) 783-3870 (office)
Ex. 6 (direct)
(cell)

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 7:53:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Ex. 6 uliar@fb.org; watts@ctic.org; ed.c.curlett@aphis.usda.gov; Sue.King@nass.usda.gov; catherine.mcdermott@fda.hhs.gov; wmg5@cdc.gov; bob@nasda.org; tanya.c.espinosa@aphis.usda.gov; kjohnson@animalagalliance.org; fgould@agcenter.lsu.edu; andrea.vaubel@state.mn.us; christi.lightcap@state.co.us; lporter@lsu.edu; ghilburn@thenewsstar.com; jboneno@z-comm.com; lee@leezurik.com; pkovacs@theadvocate.com; aholan@tampabay.com; Shenk, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c18c4a63467e43c981e285fbbed6a297-Kshenk]; awold@thewaterinstitute.org; laura_p@ldaf.state.la.us; vmosgrove@ldaf.state.la.us; scanlon@dairy.org; goeser@ncga.com; dietz@ncga.com; jhankins@usarice.com; heather.overton@ncagr.gov; mmielke@nd.gov; Mark.Bruce@agri.ohio.gov; bryan.painter@ag.ok.gov; bpokarney@oda.state.or.us; aastacio@agricultura.pr.gov; ken.ayars@dem.ri.gov; meubanks@scda.sc.gov; maggie.stensaas@state.sd.us; samantha.jean@tn.gov; Mark.Loeffler@TexasAgriculture.gov; larrylewis@utah.gov; Trevor.audet@vermont.gov; elaine.lidholm@vdacs.virginia.gov; HCastro@agr.wa.gov; bdavidson@wvda.us; william2.cosh@wisconsin.gov [william2.cosh@wisconsin.gov]; derek.grant@wyo.gov; amy.belcher@agi.alabama.gov; Arthur.Keyes@alaska.gov; storrens@azda.gov; adriane.barnes@arkansas.gov; steve.lyle@cdfa.ca.gov; karen.lover@state.co.us; steve.jensen@ct.gov; sheree.nichols@state.de.us; Jennifer.Meale@FreshFromFlorida.com; Julie.McPeake@agr.georgia.gov; hdoa.info@hawaii.gov; chanel.tewalt@isda.idaho.gov; morgan.booth@illinois.gov; bgavelek@isda.in.gov; Stephanie.groom@iowaagriculture.gov; Heather.Lansdowne@ks.gov; chris.aldridge@ky.gov; PressSecretary@ldaf.state.la.us; john.c.bott@maine.gov; julie.oberg@maryland.gov; Keri.Cornman@state.ma.us; holtonj@michigan.gov; Margaret.Hart@state.mn.us; Paige@mdac.ms.gov; sarah.alsager@mda.mo.gov; AFjeseth@mt.gov; christin.kamm@nebraska.gov; jfagundes@agri.nv.gov; beth.kiley@agr.nh.gov; nancy.trivette@ag.state.nj.us; ddapr@nmda.nmsu.edu; kevin.king@agriculture.ny.gov; chanson@okcattlemen.org; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Milbourn, Cathy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=235d8027f05546dba9897972f0b78419-Cmilbour]; demerson@crystalsugar.com; pmiller@betterseed.org; alavigne@betterseed.org; stanley.hill@arfb.com; Ex. 6 DickWhite@DurangoGov.org; kim.peterson@guymonok.org; dani@coloagleaders.org; dstroisch@ilfb.org; Ex. 6; judd.berger@foxnews.com; Ex. 6 farm.gal@hotmail.com; anielsen@ilfb.org; rwhitehouse@ilfb.org; MCLARK@idem.IN.gov; Kayla.Lyon@iowa.gov; jacksonfarms@mahaska.org; drewdesutter@gmail.com; Sheaftractor@grics.net; bartmanjm@yahoo.com; Ex. 6; kskunes@polarcomm.com; jmckenney@ndfu.org; kafletcher@nd.gov; Ex. 6; leeanna.mcnally@okfb.org; Tyler.Powell@ee.ok.gov; Ex. 6 streitmatter1@gmail.com; 83mece@gmail.com; stevefricke@hotmail.com; mseetin@usapple.org; Conner, Katelyn (McConnell) [Katelyn_Conner@mcconnell.senate.gov]; mwalker@alfafarmers.org; Ex. 6 anakennedy@azfb.org; zac.bradley@arfb.com; jrolph@cfbf.com; zach@coloradofb.org; henryt@cfba.org; pam.bakerian@defb.org; johnwalt.boatright@ffbf.org; tasmith@gfb.org; brian@hfbf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a82620bb144e8496bd7bf63de940a8-brian@hfbf.org]; rhendricks@idahofb.org; anielsen@ilfb.org; bwhite@infarmbureau.org; kkuhle@ifbf.org; flicknerr@kfb.org; joe.cain@kyfb.com; Kylem@lfbf.org; asmart@mainefarmbureau.com; cferguson@mdfarmbureau.com;

brad@mfbf.net; jkran@michfb.com; amber.hanson@fbmn.org; jferguson@msfb.org; Spencer.tuma@mofb.com; nicoler@mfbf.org; jordand@nefb.org; doug@nvfb.org; robj@nhfarmbureau.org; lizt@njfb.org; mattg@nmflb.org; ewolters@nyfb.org; linda.andrews@ncfb.org; pete@ndfb.org; jirvin@ofbf.org; LeeAnna.mcnally@okfb.org; gail@oregonfb.org; klwatson@pfb.com; isoly@agricultorpr.org; haquinn@rifb.org; gspires@scfb.com; k.smit@sdfbf.org; rrose@tfbf.com; ladams@txfb.org; scb@fbfs.com; Ex. 6 wilmer.stoneman@vafb.com; tdavis@wsfb.com; dwayneo@wvfarm.org; kgefvert@wfbf.com; kenhamilton@wyfb.org; Trey_McKenzie@blunt.senate.gov; Williams, Mark [Mark.Williams@mail.house.gov]; andrew_vlasaty@ag.senate.gov; kgreer@bamabeef.org; baja@arizonabeef.org; lscheller@arizonabeef.org; acacommdept@arbeef.org; justin@calcattlemen.org; sarah@coloradocattle.org; bhammerich@coloradolivestock.org; sard@asrlegal.com; kaytlyn@gabeef.org; dale@hicattle.org; Britany@idahocattle.org; jill@illinoisbeef.com; jmoore@indianabeef.org; janlee@iabeef.org; apopelka@kla.org; jredway@kycattle.org; rjoyner@labeef.org; gquackenbush@mibeef.org; ashley@mnsca.org; Ex. 6 Candace@mocattle.com; kori@mtbeef.org; lfield@necattlemen.org; nca@nevadabeef.org; nmcga@nmagriculture.org; phil@trowbridgefarms.com; bryan@nccattle.com; rorvigranchco@gondtc.com; lcorry@ohiobeef.org; chanson@okcattlemen.org; jerome.rosa@orcattle.com; pacattlemen@aol.com; scbeef@scda.sc.gov; executive@sdcattlemen.org; Lauren@tncattle.org; jskaggs@tscra.org; jwinegarner@tcfa.org; utahbeef@aol.com; tfix@vacattlemen.org; jackfield@kvalley.com; wacattle@k.com; wvca@wvbeef.org; Ex. 6 ; haley@wysga.org; 'Kunickis, Sheryl - OSEC' [Sheryl.Kunickis@osec.usda.gov]; cyoung@learfield.com; cflory@farmjournal.com; Hazlett, Anne - OSEC, Washington, DC [Anne.Hazlett@osec.usda.gov]; Douglas.L.Hoelscher Ex. 6 ; William.H.Kirkland Ex. 6 justin@calcattlemen.org; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Sarah Greenwalt (greenwalt.sarah@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; 'Roman, Mark' [Mark.Roman@mail.house.gov]; pauls@fb.org; Don Parrish [donp@fb.org]; webmaster@ffa.org; Terry_VanDoren@mcconnell.senate.gov; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]

Subject: $3 M in funding now available for locally-focused environmental education grants

- All-
-
- In case you missed it, EPA's Office of Environmental Education last week announced the agency is currently accepting applications for our environmental education grant programs until March 15, 2018. **There are new agricultural themes included in this year's grant description (including conservation practices and integrated pest management practices),** so we wanted to be sure and flag this potential opportunity for your organization.

  More information is provided below and let us know if you have any questions.

  Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

-
-

News Releases from Headquarters› Office of the Administrator (AO)

Up to $3 M in funding now available for locally-focused environmental education grants

01/08/2018
Contact Information:
EPA Press Office (press@epa.gov)

WASHINGTON – EPA is pleased to announce that up to $3 million in funding for locally-focused environmental education grants will be available this week under the 2018 EE Local Grant Program. EPA will award three to four grants in each of EPA's ten Regions, for no less than $50,000 and no more than $100,000 each, for a total of 30-35 grants nationwide. Proposals are due March 15, 2018. The Requests for Proposals will be posted on www.grants.gov later this week.

In addition to other environmental topics, the 2018 EE Local Grant Program includes support for projects that reflect the intersection of environmental issues and agricultural best-practices, conservation of natural resources, food waste management, and natural disaster preparedness.

Funded projects will increase public awareness of those topics and help participants to develop the skills needed to make informed decisions. A Request for Proposals (also called a Solicitation Notice) containing details will be issued by each of the ten EPA Regions.

"By recognizing these locally-based learning and awareness opportunities, the Environmental Protection Agency is taking both a local and national leadership role in promoting sound agricultural conservation practices, environmental disaster preparedness, adequate food waste management and other important environmental best-practices," **said Administrator Scott Pruitt**. "Environmental education starts locally in our own backyards, classrooms and in the fields of farmers who work the land directly, and I'm proud to play a role in enhancing such learning opportunities."

Through this grant program, EPA intends to provide financial support for projects that design, demonstrate; and/or disseminate environmental education practices, methods, or techniques, as described in this notice, that will serve to increase environmental and conservation literacy, and encourage behavior that will benefit the environment in the local community/ies in which they are located.

Since 1992, EPA has distributed between $2 million and $3.5 million in annual grant funding under this program, supporting more than 3700 grants.

Proposals are due by March 15, 2018. The full solicitation notices will be posted later this week at www.grants.gov and at http://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice.

Find background on the EE Grants Program and resources for applicants at http://www.epa.gov/education/environmental-education-ee-grants.

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

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 3:20:00 PM
To: abrandon@freedomworks.org
Subject: Getting together with Admin Pruitt

Hey Adam-

I wanted to see if you had some availability in the near future. Give me a quick shout when you have a moment? Ex. 6

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 2:58:02 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: meeting with Pruitt

Hey Patrick! When you have a moment, do you mind giving me a shout? Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/23/2017 1:04:37 AM
To: Jay Vroom [JVroom@croplifeamerica.org]
Subject: RE: CERCLA-EPCRA Update

You too, Jay! Happy Thanksgiving to you and your family. See you soon. -Tate

---

From: Jay Vroom [mailto:JVroom@croplifeamerica.org]
Sent: Wednesday, November 22, 2017 8:02 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: CERCLA-EPCRA Update

Thanks Tate--

Appreciate your staying on task right up to the holiday. Happy Thanksgiving.

Jay

Jay Vroom, CropLife America

Sent from my iPad

On Nov 22, 2017, at 5:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> All-
>
> As you may have seen, earlier today, the DC Circuit Court of Appeals granted EPA's motion to **further stay the mandate** of its decision vacating EPA's 2008 rule exempting farms from CERCLA and EPCRA emissions reporting requirements **until January 22, 2018**. More information can be found on EPA's website here.
>
> Happy Thanksgiving Eve.
> Tate
>
> Elizabeth Tate Bennett
> Associate Administrator for Public Engagement & Environmental Education
> Office of the Administrator
> U.S. Environmental Protection Agency
> (202) 564-1460
> Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/13/2017 4:23:50 PM
To: Don Parrish [donp@fb.org]
Subject: RE:

Ex. 6

From: Don Parrish [mailto:donp@fb.org]
Sent: Wednesday, December 13, 2017 11:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

When can we visit?

Don

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 5:45:53 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Pleasure meeting you at today's event

Hey Patrick! Just realized we still need to get together. Let me know what the weeks ahead look like for you?

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Tuesday, October 31, 2017 4:21 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Pleasure meeting you at today's event

Elizabeth,

Thank you for introducing yourself at today's event regarding the scientific advisory directive. As Director of Policy at FreedomWorks, I manage our regulatory reform portfolio and our Regulatory Action Center project. I have already met your colleagues John Konkus, Michael Abboud, and James Hewitt. Looking forward to hopefully collaborating with you all during this administration.

Please feel free to reach out and let me know how FreedomWorks can be of help and look for our statement in support of today's directive shortly.

Best,

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 11:18:05 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Call

Thanks!

On Jul 20, 2018, at 5:30 PM, Aline DeLucia <aline@nasda.org> wrote:

> Yeap. I will go ahead and lock that in on Monday. Thanks!
>
> Sent from my iPhone
>
> On Jul 20, 2018, at 4:22 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > I think the 26th at 11 AM would be best on our end. Does that work for you?
> >
> > **From:** Aline DeLucia [mailto:aline@nasda.org]
> > **Sent:** Friday, July 20, 2018 3:03 PM
> > **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> > **Subject:** RE: Call
> >
> > Options:
> >
> > July 26th – 9am to 12pm
> > July 27th – 12pm – 5pm
> >
> > Thanks!
> >
> > **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> > **Sent:** Friday, July 20, 2018 1:46 PM
> > **To:** Aline DeLucia
> > **Subject:** Call
> >
> > Can you go ahead and start polling for times to set up a call next week or the week after?
> >
> > Elizabeth Tate Bennett
> > Associate Administrator for Public Engagement & Environmental Education
> > Office of the Administrator
> > U.S. Environmental Protection Agency
> > (202) 564-1460
> > Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 9:07:43 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Conference Call with EPA

Thank you

On Jul 20, 2018, at 4:46 PM, Paul Schlegel <pauls@fb.org> wrote:

See below; just sent out

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Paul Schlegel
Sent: Friday, July 20, 2018 4:46 PM
To: Tennessee Rhedona Rose <rrose@tfbf.com>; Tennessee Stefan Maupin <smaupin@tfbf.com>; Mississipi Andy Whittington <awhittington@msfb.org>; Mississippi Justin Ferguson <jferguson@msfb.org>; Arkansas Matt King <matt.king@arfb.com>; Arkansas John Bailey <john.bailey@arfb.com>; Georgia Farm Bureau Tripp Cofield <mtcofield@gfb.org>; Joe Cain (JCain@kyfb.com) <JCain@kyfb.com>; Nebraska Jordan Dux <jordand@nefb.org>; Kansas Ryan Flickner <flicknerr@kfb.org>; North Dakota Pete Hanebutt <pete@ndfb.org>; Illinois Adam Nielsen <anielsen@ilfb.org>; Missouri Leslie Holloway <lholloway@mofb.com>; Spencer.tuma@mofb.com; Scott VanderWal <svanderwal@fb.org>
Subject: Conference Call with EPA

Folks –

EPA has contacted us and is requesting our help in setting up a conference call on dicamba. We have tentatively scheduled the call for 2 pm EDT on Friday, August 3. Please save this time on your calendar.

As I'm sure you know, the registration for over-the-top dicamba was only for two years. EPA will need to make a decision in the near future about the product registration. I hope you will be available to participate in this call.

I will provide further details once they are available.

Thanks,

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/14/2018 2:18:58 AM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Draft language

Sorry- we are working a redline to show you where language along these lines would fit in. Might be easier that way. Standby.

> On Aug 13, 2018, at 8:49 PM, Paul Schlegel <pauls@fb.org> wrote:
>
> Do you have a context for this?
>
> Sent from my iPhone
>
>> On Aug 13, 2018, at 9:48 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> However, EPA could take advantage of existing enforcement authority (albeit not EPA authority) which could provide a credible deterrent against disclosure by designated representatives. EPA could add to 170.311(b)(9) a requirement that the designated representative must give the agricultural employer a signed statement that he/she will disclose the information only to the worker/handler, that statement would then be required by EPA regulations and therefore a false statement would criminally enforceable by US attorneys under 28 USC 1001.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/31/2017 8:37:34 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: Re: Pleasure meeting you at today's event

Hey! Thanks for making it out today. I look forward to working with you.

On Oct 31, 2017, at 4:21 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

> Elizabeth,
>
> Thank you for introducing yourself at today's event regarding the scientific advisory directive. As Director of Policy at FreedomWorks, I manage our regulatory reform portfolio and our Regulatory Action Center project. I have already met your colleagues John Konkus, Michael Abboud, and James Hewitt. Looking forward to hopefully collaborating with you all during this administration.
>
> Please feel free to reach out and let me know how FreedomWorks can be of help and look for our statement in support of today's directive shortly.
>
> Best,
>
> --
> **Patrick Hedger**
> Director of Policy
> FreedomWorks Foundation
> office Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/13/2018 9:26:09 PM
To: Kay DeBow [kdebow@nationalbcc.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
Subject: RE: Administrator Wheeler Bio

Thanks!

From: Kay DeBow [mailto:kdebow@nationalbcc.org]
Sent: Friday, July 13, 2018 11:56 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Administrator Wheeler Bio

Good morning, the room is SD-106. I think I've been saying Hart Building but of course it is on the Dirksen side and it is easiest to enter from Constitution Ave, you walk by security and the room is on the right.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, July 10, 2018 4:33 PM
To: Kay DeBow <kdebow@nationalbcc.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: Administrator Wheeler Bio

On July 9, 2018, Andrew Wheeler was named Acting Administrator of the Environmental Protection Agency (EPA) by President Donald J. Trump. The preceding April 12, 2018, Mr. Wheeler was confirmed by the U.S. Senate as the Deputy Administrator of the EPA.

Mr. Wheeler has dedicated his career to advancing sound environmental policies. He was a Principal and the team leader of the energy and environment practice group at FaegreBD Consulting, as well as Counsel at Faegre Baker Daniels law firm where he practiced since 2009. He also served as the Co-chair of the Energy and Natural Resources Industry team across the entire firm.

Prior to his work with the firm, Mr. Wheeler served as the Majority Staff Director and Chief Counsel, as well as the Minority Staff Director, of the Senate Committee on Environment and Public Works for six years. Before his time at the full Senate EPW Committee, Mr. Wheeler served in a similar capacity for six years for the Subcommittee on Clean Air, Climate Change, Wetlands and Nuclear Safety. He started his career at the Environmental Protection Agency as a Special Assistant in the Pollution Prevention and Toxics office, where he received three bronze medals.

Mr. Wheeler is the past Chairman of the National Energy Resource Organization (NERO), and a Stennis Fellow. Mr. Wheeler is also an Eagle Scout.

Mr. Wheeler was born in Hamilton, Ohio. He completed his law degree at Washington University in St. Louis, his MBA at George Mason University, and his undergraduate work at Case Western Reserve University in English and Biology.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/3/2017 4:00:04 PM
To: Don Parrish [donp@fb.org]
Subject: RE: Annual meetings

YES! Thank you. Christmas early.

From: Don Parrish [mailto:donp@fb.org]
Sent: Friday, November 3, 2017 11:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Annual meetings

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 3:37 PM
To: Don Parrish
Subject: Re: Annual meetings

Thanks!

On Nov 2, 2017, at 12:06 PM, Don Parrish <donp@fb.org> wrote:

> I will check...
>
> *Don R Parrish*
> *American Farm Bureau Federation®*
> Ex. 6
> *donp@fb.org*
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Thursday, November 02, 2017 11:54 AM
> **To:** Don Parrish
> **Subject:** Annual meetings
>
> Do you guys have a calendar for when all your guys' state annual meetings are?
>
> Elizabeth Tate Bennett
> Associate Administrator for Public Engagement & Environmental Education
> Office of the Administrator
> U.S. Environmental Protection Agency
> (202) 564-1460
> Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/27/2017 7:35:40 PM
To: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Subject: Re: Meeting Request - Newtrient

That would be perfect. 1200 PA avenue nw north entrance

On Oct 27, 2017, at 2:09 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

> Tate,
>
> No worries at all. I'm glad we could get some time with you. We'd be happy to meet then. I can send you a list of attendees next week. Please let me know if there are any special access instructions or points of contact we should be aware for entering the building.
>
> Thanks,
>
> **Kevin O. Swanson**
> **Senior Associate**
> Ex. 6 | michaelbeststrategies.com
> <image001.png>
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Friday, October 27, 2017 2:54 PM
> **To:** Swanson, Kevin O (59578)
> **Subject:** Re: Meeting Request - Newtrient
>
> I'm so sorry! Is 5:30 too late?
>
> On Oct 27, 2017, at 1:07 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:
>
>> Hi Tate,
>>
>> Was hoping to follow up with you on a meeting time for Monday 11/6. We're can make anytime the afternoon between 1-6pm work.
>>
>> Thanks again,
>>
>> **Kevin O. Swanson**
>> **Senior Associate**
>> Ex. 6 | michaelbeststrategies.com
>> <image001.png>
>>
>> **From:** Swanson, Kevin O (59578)
>> **Sent:** Tuesday, October 24, 2017 4:42 PM
>> **To:** 'Bennett, Tate'
>> **Cc:** Bode, Denise A (53804); Gordon, Stephen
>> **Subject:** RE: Meeting Request - Newtrient
>>
>> Hi Tate,

No worries at all and thanks for your willingness to meet. We can do the afternoon of Monday the 6th any time between 1-6pm. Let us know what works best for you.

Best,

Kevin O. Swanson
Senior Associate
Ex. 6 | michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, October 24, 2017 4:20 PM
To: Swanson, Kevin O (59578)
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

Hi there! Sorry for the delay and thanks for following up with me. Somehow I missed your initial e-mail. What time on the 6th would be best for you? Sorry, I know you initially asked for the 7th, but do you still have availability that Monday?

Looking forward to it.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578) [mailto:koswanson@michaelbeststrategies.com]
Sent: Tuesday, October 24, 2017 4:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>
Subject: RE: Meeting Request - Newtrient

Hello Tate:

I was hoping to follow up on Ken Wagner's recommendation below that we meet with you to introduce what our client, Newtrient, is working on with the dairy industry to address their non-point source emissions. We would appreciate the opportunity to meet with you and learn more about EPA's stakeholder outreach efforts in this area. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson
Senior Associate
Ex. 6 | michaelbeststrategies.com
<image001.png>

From: Swanson, Kevin O (59578)
Sent: Wednesday, October 18, 2017 5:18 PM
To: 'Bennett.Tate@epa.gov'
Cc: Bode, Denise A (53804)
Subject: Meeting Request - Newtrient

Hello Tate:

I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson
Senior Associate
E koswanson@michaelbeststrategies.com
Ex. 6 | michaelbeststrategies.com

<image001.png>

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, September 20, 2017 at 9:02 AM
To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate
Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com; dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
US Environmental Protection Agency
Ex. 6
wagner.kenneth@epa.gov

Email Disclaimer
****
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the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

Michael Best
Strategies

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/5/2017 11:57:00 PM
To: donp@fb.org
Subject: Call me

Will only take 5 min

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 2:08:53 PM
To: David Edmund Black [DAVIDBLACK@UP.COM]
Subject: RE: EPA Visit to Omaha

Thanks so much!

From: David Edmund Black [mailto:DAVIDBLACK@UP.COM]
Sent: Monday, October 16, 2017 9:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: EPA Visit to Omaha

Morning Tate! The best person to contact is my former boss, Mike Rock marock@up.com Ex. 6

Cheers!

David Edmund Black
Union Pacific | Economic & Industrial Development - Ports
24125 Old Aldine Westfield Road | Spring, TX | 77373
Ex. 6 | E: davidblack@up.com | UPRR.com

On Oct 15, 2017, at 10:20 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.
>
> Hey David! Wanted to let you know that Administrator Pruitt will in Omaha next Friday and is interested in meeting with UP leadership. Do you mind helping me navigate the best way to set up a potential meeting, if possible?
>
> Hope this finds you well--- Mark says hello. Tate

**

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**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/13/2018 2:31:57 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Question...

Thank you for asking.

On Aug 13, 2018, at 9:31 AM, Aline DeLucia <aline@nasda.org> wrote:

> Hey Tate – talked to a few folks about the over the top question. They all said they don't have a way to obtain that information.
>
> **Aline DeLucia** | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 1:56:09 PM
To: Mike Rock [MAROCK@up.com]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Pruitt visit to Omaha

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

==========
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

"Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

**

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**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 1:37:54 PM
To: marock@up.com
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Pruitt visit to Omaha

Importance: High

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/19/2017 9:21:54 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Subject: Re: HollyFrontier meeting request

I'll give you a shout later too.

Sent from my iPad

On Oct 19, 2017, at 3:42 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Thanks, Hayley.

I've enclosed the meeting request form. We'd asked about 10/31 and 11/3 which I realize are coming up quickly. Happy to meet when convenient for the Administrator if he has time in the near future.

Thanks again.

Blake

--
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Thursday, October 19, 2017 3:33 PM
To: Barfield, Blake; Bennett, Tate
Subject: RE: HollyFrontier meeting request

Blake,

Attached is the form that Tate mentioned. If you could provide me with further info, I would be happy to get back to you within a week if that's not too late. Also, feel free to send future requests directly to me/Tate. Ryan gets a lot of messages so he may have missed this one.

Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency

Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Barfield, Blake [mailto:Blake.Barfield@HollyFrontier.com]
Sent: Thursday, October 19, 2017 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: HollyFrontier meeting request

We sent it to RJ.

Happy to fill out a form – don't believe we have yet.

No apology necessary!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, October 19, 2017 3:14 PM
To: Barfield, Blake
Cc: Ford, Hayley
Subject: Re: HollyFrontier meeting request

Who did you send your original, official meeting request to? Hayley our scheduling guru is CC'd and can send you the internal official meeting request form if you haven't already filled it out. Sorry- we cannot locate your original request and apologize if there was a mistake on our end.

On Oct 19, 2017, at 2:17 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

> Tate:
>
> Hope you're well; good visiting earlier this week.
>
> Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.
>
> Thanks
> Blake
>
> --
> Blake D. Barfield
> Director, Government Affairs
> The HollyFrontier Companies
> 2828 N. Harwood, Suite 1300
> Dallas, TX 75201
> Ex. 6
> blake.barfield@hollyfrontier.com
>
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<EPA Administrator Pruitt External Meeting Request Form - HollyFrontier Corp..docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 3:45:10 PM
To: Don Parrish [donp@fb.org]
CC: Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]
Subject: FW: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

A release would be awesome!

From: Dewey, Amy
Sent: Monday, October 16, 2017 11:44 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: FW: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

This is the American Farm Bureau thought you guys would love this! Amy

---

From: William Rodger [mailto:willr@fb.org]
Sent: Monday, October 16, 2017 11:39 AM
To: Dewey, Amy <Dewey.Amy@epa.gov>
Subject: RE: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

That's pretty damned huge. I'll see if we can't get a release out.

ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

"The days of regulation through litigation are over," – EPA Administrator Scott Pruitt

WASHINGTON – In fulfilling his promise to end the practice of regulation through litigation that has harmed the American public, EPA Administrator Scott Pruitt issued an Agency-wide directive today designed to end "sue and settle" practices within the Agency, providing an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements.

"The days of regulation through litigation are over," **said EPA Administrator Scott Pruitt.** "We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress. Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle."

Over the years, outside the regulatory process, special interest groups have used lawsuits that seek to force federal agencies – especially EPA – to issue regulations that advance their interests and priorities, on their specified timeframe. EPA gets sued by an outside party that is asking the court to compel the Agency to take certain steps, either through change in a statutory duty or enforcing timelines set by the law, and then EPA

will acquiesce through a consent decree or settlement agreement, affecting the Agency's obligations under the statute.

More specifically, EPA either commits to taking an action that is not a mandatory requirement under its governing statutes or agrees to a specific, unreasonable timeline to act. Oftentimes, these agreements are reached with little to no public input or transparency. That is regulation through litigation, and it is inconsistent with the authority that Congress has granted and the responsibility to operate in an open and fair manner.

"Sue and settle" cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.

With today's directive, Administrator Pruitt is ensuring the Agency increase transparency, improve public engagement, and provide accountability to the American public when considering a settlement agreement or consent decree by:

1. Publishing any notices of intent to sue the Agency within 15 days of receiving the notice;

2. Publishing any complaints or petitions for review in regard to an environmental law, regulation, or rule in which the Agency is a defendant or respondent in federal court within 15 days of receipt;

3. Reaching out to and including any states and/or regulated entities affected by potential settlements or consent decrees;

4. Publishing a list of consent decrees and settlement agreements that govern Agency actions within 30 days, along with any attorney fees paid, and update it within 15 days of any new consent decree or settlement agreement;

5. Expressly forbidding the practice of entering into any consent decrees that exceed the authority of the courts;

6. Excluding attorney's fees and litigation costs when settling with those suing the Agency;

7. Providing sufficient time to issue or modify proposed and final rules, take and consider public comment; and

8. Publishing any proposed or modified consent decrees and settlements for 30-day public comment, and providing a public hearing on a proposed consent decree or settlement when requested.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/20/2017 5:21:33 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Subject: Re: HFC Locations

Hey! Thanks for putting this together so quickly. We will keep such an opportunity like this on our radar. Likely next year. Copying Stephen who is helping keep track of potential instate site visits.

On Oct 20, 2017, at 1:07 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

> Tate:
>
> Good visiting earlier.
>
> Per our conversation- we'd welcome the chance to meet with Administrator Pruitt perhaps in late November or early December in DC.
>
> Additionally, we would be glad to host the Administrator at one of our US refining locations. You called out Wyoming in particular and we work closely with that Congressional delegation so hopefully can be of assistance if any is needed. Below are our sites and stats:
>
> Cheyenne, Wyoming – 52,000 barrel/day refinery – 300 employees
> Woods Cross, Utah (15 min from Salt Lake City) – 45,000 barrel/day refinery – 250 employees
> El Dorado, Kansas (15 min from Wichita) – 135,000 barrel/day refinery – 400 employees
> Tulsa, Oklahoma – 125,000 barrel/day refinery – 600 employees
> Artesia, New Mexico (30 min from Roswell) – 115,000 barrel/day refinery – 700 employees
>
> Thanks
> Blake
>
> --
> Blake D. Barfield
> Director, Government Affairs
> The HollyFrontier Companies
> 2828 N. Harwood, Suite 1300
> Dallas, TX 75201
> Ex. 6
> blake.barfield@hollyfrontier.com
>
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/6/2017 9:58:22 PM
To: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Subject: Re: Meeting Request - Newtrient

Perfect

On Nov 6, 2017, at 4:57 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

Hi Tate,

We look forward to meeting you and Jeff in a few minutes. I can give you a call when we are in the lobby.

Thanks,

Kevin O. Swanson
Senior Associate
Ex. 6 michaelbeststrategies.com
<image001.png>

From: Swanson, Kevin O (59578)
Sent: Tuesday, October 31, 2017 10:18 AM
To: 'Bennett, Tate'
Subject: RE: Meeting Request - Newtrient

Tate,

Happy to. I sent one over few minutes ago. I also saw that Jeff Sands accepted the invite which is perfect because we were looking to touch base with him as well. We are excited to learn more about the stakeholder education programs that you are working on. As a bit of background, Newtrient has been encouraged to participate in the Lake Champlain Basin Program and will be looking at their grant opportunities to further fund their work in VT. We look forward to sharing the work that Newtrient has done there as well as Wisconsin. In terms of attendees for the meeting we will be bringing:

Steve Rowe, CEO, Newtrient
Denise Bode, Partner, Michael Best Strategies
Clay Detlefsen, National Milk
Paul Bleiberg, National Milk
Bruce Knight, Strategic Conservation Solutions
Kevin Swanson, Michael Best Strategies

Please let me know if you have any further questions.

Best,

Kevin O. Swanson
Senior Associate
Ex. 6 michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, October 31, 2017 9:07 AM
To: Swanson, Kevin O (59578)
Subject: Re: Meeting Request - Newtrient

Not sure if I asked but could you send a calendar invite? Also, 1200 PA Ave NW North Building.

On Oct 27, 2017, at 3:09 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

> Tate,
>
> No worries at all. I'm glad we could get some time with you. We'd be happy to meet then. I can send you a list of attendees next week. Please let me know if there are any special access instructions or points of contact we should be aware for entering the building.
>
> Thanks,
>
> **Kevin O. Swanson**
> **Senior Associate**
> Ex. 6 | michaelbeststrategies.com
> <image001.png>
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Friday, October 27, 2017 2:54 PM
> **To:** Swanson, Kevin O (59578)
> **Subject:** Re: Meeting Request - Newtrient
>
> I'm so sorry! Is 5:30 too late?
>
> On Oct 27, 2017, at 1:07 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:
>
> > Hi Tate,
> >
> > Was hoping to follow up with you on a meeting time for Monday 11/6. We're can make anytime the afternoon between 1-6pm work.
> >
> > Thanks again,
> >
> > **Kevin O. Swanson**
> > **Senior Associate**
> > Ex. 6 | michaelbeststrategies.com
> > <image001.png>
> >
> > **From:** Swanson, Kevin O (59578)
> > **Sent:** Tuesday, October 24, 2017 4:42 PM
> > **To:** 'Bennett, Tate'
> > **Cc:** Bode, Denise A (53804); Gordon, Stephen
> > **Subject:** RE: Meeting Request - Newtrient
> >
> > Hi Tate,
> >
> > No worries at all and thanks for your willingness to meet. We can do the

afternoon of Monday the 6th any time between 1-6pm. Let us know what works best for you.

Best,

Kevin O. Swanson
Senior Associate
Ex. 6 | michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, October 24, 2017 4:20 PM
To: Swanson, Kevin O (59578)
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

Hi there! Sorry for the delay and thanks for following up with me. Somehow I missed your initial e-mail. What time on the 6th would be best for you? Sorry, I know you initially asked for the 7th, but do you still have availability that Monday?

Looking forward to it.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578)
[mailto:koswanson@michaelbeststrategies.com]
Sent: Tuesday, October 24, 2017 4:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>
Subject: RE: Meeting Request - Newtrient

Hello Tate:

I was hoping to follow up on Ken Wagner's recommendation below that we meet with you to introduce what our client, Newtrient, is working on with the dairy industry to address their non-point source emissions. We would appreciate the opportunity to meet with you and learn more about EPA's stakeholder outreach efforts in this area. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We

could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson
Senior Associate
Ex. 6 | michaelbeststrategies.com
<image001.png>

From: Swanson, Kevin O (59578)
Sent: Wednesday, October 18, 2017 5:18 PM
To: 'Bennett.Tate@epa.gov'
Cc: Bode, Denise A (53804)
Subject: Meeting Request - Newtrient

Hello Tate:

I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson
Senior Associate
E koswanson@michaelbeststrategies.com
Ex. 6 | michaelbeststrategies.com

<image001.png>

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, September 20, 2017 at 9:02 AM
To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate
Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com; dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs

US Environmental Protection Agency

Ex. 6

wagner.kenneth@epa.gov

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****
****
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 3:15:41 PM
To: Mike Rock [MAROCK@up.com]
Subject: RE: Pruitt visit to Omaha

Good on our end. Do you have time for a call today just to go to logistics? Happy to work around your schedule.

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 11:11 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

We can make 3:30 work. Are you ok with that time on your end?

Mike

==========
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

"Bennett, Tate" ---10/16/2017 10:11:28 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Date: 10/16/2017 10:11 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Thank you, sir!

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 10:09 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

OK, give me an hour or so, and I will get back to you.

==========
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

"Bennett, Tate" ---10/16/2017 09:56:15 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:56 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

==========
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

"Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

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**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/23/2017 2:58:39 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Subject: Re: HollyFrontier meeting request

Unlikely. But you can ask RJ if you want.

On Oct 23, 2017, at 9:57 AM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

> Do you think we could set up a call with George and the Administrator in the interim of waiting for a meeting until December timeframe?
>
> **From:** Barfield, Blake
> **Sent:** Friday, October 20, 2017 9:19 AM
> **To:** 'Bennett, Tate'
> **Subject:** RE: HollyFrontier meeting request
>
> Thx. around all day if you'd like to chat
>
> **Ex. 6**
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Thursday, October 19, 2017 4:22 PM
> **To:** Barfield, Blake
> **Subject:** Re: HollyFrontier meeting request
>
> I'll give you a shout later too.
>
> Sent from my iPad
>
> On Oct 19, 2017, at 3:42 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:
>
>> Thanks, Hayley.
>>
>> I've enclosed the meeting request form. We'd asked about 10/31 and 11/3 which I realize are coming up quickly. Happy to meet when convenient for the Administrator if he has time in the near future.
>>
>> Thanks again.
>>
>> Blake
>>
>> --
>> Blake D. Barfield
>> Director, Government Affairs
>> The HollyFrontier Companies
>> 2828 N. Harwood, Suite 1300
>> Dallas, TX 75201
>> Ex. 6
>> blake.barfield@hollyfrontier.com
>>
>> CONFIDENTIALITY NOTICE: This e-mail, and any attachments, may contain information that is privileged and confidential. If you received this message in error, please advise the sender immediately

by reply e-mail and do not retain any paper or electronic copies of this message or any attachments. Unless expressly stated, nothing contained in this message should be construed as a digital or electronic signature or a commitment to a binding agreement.

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Thursday, October 19, 2017 3:33 PM
To: Barfield, Blake; Bennett, Tate
Subject: RE: HollyFrontier meeting request

Blake,

Attached is the form that Tate mentioned. If you could provide me with further info, I would be happy to get back to you within a week if that's not too late. Also, feel free to send future requests directly to me/Tate. Ryan gets a lot of messages so he may have missed this one.

Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Barfield, Blake [mailto:Blake.Barfield@HollyFrontier.com]
Sent: Thursday, October 19, 2017 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: HollyFrontier meeting request

We sent it to RJ.

Happy to fill out a form – don't believe we have yet.

No apology necessary!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, October 19, 2017 3:14 PM
To: Barfield, Blake
Cc: Ford, Hayley
Subject: Re: HollyFrontier meeting request

Who did you send your original, official meeting request to? Hayley our scheduling guru is CC'd and can send you the internal official meeting request form if you haven't already filled it out. Sorry- we cannot locate your original request and apologize if there was a mistake on our end.

On Oct 19, 2017, at 2:17 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Tate:

Hope you're well; good visiting earlier this week.

Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.

Thanks
Blake

--
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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<EPA Administrator Pruitt External Meeting Request Form - HollyFrontier Corp..docx>

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/29/2017 7:21:45 PM
To: Ethan Mathews [emathews@croplifeamerica.org]
Subject: Re: Hearing info

Let me get back to you on this

> On Sep 29, 2017, at 3:20 PM, Ethan Mathews <emathews@croplifeamerica.org> wrote:
>
> Tate -
>
> Attached is info CLA is providing to members of the EPW committee in advance of the nominee hearing. We are particularly focused on the PRIA question. Let me know if you want to discuss.
>
> <9.28.17 Questions - Michael Dourson Nomination Hearing.docx>
>
>
> Ethan Mathews
>
> Director of Government Affairs
> CropLife America
> emathews@croplifeamerica.org
> Ex. 6 (o)
> (m)
>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/27/2017 2:33:00 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Traci Kraus [traci.kraus@cummins.com]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Follow up- Cummins
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hi Traci! Good to hear from you. Do you mind filling out this form and sending it back to us? We will be sure to let you know the next time we are in IN!

Tate

From: Ferguson, Lincoln
Sent: Tuesday, September 26, 2017 12:02 PM
To: Traci Kraus <traci.kraus@cummins.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Follow up- Cummins

Hi Traci –

Thanks so much for following up. I want to introduce you to Tate, who heads our Office of Public Engagement. She is going to be the best point of contact to set up a possible tour. I know the Administrator really enjoyed meeting Brian and others at the EMA meeting last week. We'll be in touch soon!

Thanks,
Lincoln

Lincoln Ferguson
Senior Advisor to the Administrator
U.S. EPA
Ex. 6

From: Traci Kraus [mailto:traci.kraus@cummins.com]
Sent: Tuesday, September 26, 2017 9:52 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Follow up- Cummins

Hi Lincoln,

My name is Traci Kraus and I lead government relations for Cummins energy and environment issues. My colleague Brian Mormino mentioned that following last week's meeting between Engine Manufacturers Association principals and Administrator Pruitt that the Administrator was interested in visiting Cummins and learning more about our natural gas engines.

I wanted to follow up with you to invite the Administrator to see our headquarters in Columbus, IN where we can give him a tour of our tech center, natural gas engine test facility, and all of the other exciting work we do.

Please let me know if there is a formal channel through which I should be extending this invite, but I wanted to make sure I closed the loop with you.

Thanks so much for your help!

Best,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6

Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/15/2017 3:20:01 PM
To: deblack1@up.com
Subject: EPA Visit to Omaha

Hey David! Wanted to let you know that Administrator Pruitt will in Omaha next Friday and is interested in meeting with UP leadership. Do you mind helping me navigate the best way to set up a potential meeting, if possible?

Hope this finds you well--- Mark says hello. Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/27/2017 7:04:48 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Re: Thank You & Farewell for Now

USDA?

On Sep 27, 2017, at 3:03 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Dear Friends & Colleagues:

It is with mixed feelings to share that my last day with NASDA will be this Friday, September 29th.

I cannot fully articulate my gratitude for all of the time, patience, support, and guidance you all have generously extended to me throughout my time with NASDA. I can only hope to reciprocate some fraction of the goodwill, friendship, and partnership I have benefited from, both professionally and personally, as part of the NASDA Family.

I look forward to sharing more information on my next steps and updated contact information in the near future. In the interim, I hope to keep in touch with you all going forward (email: Ex. 6 and cell: Ex. 6.

More soon & many thanks! - dudley

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/12/2017 7:03:45 PM
To: donp@fb.org
Subject: Fwd: PHOTOS: Administrator Pruitt Visits Mississippi

Begin forwarded message:

From: "Hewitt, James" <hewitt.james@epa.gov>
Date: October 12, 2017 at 1:36:34 PM CDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: FW: PHOTOS: Administrator Pruitt Visits Mississippi

It's out.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Thursday, October 12, 2017 2:22 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: PHOTOS: Administrator Pruitt Visits Mississippi

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

CONTACT: press@epa.gov

PHOTOS: Administrator Pruitt Visits Mississippi

Announces Regulatory Action on Pesticide Dicamba

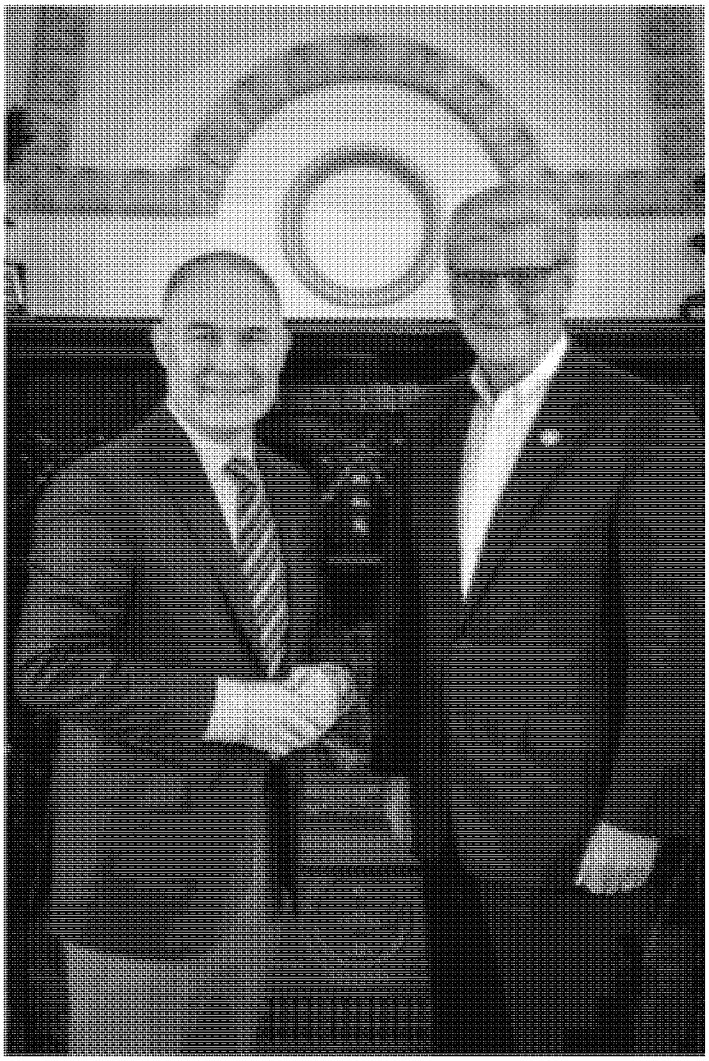
Jackson, Miss. (October 12, 2017) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt met with Governor Phil Bryant, farmers and other state leaders to discuss ways to strengthen partnerships with EPA. During the visit, Administrator Pruitt announced that EPA is working on an agreement with the manufacturers of the pesticide dicamba to minimize the potential for drift to damage neighboring crops from the use of the pesticide - an agreement that will allow cotton and soybean farmers to make informed choices for seed purchases for the 2018 growing season.

"Our job at EPA is not to look at folks in Mississippi as adversaries, but as partners," **said Administrator Pruitt.** "It is of the utmost importance to continue to collaborate with state and local leaders to provide American farmers and ranchers the regulatory certainty they deserve."

"Mississippi farmers are the original conservationists," **said Mississippi Governor Phil Bryant.** "I am grateful for Administrator Pruitt's commitment to working with us to develop strategies that will strengthen agriculture in Mississippi while protecting our environment."

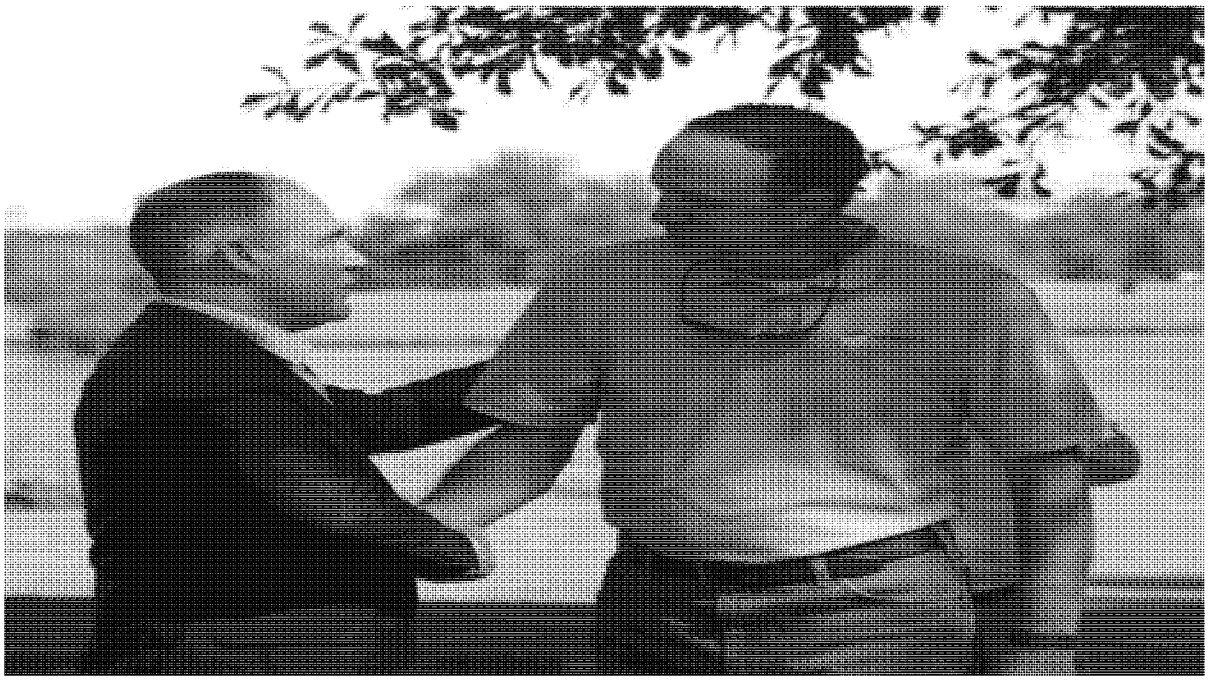
Administrator Pruitt began his trip with a stop at the State Capitol where he met with Governor Bryant and other state leaders. Following their meeting, Administrator Pruitt and Governor Bryant hosted a roundtable along with Mississippi Commissioner of Agriculture and Commerce Cindy Hyde-Smith, Mississippi Farm Bureau Federation President Mike McCormick, and other stakeholders to discuss EPA's recent proposal to rescind the 2015 "Waters of the United States" (WOTUS) rule to help ensure regulatory certainty and prioritize keeping America's water clean.

After the roundtable, Administrator Pruitt and Governor Bryant departed for Gaddis Farms in Bolton where the Administrator announced EPA's regulatory action on dicamba and took questions from farmers.



EPA Administrator Scott Pruitt with Mississippi Governor Phil Bryant.

EPA Administrator Scott Pruitt (second from right) and Mississippi Governor Phil Bryant (right) greet stakeholders at Gaddis Farms in Bolton, Miss.



EPA Administrator Scott Pruitt greets Ted Kendall, owner of Gaddis Farms.

Mississippi Governor Phil Bryant and EPA Administrator Scott Pruit speak with Ted Kendall.

<!--[if !vml]--> Visit The EPA's Newsroom <!--[endif]-->

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

Unsubscribe

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 2:11:23 PM
To: Mike Rock [MAROCK@up.com]
Subject: RE: Pruitt visit to Omaha

Thank you, sir!

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 10:09 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

OK, give me an hour or so, and I will get back to you.

==========
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

"Bennett, Tate" ---10/16/2017 09:56:15 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:56 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

==========
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

"Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6
Bennett.Tate@epa.gov

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From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/12/2017 8:48:05 PM
To: Don Parrish [donp@fb.org]
Subject: FW: Office of Pesticide Programs Announcement

From: Beck, Nancy
Sent: Tuesday, September 12, 2017 4:46 PM
To: OCSPP ALL <OCSPP_ALL@epa.gov>
Cc: Wise, Louise <Wise.Louise@epa.gov>
Subject: Office of Pesticide Programs Announcement

I am pleased to announce the selection of Rick Keigwin as the new Director of the Office of Pesticide Programs (OPP). Rick has more than 24 years of management and technical experience in the Office of Pesticide Programs and has been serving as the Acting Director since February when Jack Housenger retired. Since January 2016, Rick has been OPP's Deputy Director for Programs. He previously led the Pesticide Re-evaluation Division (PRD), integrating science, policy and regulatory perspectives in making risk management decisions in leading OPP's re-evaluation program for conventional pesticides. During his time as the PRD Director, Rick co-led the development of the "National Strategy to Promote the Health of Honey Bees and Other Pollinators."

Prior to working in PRD, Rick served as the Acting Director and then Director of the Biological and Economic Analysis Division in OPP. He was the Senior Advisor to the Deputy Director for Management in OPP, where he led the agency's implementation of the Pesticide Registration Improvement Act. He previously held positions as the Acting Associate Director of the Special Review and Re-registration Division, Chief of the Registration Division's Fungicide Branch and Registration Support Branch, Product Manager for the Insecticide-Rodenticide Branch, and Special Assistant to the Director of the Registration Division.

Rick has a Bachelor of Arts Degree in Government from Colby College and a Masters of Public Management Degree from the University of Maryland, College Park.

Rick and his team will have no shortage of exciting opportunities to keep themselves busy. In addition to all the "basic activities" within OPP, by October 1, 2022, the program will also be completing registration reviews for over 1,100 pesticide active ingredients.

Please join Louise and me in welcoming Rick as the new Director of the Office of Pesticide Programs.

Nancy
****
Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention
P: 202-564-1273
M: Ex. 6
beck.nancy@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/6/2017 1:23:22 PM
To: Provost, Megan (J) [MProvost@dow.com]
CC: Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: Following Up

Sounds good!

On Sep 6, 2017, at 9:22 AM, Provost, Megan (J) <MProvost@dow.com> wrote:

Thanks, Amy! And will do!

Tate, I'm sorry that I'll miss you, but hopefully we can get together when I'm in DC next.

From: Dewey, Amy [mailto:Dewey.Amy@epa.gov]
Sent: Wednesday, September 6, 2017 9:10 AM
To: Provost, Megan (J) <MProvost@dow.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: Re: Following Up

Megan,
Thank you, for getting back to us. Unfortunately, Tate has to fly back to D.C. Monday night. We would love to host a meeting here at EPA for you the next time you are in DC. Let's stay in touch! Amy

Sent from my iPhone

On Aug 31, 2017, at 11:41 PM, Provost, Megan (J) <MProvost@dow.com> wrote:

Hi, Amy. Just wanted to follow-up on this.

Thanks!

On Aug 29, 2017, at 12:36 PM, Provost, Megan (J) <MProvost@dow.com> wrote:

Hi, Amy!

I'm sorry for the delay in getting back to you. I'm actually on my last week of maternity leave right now!

I will be at NASDA, but was planning on being there only Wednesday and Thursday (September 13th and 14th). Is there any chance Tate is available to meet then?

Thanks!
Megan

Megan J. Provost

U.S. Government Affairs

Dow AgroSciences, LLC
9330 Zionsville Road | Indianapolis, IN 46268

Ex. 6

http://www.dowagro.com | Facebook | Twitter | YouTube

<image003.jpg> | *Solutions for the Growing World*

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/6/2017 1:04:41 PM
To: Julia Recko [juliad@fb.org]
CC: Don Parrish [donp@fb.org]
Subject: Re: Education Dept.

We are working on reforms to our $3 M education grant program. Give me a shout when you can. Ex. 6

On Sep 6, 2017, at 8:46 AM, Julia Recko <juliad@fb.org> wrote:

> Hello Tate! What can we help you with?
>
> I am running around today at doctor's appointments, but if you would like to connect over the phone I have some time on Friday.
>
> Best,
> Julia
>
> _____
> From: Don Parrish <donp@fb.org>
> Sent: Wednesday, September 6, 2017 8:36 AM
> Subject: RE: Education Dept.
> To: Bennett, Tate <bennett.tate@epa.gov>
> Cc: Julia Recko <juliad@fb.org>
>
> Tate
>
> Julia Recko coordinates "ag in the classroom" program for AFBF. Julia – please meet Tate Bennett – she works for Administrator Pruitt over at EPA and wants to connect.
>
> Julia's phone is Ex. 6 and her email isjuliar@fb.org
>
> *Don R Parrish*
> *American Farm Bureau Federation®*
> Ex. 6
> *donp@fb.org*
>
> ---
>
> **From:** Bennett, Tate [Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Wednesday, September 06, 2017 8:30 AM
> **To:** Don Parrish
> **Subject:** Re: Education Dept.
>
> Correct. Sorry.
>
> On Sep 6, 2017, at 8:28 AM, Don Parrish <donp@fb.org> wrote:
>
> > Do you mean what we call – Ag in the Classroom?

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, September 05, 2017 5:14 PM
To: Don Parrish
Subject: Education Dept.

Hey Don! Hope you had a nice Labor Day! Can you connect me with someone in your education department?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/23/2017 9:35:57 PM
To: Don Parrish [donp@fb.org]
Subject: Re: Don!

Whenever works!

> On Sep 23, 2017, at 5:35 PM, Don Parrish <donp@fb.org> wrote:
>
> When you get a minute I want to visit.
>
> Don
>
> Sent from my iPhone
>
>> On Sep 22, 2017, at 7:13 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Can you introduce me to our friends at MS farm bureau?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 4:55:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: 'McDonough, Owen' [OMcDonough@nahb.org]; joe.cain@kyfb.com; 'Tyler White' [twhite@kentuckycoal.com]; Don Parrish [donp@fb.org]; Kovacs, William (WKovacs@USChamber.com) [WKovacs@USChamber.com]
Subject: Sue and Settle today

If you all do ANYTHING press wise- even a tweet- let me know. We are tracking anything that can be linked to online. Thank you! -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/3/2018 2:56:24 PM
To: phedger@freedomworks.org
Subject: Fwd: WSJ: EPA's Pruitt Wants to Limit His Own Agency's Authority

Begin forwarded message:

From: Bennett.Tate@epa.gov
Date: June 27, 2018 at 3:43:16 PM EDT
To: Tate Bennett <Bennett.Tate@epa.gov>
Cc: gordon.stephen@epa.gov
Subject: WSJ: EPA's Pruitt Wants to Limit His Own Agency's Authority

In case you missed it, this WSJ piece is in response to the internal directive EPA released yesterday directing the agency to end pre-emptive veto practices with respect to 404(c) permitting. Let us know if you have any questions. -Tate Bennett, Associate Administrator for Public Engagement, U.S. EPA, Ex. 6 Ex. 6

The Wall Street Journal

EPA's Pruitt Wants to Limit His Own Agency's Authority

The Wall Street Journal
By Tim Puko
June 26, 2018
https://www.wsj.com/articles/epas-pruitt-wants-to-limit-his-own-agencys-authority-1530091923

The chief of the Environmental Protection Agency is trying to limit one of the agency's most powerful tools to manage or block mining, real-estate and other developments by removing the effective veto power it has over permits to dump waste into waterways.

The move, described in a memo reviewed by The Wall Street Journal, would limit the agency's power to pre-emptively or retroactively block U.S. Army Corps of Engineers approval of the waste dumping, hindering or potentially killing large development projects.

It is the latest attempt at a regulatory rollback from EPA Administrator Scott Pruitt, who has pledged to ease environmental restrictions on businesses. He wrote in the memo to some senior staff, including regional administrators, that the powers he intends to curb have a chilling effect on economic development.

...

Mr. Pruitt is ordering EPA's Office of Water to relinquish authority the agency has had for about 40 years under the Clean Water Act of 1972 to prohibit some approvals by the Corps even before a developer formally applies for them, or to throw them out years after they were granted—even after a project is complete and operational.

The Corps has permitting authority when developers want to dump excavated land and waste into waterways, most commonly sought for mines and real-estate development, experts said. But Congress granted EPA the review authority over that permitting and power to reject permits approved by the Corps. While advocates see it as a fail-safe the agency can leverage to encourage developers into more environmentally friendly practices, Mr. Pruitt thinks the power is so broad it is vulnerable to abuse, according to a person familiar with his thinking.

...

Mr. Pruitt's memo directs EPA staff to send a draft policy to the White House for review within six months. The new policy would need to go through a public comment period before it is finalized, according to a person familiar with the process.

To read more click here.

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Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/29/2017 1:52:28 PM
To: Britt Aasmundstad [britt@nasda.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Farewell Happy Hour for Dudley Hoskins

Britt! Can we push to 10:10?

On Sep 28, 2017, at 1:29 PM, Britt Aasmundstad <britt@nasda.org> wrote:

> Hi everyone,
>
> Please join us tomorrow night at Stanton & Greene at 6:00pm as we wish Dudley good luck in his new venture and celebrate his years of service with NASDA. We are so sad to see him go, but happy to have a chance to raise a glass with him before he does.
>
> Stanton & Greene
> 319 Pennsylvania Ave SE
> Friday, September 29th
> 6:00pm
>
> See you then!
>
> Britt
>
> **Britt Aasmundstad**| Manager, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680| www.nasda.org | @NASDANews

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/18/2017 2:27:44 PM
To: Don Parrish [donp@fb.org]

Is now a good time?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2017 3:20:59 AM
To: donp@fb.org; Garrett.Hawkins@mda.mo.gov
Subject: Fwd: I will be out of the office and Issues needing attention while I am gone

Have you all shot Lee a note yet too?

Sent from my iPhone

Begin forwarded message:

From: "Forsgren, Lee" <Forsgren.Lee@epa.gov>
Date: August 3, 2017 at 5:37:29 PM CDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Morris, Madeline" <morris.madeline@epa.gov>, "Dravis, Samantha" <dravis.samantha@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "Brown, Byron" <brown.byron@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, "Fotouhi, David" <fotouhi.david@epa.gov>
Subject: FW: I will be out of the office and Issues needing attention while I am gone

Ladies and Gentlemen,

Just a reminder that Ex. 6 Ex. 6 I will be available (although with a 6 hour time difference) by email and cell phone at Ex. 6 while I am gone.

If there are any other issues that you feel need to be acted on while I am out, and the issue is not politically sensitive please contact either Mike Shapiro or Ann Campbell in the Office of Water. If the issue is politically sensitive please reach out to Sarah Greenwalt or David Fotouhi. Between the two of them they are up to speed on every major sensitive issue in the office of water.

Look forward to seeing all of you Ex. 6

Respectfully,
Lee

D. Lee Forsgren
Deputy Assistant Administrator
Office Of Water
Environmental Protection Agency
1200 Pennsylvania Avenue, VW
Room 3219 WJCE
Washington, DC 20460
Phone: 202-564-5700
Forsgren.Lee@epa.gov

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 8/9/2017 11:57:38 PM
To: donp@fb.org
Subject: Question

Do you mind connecting me with your Nebraska folks?

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/28/2018 5:44:17 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: Re: Wanted to flag this

You have a second today? Ex. 6

On Apr 25, 2018, at 12:15 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

> We're going on offense.
>
> http://www.freedomworks.org/content/freedomworks-releases-obama-era-wasteful-spending-memo-to-help-activists-fight-hypocrisy
>
> --
> **Patrick Hedger**
> Director of Policy
> FreedomWorks Foundation
> Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2017 11:53:37 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: Press release quotes

Thanks! See you soon!

Sent from my iPhone

On Jul 23, 2017, at 7:46 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

> Amy-
> Connecting you with: John Hazzard and Robert Kittle in AG Wilson's office and Leacy Burke in Congressman Joe Wilson's office.
> -Adam
>
> Get Outlook for iOS
>
> _____
> From: Bennett, Tate <bennett.tate@epa.gov>
> Sent: Sunday, July 23, 2017 7:42 PM
> Subject: Re: Press release quotes
> To: Graham, Amy <graham.amy@epa.gov>
> Cc: Hewitt, James <hewitt.james@epa.gov>, Adam Piper <apiper@ruleoflawdefensefund.org>
>
> You bet! Adam, can you help?
>
> Sent from my iPhone
>
> On Jul 23, 2017, at 7:40 PM, Graham, Amy <graham.amy@epa.gov> wrote:
>
> > Hi Tate - Can you help put us in contact with Rep. Wilson's team and the Attorney General's team to track down quotes for the draft press release below?

PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. – (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today, visiting his fourth state in a week. The visit highlights the Administrator's recent decision to begin the process to rescind the "Waters of the United States" (WOTUS) rule to help return

power back to the states and provide regulatory certainty for farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsay Graham, Attorney General Alan Wilson, Congressman Joe Wilson, and South Carolina Agriculture Commissioner Hugh Weathers for a roundtable with local agriculture and business leaders.

"The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship,"**said EPA Administrator Scott Pruitt.** "By beginning the process to rescind WOTUS, we are helping return oversight to states and providing regulatory certainty for farms in South Carolina while continuing to keep our waters clean."

Following the roundtable, representatives from the family owned business Super-Sod led Administrator Pruitt and local elected officials on a tour of the Super-Sod facility. They viewed the facility's streams and rivers that have been adversely affected by the WOTUS rule.

Senator Graham Quote

Congressman Quote

Attorney General Quote

Ag Commissioner Weathers Quote

PHOTOS

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/1/2017 5:10:48 AM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: Re: NASDA Request: EPA Local Government Advisory Comm (LGAC)

Thanks! Got it.

Sent from my iPhone

On Jul 25, 2017, at 12:25 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

> Hi Tate,
>
> We saw this FR notice soliciting nominations to fill 10-15 vacancies on EPA's Local Government Advisory Committee (LGAC). Our member from New Mexico (Secretary Jeff Witte) currently serves on the LGAC (not sure if his term expires this year or not), and NASDA strongly supports his continued participation.
>
> Please let me know if you all need/want any additional information from NASDA on supporting his role on the LGAC.
>
> Also, looking forward to seeing Ken later this week at the WASDA Regional meeting in Sun Valley.
>
> Many thanks!
>
> **Dudley W. Hoskins** ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
> 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/28/2017 5:09:37 AM
To: Norton, Pierce H [Pierce.Norton@onegas.com]
CC: Gardner, Gary [GGardner@aga.org]
Subject: RE: AGA Contact

Hey Pierce! Thanks for the follow-up. Enjoyed seeing you as well. Let me know the next time you are in the area and I will follow up with Gary in the meantime.

From: Norton, Pierce H [mailto:Pierce.Norton@onegas.com]
Sent: Thursday, July 27, 2017 12:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gardner, Gary <GGardner@aga.org>
Subject: AGA Contact

Tate,

It was nice to meet you yesterday and I hope your stay in Tulsa was a pleasant one despite the heat. You had asked me for a personal contact within the American Gas Association and my suggestion is Gary Gardner (his contact information is listed below). Gary will be able to listen to your need and direct you to the person most likely to fill your request.

I look forward to the great things you will do at the EPA.

All the best,

Pierce

President & Chief Executive Officer
Ex. 6
pnorton@onegas.com

ONE Gas
15 East Fifth Street, Tulsa, OK 74103 | onegas.com

Gary Gardner | Vice President, Corporate Affairs & Corporate Secretary
American Gas Association
400 N. Capitol St., NW | Washington, DC | 20001
Ex. 6 | ggardner@aga.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2017 8:37:38 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: WOTUS Background

This is perfect!

Sent from my iPhone

On Jul 23, 2017, at 4:04 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

This is what I sent Wilson in case there is anything else that should have been included.

Get Outlook for iOS

From: Adam Piper <apiper@ruleoflawdefensefund.org>
Sent: Sunday, July 23, 2017 11:23 AM
Subject: WOTUS Background
To: Alan Wilson <wilsonforag@gmail.com>

WOTUS UPDATE:

- The EPA has begun drafting a new definition for Waters of the United States and is currently in the notice and comment period of the rulemaking process.
- 20 states (including South Carolina) filed a comment regarding the definition of WOTUS. Link to letter here:http://www.ago.wv.gov/Documents/2017.06.19%20WOTUS%20Comments.PDF
- Administrator Pruitt and Acting Assistant Secretary of the Army Douglas Lamont sent a letter on May 9 to Governors asking for their "input and wisdom" on what bodies of water should be regulated under the Clean Water Act.
- At the end of June, the EPA published in the federal register a formal withdraw of the previous WOTUS rule.
- Four separate lawsuits were filed against the WOTUS rule by a total of 27 states. The US Court of Appeals Sixth Circuit issued a nationwide stay of the rule in October 2015.
- More background on WOTUS can be found here:https://www.epa.gov/wotus-rule

UTAH:

Link to article including photo gallery: http://www.sltrib.com/news/5522569-155/top-epa-administrator-to-talk-air

EPA News Release w. photos of Utah Visit:https://www.epa.gov/newsreleases/photos-epa-administrator-pruitt-visits-utah-kick-state-action-tour-announce-decision

ARKANSAS:

Link to article on event:https://www.arktimes.com/ArkansasBlog/archives/2017/07/20/epa-chief-pruitt-in-arkansas-pushing-end-to-clean-air-and-water-rules

Rutledge Release on Pruitt Visit:https://www.arkansasag.gov/media-center/news-releases/rutledge-welcomes-epa-administrator-scott-pruitt-to-arkansas/

EPA News Release w. Photos of Arkansas Visit:https://www.epa.gov/newsreleases/photos-pruitt-stops-arkansas-state-action-tour

What Pruitt Announced in Arkansas:

Administrator Pruitt Visits Arkansas to Announce Water Quality Improvements

- Administrator Scott Pruitt met with Governor Asa Hutchinson (R-AR) and Attorney General Leslie Rutledge (R-AR) in Little Rock, Arkansas on July 20 to discuss revisiting the 2015 Waters of the United States rule in an effort to restore cooperative federalism.
- Pruitt announced that the EPA has approved Arkansas' 303(d) list of water quality standards highlighting the state's impaired waters.
- The list has been pending approval since 2010, and thanks to Arkansas' efforts, 76 percent of waters labeled as impaired in 2008 now meet water quality standards.
- In a salute to Federalism, Pruitt said, "under the Trump Administration, EPA is focused on partnering with states to achieve the best environmental outcomes."

YOUR RECENT COMMENTARY ON WOTUS:
July 27 Comment to Previous Definition of WOTUS Withdraw Publication:

"The EPA's regulatory filing has a laudable intent of protecting small streams and wetlands from the risk of pollution. But in fact, it does so through extraordinary means by greatly expanding the already broad definition of 'Waters of the U.S,'"

"This (Obama) expansion would bring many roadside ditches, small ponds on family farms, water features on golf courses and storm water systems under onerous federal regulation. Simply put, our argument is that drainage ditches aren't navigable waters,"

National Op-ED on WOTUS:
http://dailycaller.com/2014/10/30/drainage-ditches-arent-navigable-waters/

Coverage of 27 State Legal Challenge to WOTUS:

http://thehill.com/policy/energy-environment/246539-27-states-challenge-obama-water-rule-in-court

Letter to Presidential Transition Team on WOTUS:
https://law.georgia.gov/sites/law.georgia.gov/files/related_files/press_release/WOTUS%20Letter%20to%20Transition%20Team.pdf

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2018 2:53:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: myron.ebell@cei.org; Rachel Jones [rjones@nam.org]; robert.bluey@heritage.org; Patrick Gleason [pgleason@atr.org]; phedger@freedomworks.org
Subject: Fwd: Administrator Pruitt Issues Memo to Increase Regulatory Certainty in Permitting Process

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: June 27, 2018 at 9:03:59 AM CDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: Administrator Pruitt Issues Memo to Increase Regulatory Certainty in Permitting Process
Reply-To: press@epa.gov

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

Administrator Pruitt Issues Memo to Increase Regulatory Certainty in Permitting Process

WASHINGTON (June 27, 2018) - The U.S. Environmental Protection Agency (EPA) is taking an important step toward updating the regulations governing EPA's role in permitting discharges of dredged or fill materials under section 404 of the Clean Water Act (CWA). In a memorandum to the Office of Water and Regional Administrators, EPA Administrator Scott Pruitt outlined changes that EPA will propose that would increase predictability and regulatory certainty for landowners, investors, businesses, and other stakeholders

"Today's memo refocuses EPA on its core mission of protecting public health and the environment in a way that is fair and consistent with due process," said EPA Administrator Scott Pruitt. **"We must ensure that EPA exercises its authority under the Clean Water Act in a careful, predictable, and prudent manner."**

EPA's current regulations on the implementation of section 404(c) of the CWA allow the Agency to veto - at any time -a permit issued by the U.S. Army Corps of Engineers (USACE) or an approved state that allows for the discharge of dredged or fill material at specified disposal sites. The memo directs EPA's Office of Water to develop a proposed rulemaking that would consider the following changes:

- Eliminating the authority to initiate the section 404(c) process before a section 404 permit application has been filed with the USACE or a state, otherwise known as the "preemptive veto."
- Eliminating the authority to initiate the section 404(c) process after a permit has been issued by the USACE or a state, otherwise known as the "retroactive veto."
- Requiring a Regional Administrator to obtain approval from EPA Headquarters before initiating the section 404(c) process.
- Requiring a Regional Administrator to review and consider the findings of an Environmental Assessment or Environmental Impact Statement prepared by the USACE or a state before preparing and publishing notice of a proposed determination.
- Requiring EPA to publish and seek public comment on a final determination before such a determination takes effect.

The robust National Environmental Policy Act explicitly requires federal agencies to consider environmental effects from proposed projects, and include opportunities for public review and comment. Additionally, in the four decades since EPA's regulations were last revised, the environmental statutory and regulatory landscape has changed dramatically. Given these existing protections and significant changes, updating EPA's authority under section 404(c) will advance EPA's core mission of protecting human health and the environment while improving predictability and regulatory certainty.

EPA's proposal, after undergoing interagency review, will be available for public review and comment.

Read the memorandum.

<!--[if !mso]-->Visit The EPA's Newsroom<!--[endif]-->

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/27/2017 9:32:23 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: FW: Notification: EPA Issues Dicamba Compliance Advisory
Attachments: 2017 Compliance Advisory for Dicamba.pdf

Heads up that notifications went to House and Senate Ag committee staff on EPA issuance of a compliance advisory on dicamba in response to recent complaints about crop damage in states like Arkansas, Missouri and Tennessee. As the advisory states, the application of a registered dicamba product during either the cotton or soybean crop growing season is unlawful under FIFRA except when using one of the conditionally registered dicamba product in accordance with their labels. EPA encourages individuals to report suspected crop damage caused by the off-target movement of dicamba to their state's department of agriculture or pesticide regulatory agency.

The advisory is attached and also available at https://www.epa.gov/sites/production/files/2017-07/documents/fifra-dicambacomplianceadvisory-201708.pdf.

Please let me know if any congressional pesticides questions and Carolyn Levine if enforcement questions.
Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

COMPLIANCE ADVISORY

July 2017

Crop Damage Complaints Related to Dicamba Herbicides Raising Concerns

EPA and state agencies regulate pesticides to protect human health and the environment from unreasonable risk. Compliance concerns have arisen related to the use of certain registered pesticides. Specifically, reports of crop damage have been received that appear related to the use of herbicides containing the active ingredient dicamba. This Advisory replaces an Advisory issued in August of 2016 and provides information on the agricultural and compliance concerns raised by these ongoing incidents.

What is Dicamba?
Dicamba is an active ingredient contained in certain herbicides. Herbicides containing dicamba are registered for uses in agriculture, residential areas, and other sites to control broadleaf weeds and woody plants. Older product registrations include uses on cotton and soybeans but are restricted to preplant and postharvest burndown applications only. The product labels for those herbicides specify that restriction. *Only the new registered products, described below, may be applied over-the-top of growing soybeans and cotton.*

New Dicamba Herbicide Products
Late last year, EPA approved the conditional registration of three new dicamba herbicide products for use in-crop (over-top of growing crop plants) as a post-emergent application in Bollgard II XtendFlex cotton and Roundup Ready 2 Xtend soybeans, which are now available for use in the 2017 growing season:

- *DuPont FeXapan Herbicide Plus VaporGrip Technology*, EPA Registration Number 352-913;
- *Engenia Herbicide*, EPA Registration Number 7969-345; and
- *XTENDIMAX with VaporGrip Technology*, EPA Registration Number 524-617.

Agricultural Concerns
Despite the conditional approval of new dicamba products with drift reduction agents and further use restrictions set in place prior to the 2017 growing season, some states are reporting high numbers of dicamba complaints. By early July, we already had reports of hundreds of complaints received by state agencies in Arkansas, Missouri and Tennessee (a significant increase from last year). Both physical drift and volatilization of dicamba from the target application site have been reported. The underlying causes of the various damage reports are still being investigated.

Unlawful applications of dicamba products can result in residues on harvested crops and cause damage to and affect the yields of non-target crops. Depending on the ambient temperatures and growth stage, it can take 7 to 21 days for dicamba symptoms to appear. Classic symptoms of dicamba damage on non-

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tolerant soybean cultivars exhibit cupping of leaves and, in some cases, puckering of leaves as well. Symptoms generally appear only on new leaves. Crops that have been reported as damaged include, but may not limited to, cotton that is not dicamba-tolerant, ornamental crops, vegetable crops such as tomatoes, certain tree species, watermelon and grapes. Applicators are encouraged to keep detailed records of dicamba applications, including location, wind speed, and temperature at the time of application in the event a drift incident may occur in your area.

If you suspect crop damage has been caused by the off-target movement of dicamba, call your state Department of Agriculture or your state Pesticide Regulatory Agency. EPA is working directly with state lead agencies and is interested in reviewing any information obtained from investigations of possible crop damage related to the use of dicamba.

Compliance Concerns

Each of the new conditionally approved dicamba herbicide products have labeling that provides mandatory directions for use, restrictions and special precautions that *must be followed*. The labels of the new products require very specific and rigorous drift mitigation measures to further reduce the potential for exposure from spray drift including:

- no application from aircraft;
- no application when wind speed is over 15 mph;
- application only with approved nozzles at specified pressures; and
- buffer zones to protect sensitive areas when the wind is blowing toward them.

Except for the new conditionally registered dicamba products, application of a dicamba product during either the cotton or soybean crop growing season is unlawful under FIFRA.

Farmers must follow the requirements on the labels plus any additional restrictions that their states may have put in place. Certain states have imposed additional restrictions on the use of dicamba products and regulatory changes are taking place throughout the growing season. For instance, some states have imposed requirements via a state level mitigation or restriction. Check with state agencies prior to applying dicamba products, as the requirements regarding use this year are fluid and may have state-specific elements.

DISCLAIMER

This Compliance Advisory explains select provisions of EPA regulatory requirements using plain language. Nothing in this Compliance Advisory is meant to replace or revise any EPA regulatory provisions of any other part of the Code of Federal Regulations, the Federal Register, or the Federal Insecticide, Fungicide and Rodenticide Act. For up-to-date information about dicamba uses in your area, contact your state Department of Agriculture or your state Pesticide Regulatory Agency. For more information on agricultural pesticides and compliance, visit: https://www.epa.gov/agriculture. For more information on enforcement, visit: https://www.epa.gov/enforcement.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2017 8:05:15 PM
To: Megan McDonald [Megan@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Barb Glenn [barb@nasda.org]
Subject: Re: Invite to Speak at NASDA's 2017 Annual Meeting

Keep us posted on future opportunities!

Sent from my iPhone

On Aug 8, 2017, at 2:57 PM, Megan McDonald <Megan@nasda.org> wrote:

> Tate, thanks so much for the quick response. We certainly understand he has a busy schedule. Perhaps he can join us at a future NASDA meeting.
>
> Megan
>
> **Megan McDonald**
> Director, Meetings and Events & Executive Assistant to the CEO
> **National Association of State Departments of Agriculture**
> (202) 296-9680 office
> Ex. 6 direct
> www.nasda.org
> tradeshows.nasda.org
> megan@nasda.org
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Tuesday, August 08, 2017 3:55 PM
> **To:** Megan McDonald <Megan@nasda.org>
> **Cc:** Nathan Bowen <Nathan@nasda.org>; Dudley Hoskins <Dudley@nasda.org>; Barb Glenn <barb@nasda.org>
> **Subject:** Re: Invite to Speak at NASDA's 2017 Annual Meeting
>
> Unfortunately he will not be able to attend.
>
> Sent from my iPhone
>
> On Aug 8, 2017, at 2:48 PM, Megan McDonald <Megan@nasda.org> wrote:
>
>> Hi Tate,
>>
>> I wanted to follow up on Administrator Pruitt's invitation to speak our Annual Meeting in New Orleans on September 14. Will you please let us know if his schedule allows him to speak at our meeting?
>>
>> Thanks so much for any information you can provide.
>>
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>> **Megan McDonald**

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www.nasda.org
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megan@nasda.org

From: Barb Glenn
Sent: Wednesday, July 19, 2017 11:11 AM
To: bennett.tate@epa.gov
Cc: Megan McDonald <Megan@nasda.org>; Nathan Bowen <Nathan@nasda.org>; Dudley Hoskins <Dudley@nasda.org>
Subject: Invite to Speak at NASDA's 2017 Annual Meeting
Importance: High

Administrator Pruitt,

It would be our honor to have you speak at NASDA's upcoming annual meeting in New Orleans. Please see the attached invitation for more details

We look forward to hearing from you.

Regards,

Barb

Barbara P. Glenn, Ph.D.
Chief Executive Officer
National Association of State Departments of Agriculture
4350 Fairfax Drive Suite 910 Arlington, VA 22203
(202) 296-9680
Barb@nasda.org
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Sent: 8/8/2017 7:55:07 PM
To: Megan McDonald [Megan@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Barb Glenn [barb@nasda.org]
Subject: Re: Invite to Speak at NASDA's 2017 Annual Meeting

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Sent: 8/10/2018 6:13:07 PM
To: aline@nasda.org
Subject: Chlorpyrifos
Attachments: USDA requests another SAP for HHRA for chlorpyrifos.pdf; ATT00001.htm

FYI This is what we have sent reporters.

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science." – EPA Spokesperson Michael Abboud

On background:

The Columbia Center study has been widely-used as support for a ban, despite divergentscientific views among EPA scientific review panels and the **Obama Administration's USDA** questioning the study and its data:

· 2016 EPA Scientific Advisory Panel: "Some Panel members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced."

·

· 2017 **Obama Administration** USDA letter: "USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision …"

EPA LINK: https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data

USDA letter attached.

United States Department of Agriculture

January 17, 2017

Jack E. Housenger, Director
Office of Pesticide Programs (7501P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Mr. Housenger,

USDA appreciates the opportunity to comment on EPA's proposal to revoke chlorpyrifos tolerances, and in particular the new underlying risk assessment that was announced on November 17, 2016 ("Chlorpyrifos; Tolerance Revocations; Notice of Data Availability and Request for Comment," 81 FR 81049, Docket ID EPA-HQ-OPP-2015-0653). As you know, EPA is proposing this action in response to a petition to revoke chlorpyrifos tolerances submitted by the Natural Resources Defense Council and Pesticide Action Network North America in 2007.

USDA has both grave concerns about the EPA process that has led to the Agency publishing three wildly different human health risk assessments for chlorpyrifos within two years, and severe doubts about the validity of the scientific conclusions underpinning EPA's latest chlorpyrifos risk assessment. Even though use of the Columbia Center for Children's Environmental Health (CCCEH) study to derive a point of departure was criticized by the FIFRA Scientific Advisory Panel, EPA continues to rely on this study and has now paired it with an inadequate dose reconstruction approach.

In light of these developments, USDA calls on EPA to deny the NRDC/PANNA petition to revoke chlorpyrifos tolerances. This would allow EPA to ensure the validity of its scientific approach as part of the ongoing registration review process, without the excessive pressure caused by arbitrary, litigation-related deadlines.

Our detailed comments on the latest chlorpyrifos risk assessment follow. We look forward to continuing to work with EPA to ensure that pesticides remain both safe to the public and available to U.S. farmers. Please do not hesitate to contact me if you have any further questions.

Sincerely,

Sheryl H. Kunickis

Sheryl H. Kunickis, Ph.D.
Director

Office of Pest Management Policy
1400 Independence Avenue SW
Washington, D.C. 20250-0314
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January 17, 2017

USDA Comments on the Risk Assessment Underlying the Reopened Proposed Rule "Chlorpyrifos; Tolerance Revocations; Notice of Data Availability and Request for Comment" (Docket ID EPA-HQ-OPP-2015-0653)

Science is the backbone of the EPA's decision-making. The Agency's ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which it relies. The environmental policies, decisions, guidance, and regulations that impact the lives of all Americans every day must be grounded, at a most fundamental level, in sound, high quality science.

– Excerpt from *Scientific Integrity Policy*, U.S. Environmental Protection Agency

Introduction

The "Revised Human Health Risk Assessment for Registration Review" dated November 3, 2016, is the third human health risk assessment for chlorpyrifos that EPA has released, and that USDA has reviewed and commented on, within the past two years. Typically, three risk assessments for the same hazard published so close together represent successive attempts at improvement and refinement, with the goal of reducing uncertainty and improving the reliability of the results. However, EPA's three risk assessments resemble more of a scattershot approach, with the agency switching between different health outcomes and points of departure, and adopting widely varying dose measurement and reconstruction approaches.

In its latest assessment, EPA has stopped using the dose data from the Columbia Center for Children's Environmental Health (CCCEH) study it had endorsed in its previous risk assessment just eight months earlier, and instead has chosen to rely on a dose-reconstruction approach to identify a point of departure. This dose reconstruction approach supposedly estimates the amount of chlorpyrifos to which women in the CCCEH cohort might have been exposed in their homes around the turn of the century. It is not based on any empirical data, but rather on conversations EPA had with "several" pesticide applicators in 2016 in which they "recalled" what the "predominant" use of chlorpyrifos "in New York City apartment buildings" was 15-20 years earlier. Without any actual data as to use of chlorpyrifos in the cohort members' apartment buildings, let alone their individual apartments, EPA is merely *guessing* that the women in the CCCEH cohort were exposed to one crack-and-crevice application of chlorpyrifos per month.

These exposure guesses are then linked to adverse health outcomes that EPA's own Scientific Advisory Panel (SAP) has questioned as being either statistical artifacts or not caused by chlorpyrifos exposure. In addition, the latest risk assessment is still based on just the single, not replicated, and unconfirmed CCCEH study. Many weaknesses inherent in the study have been identified by the SAP and others, which undermine its suitability for determining a point of departure. These weaknesses remain unaddressed in EPA's latest risk assessment. This cannot be the type of "sound, high quality science" the writers of EPA's Scientific Integrity Policy envisioned as the "backbone of the EPA's decision-making." USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere *guess* as to dose levels, and the result is being used to underpin a regulatory decision about a pesticide chemical that is vital to U.S. agriculture, and whose removal from market would have a major economic impact on growers and consumers.

Our more detailed comments follow, and are divided into two sections, substantive and procedural. USDA requests a response that addresses our comments both comprehensively, and on a paragraph-by-paragraph basis.

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Substantive Concerns

Over the past two years, USDA has observed EPA's chlorpyrifos risk assessments transition from a more traditional, incremental approach based on combining a point of departure from a well-established health outcome (10 % red blood cell acetylcholinesterase inhibition, or 10 % RBC AChEI) with retention of a 10X FQPA safety factor based on some new epidemiological observations, to a completely novel, even radical, approach of basing the entire risk assessment, and through it the regulatory and economic future of this major agricultural chemical, on a single limited and problematic epidemiological study.

Throughout the latest risk assessment and the accompanying notice in the Federal Register, EPA gives the impression that the Agency has addressed concerns voiced by the April 2016 SAP and is following the SAP's recommendations. For example, in the Federal Register Notice published on November 17, 2016, which announced the availability of the latest risk assessment, EPA claimed that it "modif[ied] the methods and risk assessment . . . in accordance with the advice of the SAP" (81 FR 81050). The SAP exists to provide independent scientific advice to the Agency; as such the SAP's findings are particularly important when they disagree with an approach taken by EPA. Even though SAP reports are not legally binding on the Agency, USDA strongly encourages EPA to thoroughly consider the advice received from the SAP. An objective, comprehensive review of the meeting minutes of the SAP's April meeting, published July 20, 2016, simply does not lead to the conclusion that SAP concerns have been addressed. Instead, the latest risk assessment raises additional and more acute concerns about the viability of EPA's risk assessment approach and the reliability of its findings.

EPA's latest risk assessment rests on three central conclusions. USDA disagrees with all three.

1. **EPA concludes that studies show an actual effect on working memory among children in the CCCEH cohort**

In order for a study to be meaningful for deriving a point of departure, it must detect an actual health effect. EPA has chosen a 2 % change in working memory, measured at age 7 and discussed in the Rauh et al. (2011) study of the CCCEH cohort, as the critical effect for its last two risk assessments, the first of which was reviewed by the SAP in April. There was considerable disagreement among SAP members as to whether this 2 % change is even significant or anything more than a statistical artifact:

- "The [SAP] was conflicted with respect to the importance of a 2% change in working memory."
- "Some members considered a 2% change in working memory (less than one standard deviation in the distribution of scores in the general population) to be of questionable biological significance."
- "By definition, the [standard deviation] for an essentially unexposed population is really 15%. A 2% reduction seems to be a particularly low threshold for concluding 'abnormal.'"

Quotes from FIFRA SAP meeting minutes on chlorpyrifos (July 20, 2016)

If the Rauh et al. study failed to detect a true health effect, any further discussion on the use of this study to derive a point of departure would be moot. USDA does not deny that some SAP members did argue that a 2% change in working memory is a significant health effect. Rather than taking a position as to whether the observed 2 % decrement in working memory is "real" or "significant," USDA merely wishes to highlight the considerable disagreement within the EPA SAP as to this very basic question. If the experts convened by EPA cannot even agree that a health effect (let alone an *adverse* health effect) was observed, this severely weakens the study's suitability as the sole quantitative foundation of a major, economically significant risk assessment. Equally concerning is EPA's failure to address in its most recent risk assessment the questions raised by the SAP.

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2. EPA concludes that the 2 % change in working memory was caused by prenatal exposure to chlorpyrifos

Establishing causality between the exposure of interest (in this case, prenatal chlorpyrifos exposure) and the observed health effect (in this case, a 2 % change in working memory measured at age 7) is a crucial prerequisite to using the CCCEH cohort data in quantitative risk assessment. EPA's latest risk assessment does nothing to address the April 2016 SAP's strongly-worded concerns regarding the lack of established causality. If anything, EPA's Federal Register Notice accompanying the risk assessment further obfuscates the SAP's conclusions. It states that "generally, however, the FIFRA SAP agreed with the overall conclusion of the CCCEH study, i.e. the *association* between prenatal chlorpyrifos exposure and neurodevelopmental outcomes in children" (81 FR 81050; emphasis added). Whether or not chlorpyrifos exposure is *associated* with the change in working memory is not the issue here; an association between chlorpyrifos exposure and change in working memory could be the result of a confounding factor or a multiple comparisons problem, and thus be meaningless for risk assessment.

Rather than association, the relevance of the CCCEH study depends on whether chlorpyrifos *caused* the change in working memory. The SAP emphatically commented on question of causality (emphases added):

- "The assumption that the impaired working memory and lower IQ measures observed [in the CCCEH study] are caused primarily by a single insecticide (chlorpyrifos) and predicted by the blood levels at time of delivery <u>is not supported by the scientific weight of evidence</u>."
- "Some members of the [SAP] were also concerned about the lack of knowledge of the sensitive window(s) of exposure during pregnancy that would lead to neurodevelopmental outcomes. Without accurate knowledge that exposure occurred during a sensitive window, <u>it is impossible to derive causation</u>."
- "Without any evidence in the animal literature or elsewhere of a mechanism of action that could explain how pg/g levels in blood could impair IQ and/or working memory, <u>there does not appear to be biological plausibility</u>. This is a significant uncertainty." (Biological plausibility is a crucial element for establishing causality.)
- "The [SAP] is not aware of any scientific evidence where pg/g levels in the blood would lead to deleterious neurotoxicological effects in a mammalian system. This lack of data could indicate a lack of biological plausibility."

The majority of the SAP members drew the correct logical conclusion from the absence of indicated causality, namely that use of the CCCEH study in a highly impactful risk assessment is "premature and possibly inappropriate." This is a necessary conclusion EPA refuses to draw, by continuing to rely on the CCCEH study in its latest risk assessment. Even more worrisome is EPA's willingness to portray its latest risk assessment as responsive to the SAP concerns, when in reality it is extremely difficult to see how any continued use of the CCCEH study as a basis for a point of departure is consistent with the SAP conclusions. The larger passage from the SAP minutes reads as follows (emphases added):

- "The majority of the [SAP] considers the Agency's use of the results from a single longitudinal study to make a decision with immense ramifications based on the use of cord blood measures of chlorpyrifos as a [point of departure] for risk assessment as <u>premature and possibly inappropriate</u>. The basis for this <u>majority view</u> includes: 1) an inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection . . . [and] 5) <u>lack of biological plausibility</u> for how low cord blood (low parts per trillion) concentrations of chlorpyrifos can alter working memory and produce neurodevelopmental impairment."

- "Some Panel members stated that the reliance on single cord blood measurements from only one study (i.e. the CCCEH study) as a primary basis for a highly impactful regulatory decision goes against standard practices of science in the field of toxicology and pharmacology."

EPA argues that it addressed SAP concerns about the cord blood data by no longer using them in its latest risk assessment, having replaced them with the dose reconstruction approach. In doing so, EPA misreads the SAP's concerns. While the SAP did criticize EPA for using a single measurement of cord blood, rather than deriving a time-weighted average, the SAP's fundamental disagreement centered on the fact that the risk assessment was based on just a single study with insufficient evidence of causality between exposure and effect. It is not the cord blood data per se that are the problem, and replacing them with a time-weighted average not based on any relevant exposure data does not improve the risk assessment. Rather, it is EPA's "inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection," as well as the "lack of biological plausibility" that render the CCCEH study unusable. These criticisms are equally valid whether EPA uses the CCCEH cord blood data or a time-weighted average based on the reconstructed dose data.

EPA's reconstructed doses are not based on any additional exposure data collected from the CCCEH cohort, nor do they help overcome the fundamental lack of biological plausibility and thereby causality. In fact, the SAP criticized the use in the risk assessment of not only the dose data (cord blood measurements), but also of the observed outcome data (change in working memory):

- "It was the Panel's conclusion that the Agency provided insufficient justification for using cord blood chlorpyrifos levels and associated neurobehavioral health outcomes to derive a [point of departure]" (emphasis added).

In the end, the fatal flaw of EPA's use of the CCCEH study is that there is insufficient evidence of causality underlying the observed association involving chlorpyrifos. The problems with the chlorpyrifos cord blood data identified by the SAP cannot be isolated from the CCCEH study as a whole. Instead, the entire study, including the cord blood data, is problematic because it fails to indicate a causal relationship between chlorpyrifos and the health effect. Replacing the cord blood data with a different (and arguably inferior) set of reconstructed dose data, as EPA did in its latest risk assessment, does nothing to improve the quality or reliability of the risk assessment, and introduces new and greater uncertainty rather than decreasing it.

The SAP meeting minutes also restated many other concerns about the CCCEH study that have been previously identified by USDA and others, and that continue to be relevant as long as EPA attempts to use the CCCEH study to derive a point of departure. These include the potential presence of numerous confounding factors that further weaken any claim of causality between chlorpyrifos exposure and the change in working memory, the lack of access by EPA or the public to the raw study data, and questions surrounding the analytical methods used to detect the very low (picogram per gram) levels of chlorpyrifos in the cord blood.

- On confounding factors: "In addition to the air sampling study and the cord blood sampling study indicating exposure of the [CCCEH] study cohort to various pesticides, the cohort was additionally exposed to multiple contaminants including PAHs, tobacco smoke, piperonyl butoxide, and phthalates. . . . The fact that the pregnant mothers were exposed to a complex mixture of chemicals, many of which induce deleterious effects on the same neurobehavioral parameters that chlorpyrifos is reported to affect, increases the level of uncertainty for using measurements of chlorpyrifos alone as the basis for the risk assessment . . . . [T]he environment where the exposure occurred contained multiple organophosphate insecticides and multiple carbamate insecticides . . . . Thus, there was the opportunity for the pregnant mothers to be simultaneously exposed to multiple cholinesterase inhibiting chemicals. Following exposure to such a mixture, it would be biologically impossible to separate the independent effects of each

chemical on a neurochemical or behavioral outcome regardless of the statistical model used" (emphasis added).

- On raw data availability: "Finally, some [SAP] members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced."
- On the analytical method: "A major source of uncertainty for the [SAP] was the lack of verification and replication of the analytical chemistry results that reported very low levels of chlorpyrifos (pg/g). Imputing quantitative values when the concentration of analyte falls below the level of detection (LOD) was a particular concern, especially given that a large fraction of cord blood samples included in the analyses presented with levels below LOD."

3. EPA uses reconstructed dose estimates that are not based on any empirical data or any actual knowledge of the exposure experienced by members of the CCCEH cohort

EPA used its 2012 Residential SOPs, which are typically used to estimate exposure to a pesticide for the general population, to estimate the doses experienced by the CCCEH cohort. Exposure models, such as the Residential SOPs, are designed to produce conservative exposure estimates that are then compared to experimental dose data derived from animal or human studies. In other words, a study typically supplies actual dose values linked to actual response data, which can then be compared to modeled exposure estimates to determine whether a response is expected in the modeled population.

Dose reconstruction is usually based on an internal dose (biomarker) measurement as a starting point and uses reverse dosimetry to arrive at a corresponding external dose. In this case, EPA has no usable internal dose data, and instead is using exposure models to estimate both the doses received by the individuals in the study, as well as the exposure experienced by the general population. The problem is that there is no cause-and-effect link between the dose estimates provided by the exposure model (Residential SOPs) and the change in working memory observed in the CCCEH study. Any exposure model can produce a huge range of exposure estimates due to both population variability and uncertainty. In this case, the uncertainty around any modeled dose estimate is expected to be massive, since EPA has no way of knowing when, how often, and at what levels chlorpyrifos was applied in the CCCEH cohort members' apartments, nor does EPA know the duration and intensity of exposure experienced by study participants post-application. Did they apply chlorpyrifos themselves and did they do so instead of or in addition to professional applications? How long did they spend in the apartment post-application? Were the windows open or closed? When did they shower? Were they also exposed elsewhere, for example at work?

The wide range of exposure estimates and the vast uncertainty associated with any estimate makes it impossible to identify an actual dose estimate that is linked to the rather small change in working memory observed in the CCCEH study. The fact that EPA's response to the SAP report – which highlighted in a negative way the "inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection" and the "the lack of knowledge of the sensitive window(s) of exposure during pregnancy" – was to derive dose reconstruction estimates based on absolutely no data related to the cohort members' timing of exposure or sensitive windows, indicates a misunderstanding of the SAP's concerns. The SAP went on to criticize reliance on the CCCEH study, because the data showed "a lack of a clear dose-response relationship and evidence of temporality (i.e., two key concepts in pharmacology and toxicology)." Abandoning the CCCEH cord blood exposure data in favor of EPA's dose reconstruction estimates, which are completely devoid of actual connection to the CCCEH cohort, exacerbates this SAP concern instead of mitigating it.

In addition, EPA is using an inappropriately high level of conservatism in its dose-reconstruction effort given that its stated goal is to derive a lowest observed adverse effect level (LOAEL) dose. In the latest risk assessment, EPA references an earlier dose reconstruction that was part of the 2014 Revised Human

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Health Risk Assessment (2014 HHRA). The goal of the 2014 HHRA exercise was to estimate an "upper limit, bounding level exposure" and as a result it contained very conservative assumptions with regards to exposure duration and bathing frequency. By contrast, EPA states that the purpose of the dose reconstruction in its latest risk assessment is to predict "typical" product usage and behaviors, and therefore the assumptions are essentially realistic or even tend to underestimate exposure (e.g., daily shower taking place immediately after application; exposure duration of only 2 hours/day). However, EPA should be estimating upper limit exposures if its goal is to derive a LOAEL dose. Assuming for a moment that the CCCEH study did observe an actual association between chlorpyrifos exposure and change in working memory, only the most highly exposed cohort members would have experienced this adverse effect. Most cohort members were exposed to comparatively lower levels of chlorpyrifos, which did not cause a change in working memory. Therefore, exposure resulting from "typical" product usage and behaviors should not be expected to cause a response, and if used at all should be considered a no observed adverse effect level (NOAEL) dose, not a LOAEL dose. Instead, upper limit exposures, representing the most highly exposed individuals within the CCCEH cohort, would have been the only doses to be potentially associated with an adverse effect.

Taking a step back, USDA wishes to highlight a logical flaw in EPA's reasoning. In its dose reconstruction, EPA considered the exposure from the monthly residential crack-and-crevice application to be the only contributor to the chlorpyrifos doses experienced by the CCCEH cohort. In other words, EPA is assuming that the crack-and-crevice application, and only the crack-and-crevice application, is causing any adverse effects potentially observed in the CCCEH study cohort, such as a change in working memory. By implication, this indicates that the Agency considers any dietary (food or drinking water) exposure to chlorpyrifos among the CCCEH cohort to be negligible. As EPA points out in its latest risk assessment, all residential uses of chlorpyrifos were cancelled in 2000, meaning that today the only relevant exposures for the general population are food and drinking water exposures. There is no reason to believe that the population today is exposed to significantly higher levels of chlorpyrifos in the diet than the CCCEH cohort was. How then is it possible that food and drinking water exposures were not even considered in the CCCEH cohort dose reconstruction, but EPA now claims that food exposure *alone* causes some individuals to exceed the acceptable level of chlorpyrifos exposure by as much as 140 times?

Conclusion for Substantive Concerns

EPA's latest risk assessment depends on three conclusions related to the existence of a health effect, causality, and the dose-reconstruction approach. For EPA's assessment to be meaningful, all three conclusions would have to be well-supported by the evidence and logically coherent. Instead, they range from questionable to unsupported by the evidence to incorrect. As a result, the latest risk assessment fails to show either a causal or a dose-response relationship between chlorpyrifos exposure and a change in working memory among the CCCEH cohort, even though causality and the existence of a dose-response relationship are two fundamental pillars of regulatory toxicology and risk assessment. USDA concludes by asking whether, before November 2016, EPA has ever derived a point of departure for pesticide risk assessment based on a single study which the Agency has concluded does not contain *any* usable dose data.

Procedural Concerns

USDA strongly urges EPA to abandon use of the CCCEH study to set a point of departure for chlorpyrifos and to return to using AChEI as the critical effect. If EPA chooses to continue to use the CCCEH study, EPA's latest risk assessment should be re-submitted to the SAP for review. USDA finds this to be absolutely crucial for maintaining public confidence in the pesticide regulatory process. Compared to the March 2016 risk assessment that the SAP reviewed, the latest risk assessment is even

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00077278-00007

further beyond the "mainstream" of pesticide risk assessment. Mostly, this is due to the dose reconstruction approach that, to USDA's knowledge, has never been externally reviewed. In addition, the fact that the latest risk assessment continues to be based on the CCCEH study clearly weighs in favor of allowing the SAP to review again, in order to determine whether its earlier criticisms of the CCCEH study have been addressed or mitigated.

USDA notes that according to EPA's Peer Review Policy, "external peer review is the approach of choice" for influential scientific information intended to support important decisions. Influential scientific information in turn is characterized, inter alia, by its establishment of a significant precedent, model, or methodology; its material adverse effect on the economy or a sector of the economy; its addressing of significant controversial issues; its significant interagency implications; and its consideration of an "innovative" approach for a previously defined problem (EPA Peer Review Handbook, 4th Ed.). In USDA's opinion, all of these factors are present in EPA's latest chlorpyrifos risk assessment, indicating that an external peer review of the document is warranted. USDA commends EPA for having consulted the SAP three times already on the subject of chlorpyrifos. However, this latest hybrid approach is more than just a refinement or an implementation of previous SAP recommendations. A completely new risk assessment approach is being considered which will have a wide impact on the evaluation chlorpyrifos, as well as other pesticides in the future. USDA strongly urges EPA to present this latest risk assessment to the SAP. Before doing so, EPA should thoughtfully consider and publicly respond to all public comments received on the subject of chlorpyrifos since the 2014 Revised Human Health Risk Assessment was published. This will allow the public to provide an informed opinion at the next SAP meeting, and it will help the SAP in fully understanding the breadth of risk assessment approaches considered by the Agency.

USDA is aware that EPA is under a court-ordered deadline to fully respond to the PANNA/NRDC petition (by issuing a final rule, if necessary) by March 31, 2017. However, USDA strongly feels that EPA should take the necessary time to fully address the SAP concerns and to develop a robust risk assessment. To that end, USDA requests that EPA issue an order denying the petition to revoke chlorpyrifos tolerances and cancel uses. This would allow the Agency to continue its evaluation of chlorpyrifos as part of the ongoing pesticide review process and free from undue litigation-induced pressure, and would not preclude the Agency from taking mitigation action in the future if neurodevelopmental effects related to chlorpyrifos are identified and confirmed.

Sierra Club v. EPA 18cv3472 NDCA Tier 3/4 ED_002061_00077278-00008

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/9/2017 2:33:13 PM
To: Don Parrish [donp@fb.org]
Subject: Re: RE:

No idea

Sent from my iPhone

On Aug 9, 2017, at 9:31 AM, Don Parrish <donp@fb.org> wrote:

> Thanks – when will Lee return?
>
> *Don R Parrish*
> *American Farm Bureau Federation®*
> Ex. 6
> *donp@fb.org*
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Wednesday, August 09, 2017 10:28 AM
> **To:** Don Parrish
> **Subject:** Re:
>
> Brown.byron@epa.gov
>
> Sent from my iPhone
>
> On Aug 9, 2017, at 9:20 AM, Don Parrish <donp@fb.org> wrote:
>
>> Can you send me Bryon Browns' contact info?
>> thanks
>>
>> *Don R Parrish*
>> *American Farm Bureau Federation®*
>> Ex. 6
>> *donp@fb.org*

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/26/2017 3:35:26 PM
To: Barb Glenn [barb@nasda.org]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: Re: PRUITT CONTINUES STATE ACTION TOUR IN SC

Agreed!

Sent from my iPhone

On Jul 24, 2017, at 5:46 PM, Barb Glenn <barb@nasda.org> wrote:

> Thank you Preston. Great to see Administrator Pruitt in SC and especially with Commissioner Weathers.
>
> Regards,
>
> Barb
>
> Barbara P. Glenn, Ph.D.
> CEO
> National Association of State Departments of Agriculture
>
> Sent from my iPhone
>
> On Jul 24, 2017, at 3:28 PM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:
>
> > All,
> >
> > In case you missed it, more on Administrator Pruitt's WOTUS tour. Please let me know if you have any questions!
> >
> > Regards,
> >
> > Preston Cory
> >
> > **K. Preston Cory**
> > Special Assistant
> > Office of the Administrator, Congressional and Intergovernmental Affairs
> > U.S. Environmental Protection Agency
> > O: (202) 564-1747
> > C: Ex. 6
> >
> > **From:** "EPA Press Office" <press@epa.gov>
> > **Date:** July 24, 2017 at 2:55:37 PM EDT
> > **To:** "hewitt.james@epa.gov" <hewitt.james@epa.gov>

Subject: PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SC
Reply-To: press@epa.gov

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. – (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today following visits to Utah, Minnesota and Arkansas last week. The visit highlights the administrator's recent decision to begin the process to redefine the "Waters of the United States" (WOTUS) rule to help return power back to the states and provide regulatory certainty to farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsey Graham, U.S. Congressman Jo Wilson, South Carolina Attorney General Alan Wilson, and South Carolina Commissione of Agriculture Hugh Weathers, at a local sod farm for a roundtable with agricultural ar business leaders.

"The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little promote environmental stewardship," **said EPA Administrator Scott Pruitt**. "By beginning the process to redefine WOTUS, we are providing regulatory certainty for South Carolinians while working together with the state to keep our waters clean."

"We are very appreciative of EPA Administrator Pruitt taking time to visit South Caroli and underscore the negative impact of the Obama Administration's WOTUS regulation, **said U.S. Senator Graham**. "This Obama regulation greatly expanded the power of th federal government at the expense of our farmers and local development. I opposed this misguided proposal from the start. It failed the common sense test and has prove to be government overreach at its worst. I appreciate Administrator Pruitt and President Trump for making clear that government overregulation like WOTUS will be reviewed and reformed."

"Today's visit showed firsthand the real impact overreaching regulations can have on individuals, families, and businesses. I appreciate the leadership of President Donald Trump and EPA Administrator Scott Pruitt for their commitment to scaling back the ro of the federal government, promoting limited government and expanded freedom,"

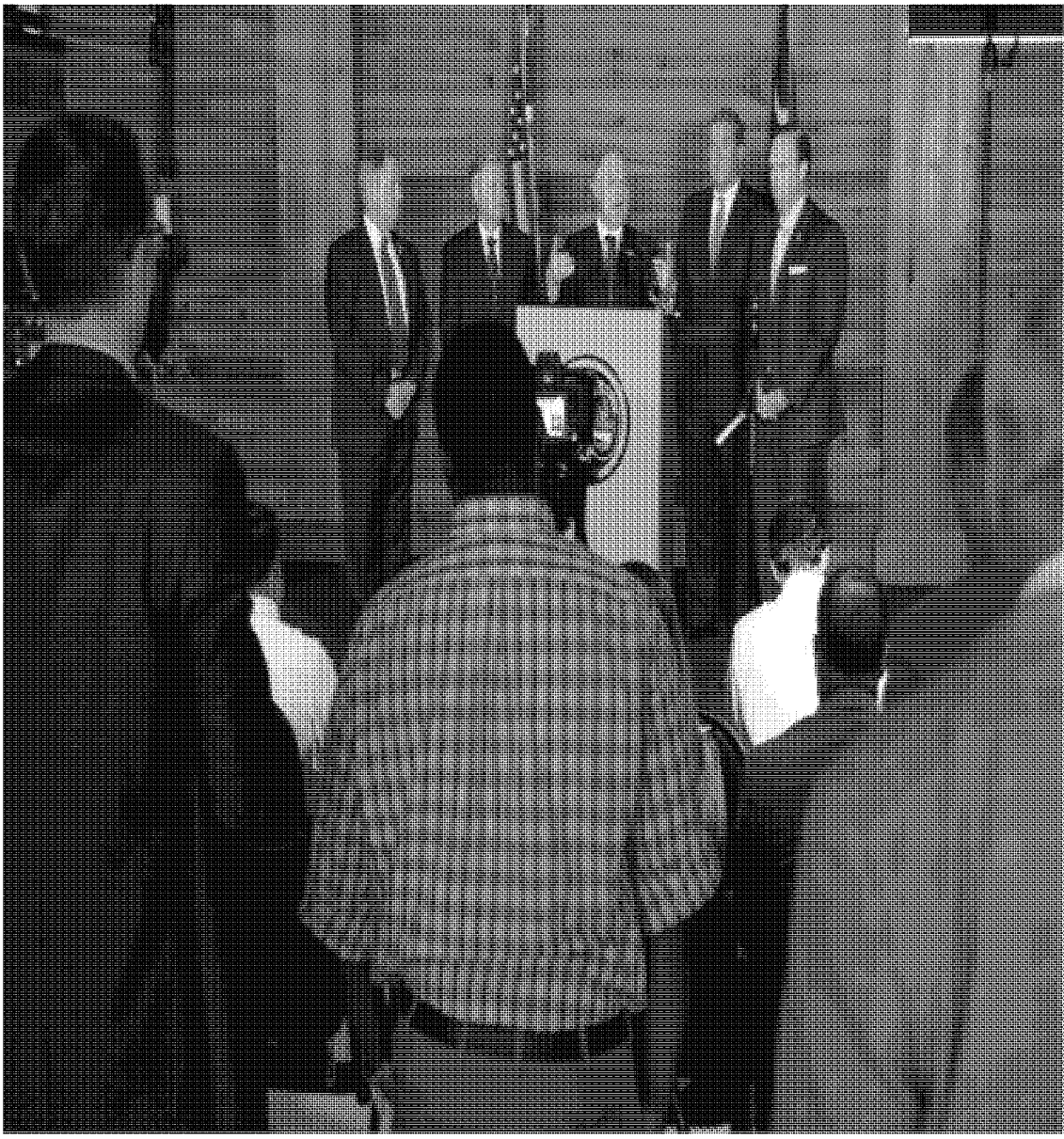
U.S. Congressman Joe Wilson said. “I am grateful to Administrator Pruitt for visiting South Carolina today and hearing from local agriculture and business leaders, especial South Carolina Commissioner of Agriculture Hugh Weathers and my longtime friend Jim Roquemore.”

"For several years, I, along with Scott Pruitt and 24 other states, have been fighting th unconstitutional land grab by the federal government" **said South Carolina Attorney General Alan Wilson**. "I now look forward to working with Administrator Pruitt on this new proposal to protect the rights of South Carolina landowners."

"I am pleased Administrator Pruitt came to South Carolina to hear first-hand about the negative impacts the 2015 WOTUS rule would have on our state," **said South Carolina Commissioner of Agriculture Hugh Weathers**. "As our state's largest industry, agriculture is focused on having this overburdensome rule rescinded, so farmers can operate without additional uncertainties and costly regulations."

From left: South Carolina Attorney General Alan Wilson, South Carolina Commissioner of Agricultur
Hugh Weathers. U.S. EPA Administrator Scott Pruitt, U.S. Senator Lindsey Graham, and U.S.
Congressman Joe Wilson

U.S. EPA Administrator Scott Pruitt discusses WOTUS with roundtable attendees.



U.S. EPA Administrator Scott Pruitt takes questions from the press

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/28/2017 11:33:14 PM
To: Dudley Hoskins [Dudley@nasda.org]; Keigwin, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=151baabb6a2246a3a312f12a706c0a05-Richard P Keigwin Jr]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: RE: State Dicamba Workgroup?

Adding Nancy. Defer to her and Rick as I've also been traveling for work all week.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, July 28, 2017 6:04 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: State Dicamba Workgroup?

We had a few inquiries from some of our members asking if EPA was pulling together an EPA-State Dicamba Workgroup.

I have been Ex. 6 and behind on email by wanted to reach out to see if this is something that is in the works?

Many thanks in advance for any insights you can share at this time.

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/22/2018 10:16:06 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Monday

On a flight from 7-12

> On Jun 22, 2018, at 5:59 PM, Paul Schlegel <pauls@fb.org> wrote:
>
> Will u b around?
>
> Sent from my iPhone

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 8/1/2017 1:10:14 PM
To: donp@fb.org

I need to run something by you anyways.

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/1/2017 12:55:38 PM
To: Don Parrish [donp@fb.org]
Subject: Re: RE:

Call me when you're done.

Sent from my iPhone

On Aug 1, 2017, at 8:17 AM, Don Parrish <donp@fb.org> wrote:

> **I have a meeting at EPA office of water at 9:00 and a conference call at 11:00 – otherwise my schedule is open…**
>
> **Important to note.**
>
> **COURT REVIVES EPA METHANE RULE, AGAIN:** The full D.C. Circuit Court of Appeals on Monday ordered EPA to resume enforcing its methane rule for new oil and gas wells, a potentially temporary but important loss for EPA Administrator Scott Pruitt's deregulatory agenda. A three judge panel reversed Pruitt's stay, but gave EPA time to appeal. The agency hasn't done so, but industry groups have. The court's order was issued by a 9-2 vote. Judges Janice Rogers Brown, who will retire from the court effective Aug. 31, and Brett Kavanaugh voted against reinstating the rule immediately. More here.
>
> **For those keeping track at home:** EPA's methane rule has been on, off, on again, off again, and now back on again. Plus, it's likely to be off again within a couple months, once Pruitt's proposed two-year hold is finalized — and then possibly back on following a new judicial review.
>
> *Don R Parrish*
> *American Farm Bureau Federation®*
> Ex. 6
> *donp@fb.org*
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, July 31, 2017 6:29 PM
> **To:** Don Parrish
> **Subject:**
>
> Touch base soon?
>
> Elizabeth Tate Bennett
> Senior Deputy Associate Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/19/2017 5:35:49 PM
To: Don Parrish [donp@fb.org]
Subject: Re: Haven't forgotten you!

Can I call at 8

Sent from my iPhone

> On Jul 19, 2017, at 12:30 PM, Don Parrish <donp@fb.org> wrote:
>
> I have a lunch. No worries.
>
> Don
>
> Sent from my iPhone
>
>> On Jul 19, 2017, at 12:40 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>>
>>
>> Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/8/2017 5:33:49 PM
To: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Subject: Re: Pesticides on tobacco

Response below:

Attached is a link to some information on the EPA website that discusses minimum risk pesticides: https://www.epa.gov/minimum-risk-pesticides. Note that pesticides meeting the conditions discussed on the website are exempt from federal registration under the Federal Insecticide, Fungicide, and Rodenticide Act. Individual states may still require registration of these products under state pesticide laws. Because these products are exempt from federal registration, EPA does not have a list of products in commerce that meet these criteria. The Maryland Department of Agriculture, however, would likely know which products meeting the minimum risk criteria can be sold and used in the state of Maryland.

On Jul 7, 2017, at 3:54 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

That works perfectly. Do you think it's possible to get it early next week?

CHANGING Maryland *for the Better*

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jul 7, 2017 at 3:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
I'll try and get back to you next week? Does that work?

On Jul 7, 2017, at 3:51 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Hi, Tate:

I just tried to give you a call, but you voicemail was full and I was unable to leave a message. Anyway, I hope you're having a nice week! I was wondering if you would be able to provide me with a definition "minimum risk" pesticide as well as the EPA's list of minimum risk pesticides. Also, can "minimum risk" pesticides be used on food crops?

Thank you in advance for your assistance. I really appreciate your help.

Please feel free to give me a call if you have any questions.

Thanks,

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Wed, Jul 5, 2017 at 12:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Team effort!

On Jul 5, 2017, at 12:31 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Thank you so much for getting me this information on Friday. I really appreciate it.

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jun 30, 2017 at 2:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Cassie-

Thanks to Rick, the attached file lists every federally-registered product that can be used on tobacco at some stage in its production, including those uses where tobacco might be treated post-harvest while it is in storage.

Please note that this list should not be used as a substitute for a pesticide user to consult the label for specific directions on how to use the product. Not all of these products will necessarily be available for use in the State of Maryland. EPA does not maintain information regarding which products are registered in which states. The state lead agency for pesticide regulation would be the best source for that information.

Hope this helps.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/30/2017 3:51:43 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: RE: NASDA Contacts: IA, WI and ND

Yes! Thank you.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, June 30, 2017 11:49 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: NASDA Contacts: IA, WI and ND

Tate – thanks again for the call this morning.

Per our conversation, I wanted to share the following contacts:

- IA: **Mike Naig, Deputy Secretary**:
  - Email: michael.naig@iowaagriculture.gov
  - Phone: Ex. 6
- WI: **Matt Tompach, Federal Policy Liaison**:
  - Email: Matthew.Tompach@Wisconsin.gov
  - Phone: Ex. 6
- ND: **Jessie Pfaff, Policy Analyst:**
  - Email: jkpfaff@nd.gov
  - Phone: Ex. 6
- ND: **Jody Reinke, Assistant to the Commissioner:**
  - Email: jodyreinke@nd.gov
  - Phone: Ex. 6

Britt is our lead on WOTUS, but she is on travel right now. I am cc'ing her as an FYI on this outreach and will coordinate with her internally on any follow-ups you all need while she is out of pocket.

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/30/2017 2:51:35 PM
To: apiper@ruleoflawdefensefund.org

Don't have my cell but can you call Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/30/2017 1:47:25 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Alabama

From: Brooks, Hassey [mailto:Hassey.Brooks@agi.alabama.gov]
Sent: Thursday, June 29, 2017 11:15 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Autrey, Daniel <Daniel.Autrey@agi.alabama.gov>
Subject: RE: Introduction & Request for Coordinating Call

Tate,

We would like to get back in touch with you regarding a visit by EPA to Alabama based on our conversation chain below? Thank you for your time and any details on this potential visit by EPA.

Have a great afternoon.

Hassey Brooks
Federal Affairs
Alabama Department of Agriculture & Industries
Ex. 6
www.agi.alabama.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, May 19, 2017 9:13 AM
To: Brooks, Hassey <Hassey.Brooks@agi.alabama.gov>; Dudley Hoskins <Dudley@nasda.org>
Subject: RE: Introduction & Request for Coordinating Call

Hey there! We want to visit AL sometime in the future and would love to coordinate. I' ll keep you posted on dates and we can chat further when we have a better idea r.e. calendar.

From: Brooks, Hassey [mailto:Hassey.Brooks@agi.alabama.gov]
Sent: Friday, May 19, 2017 10:09 AM
To: Dudley Hoskins <Dudley@nasda.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Introduction & Request for Coordinating Call

Dudley,

Thank you for sending. Please stay in contact.

Tate,

We look forward to working with you and Region 4 EPA on various issues related to agriculture and the environment. Please keep our office posted on details of the future listening session hosted by EPA.

Do not hesitate to contact our office at any time.

Hassey Brooks

Federal Affairs

Alabama Department of Agriculture & Industries

Ex. 6

www.agi.alabama.gov

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Thursday, May 18, 2017 9:46 PM
To: Brooks, Hassey <Hassey.Brooks@agi.alabama.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Introduction & Request for Coordinating Call

Hassey - hope all is well on your end.

Please accept this brief introduction on behalf of Tate Bennett. Tate was recently brought on as EPA's Senior Deputy Associate Administrator for Congressional & Intergovernmental Affairs. Tate has been extremely proactive on a range of issues NASDA has been seeking assistance on over the recent past.

Tate – for your reference, Hassey is the federal affairs director for AL Dept of Ag and works for Commissioner John McMillan. Hassey is a great partner and trusted resource across all fronts.

I understand EPA may be considering a listening session in AL in the not too distant future, and I wanted to connect you all on email in hopes that you may have a minute to touch base for a brief call in the not too distant future. Please let me know if I can assist in facilitating this introductory conversation in any way.

More soon & many thanks! - dudley

Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ●
www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 9:06:35 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Amanda Culp [Amanda@nasda.org]; Nathan Bowen [Nathan@nasda.org]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: RE: WOTUS Federal Register Notice

Thanks!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, June 27, 2017 5:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Amanda Culp <Amanda@nasda.org>; Nathan Bowen <Nathan@nasda.org>
Subject: Fwd: WOTUS Federal Register Notice

FYI

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: June 27, 2017 at 4:58:45 PM EDT
To: Britt Aasmundstad <britt@nasda.org>
Subject: FW: WOTUS Federal Register Notice

Amanda Culp | Director, Communications | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

For Immediate Release
Contact: Parker Briden, parker.briden@governor.mo.gov
June 27, 2017

Gov. Greitens Celebrates Waters of the US Repeal with Missouri Farmers

Today, Governor Greitens released a video celebrating the new leadership of the EPA's decision to repeal the Obama-era Waters of the United States rule that gave bureaucrats in Washington D.C. authority to regulate "streams and other small bodies of water across the country." Governor Greitens also signed a proclamation encouraging farmers to give input to

Missouri's Department of Natural Resources and Department of Agriculture to ensure that government gets out of the way.

In the video, Governor Greitens said, "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Watch the video here: https://www.facebook.com/EricGreitens/videos/10155462846764747/?pnref=story

###

Sarah Alsager
Director of Communications
Missouri Department of Agriculture
Director's Office
Office: Ex. 6
Agriculture.Mo.Gov

#beMORE

From: Amanda Culp [mailto:Amanda@nasda.org]
Sent: Tuesday, June 27, 2017 3:57 PM
To: Alsager, Sarah
Subject: RE: WOTUS Federal Register Notice

Please share if you do a press statement!

Amanda Culp | Director, Communications | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

---

From: Alsager, Sarah [mailto:Sarah.Alsager@mda.mo.gov]
Sent: Tuesday, June 27, 2017 2:56 PM
To: Amanda Culp
Subject: RE: WOTUS Federal Register Notice

Thank you!

Sarah Alsager
Director of Communications
Missouri Department of Agriculture
Director's Office
Office: Ex. 6
Agriculture.Mo.Gov

#beMORE

From: Amanda Culp [mailto:Amanda@nasda.org]
Sent: Tuesday, June 27, 2017 8:26 AM
To: Britt Aasmundstad
Subject: FW: WOTUS Federal Register Notice

COSDA Members,

We are expecting the announcement of the rollback of the 2015 Clean Water Rule today. I have attached a few talking points in case WOTUS is a hot issue in your states. Please do not share outside of your senior staff.

Regards,
Amanda Culp| Director, Communications | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

---

From: Amanda Culp
Sent: Wednesday, June 21, 2017 12:08 PM
Cc: Britt Aasmundstad
Subject: FW: WOTUS Federal Register Notice

COSDA Members,

See note below regarding **extremely sensitive** announcement on withdrawing the 2015 Clean Water Rule. Please do not share outside of your senior agency staff.

Amanda Culp| Director, Communications | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

---

From: Britt Aasmundstad
Sent: Wednesday, June 21, 2017 7:54 AM
Cc: Policy Unit
Subject: WOTUS Federal Register Notice

NASDA Members and State Staff,

Thank you all for your participation in the WOTUS consultation process—please send me your state comments if you are able and haven't done so, I appreciate it.

EPA notified NASDA that the Federal Register notice withdrawing the 2015 Clean Water Rule and recodifying the 1986 regulation will be printed in the Federal Register either Monday or Tuesday next week. This is the first step in EPA's two-step process of promulgating a new definition of waters of the U.S. We wanted to inform you, as we know this is a major action and your state may want the advance notice before any press releases or like actions. If you send a press release, please share them with NASDA.

More information will be included in this week's member update (Friday) and accessible in the Member Center. Please let me know if you have any questions,

Britt

Britt Aasmundstad| Manager, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680| www.nasda.org | @NASDANews

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 3:20:53 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
BCC: Stephanie Groen [Stephanie.Groen@iowa.gov]; kristin.allan@nebraska.gov; lebachmeier@nd.gov; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; kelsie.bickett@ky.gov; ryan@nevadadc.org; Gardner, Judd (Moran) [Judd_Gardner@moran.senate.gov]; Ryan Flickner [flicknerr@kfb.org]; Jerry Strickland [Jerry.Strickland@gov.texas.gov]; Rell, Brian [ber@mail.house.gov]; joseph.songy@governor.ms.gov; Adam Piper [apiper@ruleoflawdefensefund.org]; Adam Nordstrom [adam.nordstrom@cch-llc.com]; Brian Sanderson [bsanderson@rgppc.org]; Cassie Shirk -GOV- [cassie.shirk@maryland.gov]; Cassie Bladow [Cassie.Bladow@beetsugar.org]; Cally Younger [Cally.Younger@gov.idaho.gov]; Lopez, Danny [DaLopez@gov.IN.gov]; Debbie Hohlt [debbie@hohlt.com]; john.horne@ky.gov; Charles.Snavely@ky.gov; Leeann.Veatch@ky.gov; Kathy.Lydon@Illinois.gov; Meier, Adam (Gov Office) [Adam.Meier@ky.gov]; Southard, Sean (AGR) [Sean.Southard@ky.gov]; A. Schafer [aschafer@mt.gov]; Alexandra Dapolito Dunn [adunn@ecos.org]; Schaefer, Alex [ASchaefer@NGA.ORG]; Bruce.Scott@ky.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fae909d07b1c4b88ab08f60f0b96978e-Bruce.Scott@ky.gov]; fitzhugh_elder@appro.senate.gov; Britt Aasmundstad [britt@nasda.org]; Barry Hart [bhart@amec.org]; Yasamine August [yasamine.august@governor.alabama.gov]; mcbrideb@michigan.gov; McBride, Stacy (Blunt) [Stacy_McBride@blunt.senate.gov]; McKenzie, Trey (Blunt) [Trey_McKenzie@blunt.senate.gov]; garrett.hawkins@mda.mo.gov; Kathy Bergren [Bergren@ncga.com]; taylor.gage@nebraska.gov; DeLeon, Dona [Dona.DeLeon@nj.gov]; larry.behrens2@state.nm.us; rolauf@nd.gov
Subject: Heads up: proposed RVO's coming today

Administrator Pruitt is likely signing a FR notice proposing 2018 renewable fuel standard volume levels later today. This is so EPA can stay on track to meet the Nov 30th statutory deadline to make the RVO's final for 2018.

Happy to chat further via phone- Ex. 6

-Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/23/2017 11:48:16 PM
To: pauls@fb.org
Subject: Looking like Tuesday

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/7/2017 7:54:38 PM
To: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Subject: Re: Pesticides on tobacco

We will try.

On Jul 7, 2017, at 3:54 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

That works perfectly. Do you think it's possible to get it early next week?

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jul 7, 2017 at 3:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
I'll try and get back to you next week? Does that work?

On Jul 7, 2017, at 3:51 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Hi, Tate:

I just tried to give you a call, but you voicemail was full and I was unable to leave a message. Anyway, I hope you're having a nice week! I was wondering if you would be able to provide me with a definition "minimum risk" pesticide as well as the EPA's list of minimum risk pesticides. Also, can "minimum risk" pesticides be used on food crops?

Thank you in advance for your assistance. I really appreciate your help.

Please feel free to give me a call if you have any questions.

Thanks,

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Wed, Jul 5, 2017 at 12:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Team effort!

On Jul 5, 2017, at 12:31 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Thank you so much for getting me this information on Friday. I really appreciate it.

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401
Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jun 30, 2017 at 2:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Cassie-

Thanks to Rick, the attached file lists every federally-registered product that can be used on tobacco at some stage in its production, including those uses where tobacco might be treated post-harvest while it is in storage.

Please note that this list should not be used as a substitute for a pesticide user to consult the label for specific directions on how to use the product. Not all of these products will necessarily be available for use in the State of Maryland. EPA does not maintain information regarding which products are registered in which states. The state lead agency for pesticide regulation would be the best source for that information.

Hope this helps.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 10:46:36 PM
To: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]
Subject: Just kidding- found her

Disregard previous email!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 8:44:24 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Amanda Culp [Amanda@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

Awesome! Thank you!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, June 27, 2017 4:24 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Amanda Culp <Amanda@nasda.org>; Nathan Bowen <Nathan@nasda.org>; Dudley Hoskins <Dudley@nasda.org>
Subject: Fwd: Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

Hi Tate,

We'll forward these as we receive them. Please let us know if you need anything else. Thanks!

Sent from my iPhone

Begin forwarded message:

From: Commissioner Adam Putnam's Communications Office [mailto:Communications@freshfromflorida.com]
Sent: Tuesday, June 27, 2017 1:15 PM
To: Commissioner Adam Putnam's Communications Office
Subject: Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

FOR IMMEDIATE RELEASE
June 27, 2017

Contact: Jenn Meale
(850) 617-7737
Twitter: @FDACSNews

Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

TALLAHASSEE, Fla.–Florida Commissioner of Agriculture Adam H. Putnam issued the following statement regarding EPA Administrator Scott Pruitt's proposal to repeal the Obama-era WOTUS final rule.

"The federal government overstepped its authority under the Obama Administration with its overreaching and nonsensical WOTUS rule. I applaud EPA Administrator Scott Pruitt's move to undo these overly burdensome regulations that cost American workers precious dollars to meet unnecessary and unscientific standards."

###

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/15/2018 7:12:40 PM
To: Andrew Walmsley [andreww@fb.org]
Subject: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

FYI. Steve was great!

From: Block, Molly
Sent: Friday, June 15, 2018 3:08 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

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

Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

Talks WOTUS, Water Infrastructure, and Superfund Program

Omaha, NE (June 14, 2018) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Omaha's Missouri River Wastewater Treatment Plant and met with state and local leaders to see first-hand how Omaha is working to overcome water infrastructure challenges. He also announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site and met with farmers to announce the Agency's next step on the "Waters of the United States" (WOTUS) rule.

"Coming to Nebraska and hearing directly from the voices that have been forgotten for so long is critical to how we make decisions at the Agency," said EPA Administrator Scott Pruitt. **"From making progress with respect to Superfund sites to directly engaging stakeholders on the Renewable Fuel Standard, we are working tirelessly to provide the regulatory clarity that President Trump promised and the American people deserve."**

Administrator Pruitt attended a roundtable with the Mayor of Omaha Jean Stothert, Nebraska Department of Environmental Quality (NDEQ) Director Jim Macy, city council members, and other local and state officials, including EPA Region 7 Administrator Jim Gulliford. The discussion was largely focused on the Water Infrastructure Finance and Innovation Act (WIFIA) and the upcoming loan approval that the City of Omaha will be receiving from EPA. Administrator Pruitt had the opportunity to tour the Missouri River

Wastewater Treatment Plant prior to his discussion.

In additional to the water discussions, Administrator Pruitt announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site. The city, working with EPA and NDEQ, has reduced childhood blood lead levels from 25% of those tested in 1998 to less than 1% of those tested in 2017. To date, EPA has cleaned up more than 13,000 properties. The city recently signed an agreement with EPA to manage the cleanup of the remaining 900 properties.

"**We work cooperatively with the EPA on many important projects. Today, I shared our plans for the Omaha Riverfront Revitalization project, which includes Lewis and Clark Landing, a former Superfund site,**" said Mayor of Omaha Jean Stothert. "**The work we are doing can be shared with other cities to redevelop these sites for new public use.**"

"**This is the first time I've been able to pick up the phone and call EPA staff directly and elevate issues that need resolving. We thank Administrator Pruitt and his team for the cooperation as we work to achieve positive environmental outcomes for Nebraska,**" said NDEQ Director Jim Macy.

Administrator Pruitt also visited Green Plains Inc. and spoke with 150 employees about the importance of cooperative federalism, especially regarding the Renewable Fuel Standard (RFS). He met with Todd Becker, Chief Executive Officer (CEO), and other members of Green Plains' leadership team, where they had a constructive dialogue to discuss potential solutions and a path forward.

"**We appreciate Administrator Pruitt taking the time to visit and learn more about the challenges facing the ethanol industry and the broader agriculture community. We will continue to work toward solutions that allow for greater ethanol market access in line with the President's commitment to rural America,**" said Green Plains Inc. CEO Todd Becker.

Finally, Administrator Pruitt joined Governor Pete Ricketts (R-NE) and members of the Common Sense Nebraska Coalition to announce an update on WOTUS, RFS, and other issues that EPA can help to provide regulatory certainty for farmers and ranchers across Nebraska and the country. In their effort to provide certainty to farmers and landowners, tomorrow EPA and the U.S. Army Corps of Engineers will be announcing the next step on the WOTUS rulemaking.

"**Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back the job-killing WOTUS regulation,**" said Governor Ricketts. "**Today's announcement is the next step toward returning common sense to federal oversight of intra-state waterways. Removing this threat to our state's top job creators gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.**"

Background on WIFIA Loan:

The City of Omaha applied for a $55 million loan from the Water Infrastructure Finance and Innovation Act to help fund a $113 million project to relieve water quality concerns in the Papillion Creek and Missouri River. The project will halt the discharge of up to 1.2 billion gallons of combined sewer water flowing into the Little Papillion Creek each year. Omaha has undertaken more than 60 projects to address combined sewer overflows during the past decade. This project will also remove floatables and other solids from combined sewer overflows. It will be located just south of UNO's Baxter Arena.

The Saddle Creek project is only one of over 60 projects that the City has undertaken to address Combined Sewer Overflows associated with combined sewers throughout the City over the past decade. This includes ongoing upgrades at Omaha's largest wastewater treatment plant along the Missouri River, sewer separations throughout the City, and improvements to parks to reduce the volume of water that reaches sewers.

Background on Omaha Lead Superfund Site:

EPA Region 7 completed the EPA-lead portion of the remedial action on December 29, 2015. The City of Omaha and the Douglas County Health Department will be performing the remaining field work. As of December 29, 2015, EPA collected soil samples from 42,047 properties. Based on the soil sampling results, 14,019 properties were eligible for soil remediation. The EPA remediated lead contaminated soil at 13,090 properties (93 percent) of the properties that were eligible for remediation.

EPA completed Cooperative Agreements with the City of Omaha and the Douglas County Health Department that provide funds to allow these local government agencies to continue efforts to obtain access to the remaining properties and conduct sampling and remediation activities at those properties where they obtain access. In accordance with EPA's closeout procedures for National Priorities List sites, the current partial will partially delete 101 properties from this site.

Green Plains CEO Todd Becker introduces EPA Administrator Scott Pruitt to employees.

Administrator Pruitt addresses Green Plains employees in Omaha.

Administrator Pruitt holds a dialogue with Green Plains' leadership team.

Visit The EPA's Newsroom

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 10:44:52 PM
To: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Subject: RE: Pesticides on tobacco

Yes it does. Nice speaking with you earlier! Let me know if I can provide more information.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

From: Cassie Shirk -GOV- [mailto:cassie.shirk@maryland.gov]
Sent: Thursday, June 29, 2017 4:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Pesticides on tobacco

Hi, Bennett:

Thanks for taking my call earlier. Please let me know if the EPA regulates pesticide use on tobacco.

Thanks,
Cassie Shirk

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 10:40:12 PM
To: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]
Subject: Received a call

From the Governor's office. It was from a girl named Cassie and she might handle agriculture issues. Might you know who this person is/ have her contact info? I called her back but her voicemail isn't set up yet, so I figured I would shoot her an email.

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 7:42:16 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
CC: Nathan Bowen [Nathan@nasda.org]
Subject: RE: State Ag Departments, Farmers Applaud WOTUS Rescission

Thank you! Appreciate it , Britt, as I know you are out of the office.

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, June 27, 2017 3:40 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Osinski, Michael <Osinski.Michael@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>
Subject: Fwd: State Ag Departments, Farmers Applaud WOTUS Rescission

FYI, please see NASDA's release below.

Thanks so much! Please let me know if you need anything else.

Britt

Sent from my iPhone

Begin forwarded message:

> **From:** Amanda Culp <Amanda@nasda.org>
> **Date:** June 27, 2017 at 3:17:16 PM EDT
> **Subject: State Ag Departments, Farmers Applaud WOTUS Rescission**
>
> **FOR IMMEDIATE RELEASE:** June 27, 2017
> **Contact:**
> Amanda Culp
> Director, Communications
> (202) 296-9680
> amanda@nasda.org
>
> ## State Ag Departments, Farmers Applaud WOTUS Rescission
>
> Following the U.S. Environmental Protection Agency's (EPA) announcement today to withdraw the 2015 Clean Water Rule and recodify the previous regulations, National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain issued the following statement:
>
> "The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with

procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule."

All of NASDA's official actions on WOTUS can be found here. NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org.

###

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 2:27:06 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: 2 pm

It's perfect!

On Jul 5, 2017, at 10:19 AM, Paul Schlegel <pauls@fb.org> wrote:

> Tate – I heard from Dudley that he's planning to be at the mtg at 2. Hope it still works for you
> paul
>
> **Paul Schlegel**
> **Director, Energy and Environment Team**
> **Direct:** Ex. 6
> **Cell:**
> **Email: pauls@fb.org**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/12/2017 8:18:32 PM
To: Fred Bosco [FBosco@croplifeamerica.org]
CC: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: Re: Comments - Existing regulations - May 15

Hey! I meant for tomorrow at 5:15 but dovetailing onto weds is good!

On Jun 12, 2017, at 3:56 PM, Fred Bosco <FBosco@croplifeamerica.org> wrote:

> Tate,
> Unfortunately, Beau is tied up in meetings this afternoon and won't be out until well after 5:15p.
> He wanted to let you know that he will join the already-scheduled CLA-EPA meeting on Wednesday at 2pm with Nancy and hopes that you will join as well.
>
> Thank you,
> Fred
>
> Fred Bosco
> Government Relations Coordinator
> **CropLife America**
> 1156 15th Street NW, Suite 400
> Washington, D.C. 20005
> **P**: Ex. 6 | **F**: 202-355-1411
> **E**: FBosco@croplifeamerica.org
> **W**: www.croplifeamerica.org
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, June 12, 2017 12:56 PM
> **To:** Beau Greenwood <BGreenwood@croplifeamerica.org>
> **Subject:** RE: Comments - Existing regulations - May 15
>
> Beau-
>
> I know this sounds way too late in the day to be discussing this, but is 5:15 tomorrow evening at EPA a good time to meet with Nancy and I on this? We can keep it short!
>
> Tate
>
> ---
>
> **From:** Beau Greenwood [mailto:BGreenwood@croplifeamerica.org]
> **Sent:** Friday, June 9, 2017 6:14 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

> **From:** "Fred Bosco" <FBosco@croplifeamerica.org>
> **To:** "Beau Greenwood" <BGreenwood@croplifeamerica.org>
> **Subject: Comments - Existing regulations - May 15**

> Thank you,
> Fred

> Fred Bosco
> Government Relations Coordinator
> **CropLife America**
> 1156 15th Street NW, Suite 400
> Washington, D.C. 20005
> **P**: Ex. 6 | **F**: 202-355-1411
> **E**: FBosco@croplifeamerica.org
> **W**: www.croplifeamerica.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/10/2017 9:06:38 PM
To: Dale Moore [dalem@fb.org]
Subject: Please call

RE tomorrow AM - Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/20/2017 1:25:14 PM
To: fpurcell@croplifeamerica.org
Subject: Quick call

Hi there!

Can you give me a quick shout?

Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/14/2018 5:58:15 PM
To: Britt Aasmundstad [britt@nasda.org]
Subject: Give me a shout when you can

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 2:47:28 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Found it!

http://ag.nv.gov/News/PR/2017/Attorney_General_Laxalt_Issues_Statement_Commending_Formal_Withdrawal_of_Waters_of_the_United_States_Rule/

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/12/2017 4:56:23 PM
To: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: RE: Comments - Existing regulations - May 15

Beau-

I know this sounds way too late in the day to be discussing this, but is 5:15 tomorrow evening at EPA a good time to meet with Nancy and I on this? We can keep it short!

Tate

From: Beau Greenwood [mailto:BGreenwood@croplifeamerica.org]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

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Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

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> **To:** "Beau Greenwood" <BGreenwood@croplifeamerica.org>
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Washington, D.C. 20005
P: Ex. 6 | **F**: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 2:43:49 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: Updated WOTUS statements

No need. I'll dig up and resend. My public affairs guy must have missed.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Thursday, June 29, 2017 10:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Updated WOTUS statements

I had sent those and Laxalt to you Monday.

Will resend momentarily.

Just landed at 35x. Can call you in 10min re 7/24.

Get Outlook for iOS

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, June 29, 2017 10:40:59 AM
To: Adam Piper
Subject: RE: Updated WOTUS statements

My guy must have missed them. Are they readily available? If so, can you send them to Konkus.John@epa.gov and myself bennett.tate@epa.gov.

Let me know if you can connect on the 24th either today or tomorrow.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Thursday, June 29, 2017 10:37 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Updated WOTUS statements

Do you need AG WIlson and Morrisey individual statements?

Get Outlook for iOS

From: Hoelscher, Douglas L. EOP/WHO [Ex. 6
Sent: Thursday, June 29, 2017 10:31:29 AM
To: Brian Sanderson; Adam Piper
Subject: FW: Updated WOTUS statements

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 29, 2017 10:21 AM

To: Hoelscher, Douglas L. EOP/WHO [redacted]
Cc: [redacted] EOP/WHO (Intern) [redacted] EOP/WHO (Intern)
[redacted]
Subject: Fwd: Updated WOTUS statements

See below. I believe Bevin may have contributed as well.

States

Governor Kim Reynolds (IA): "Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa's farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them."

Governor Eric Holcomb (IN): "I commend U.S. EPA Administrator Pruitt's leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state's waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana's environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state."

Governor Sam Brownback (KS): "The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch."

Governor Eric Greitens (MO): "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Governor Pete Ricketts (NE): "Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state's top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."

Steve Nelson, Common Sense Nebraska: "Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating

the demise of EPA's proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies."

Greg Ibach, Director of the Nebraska Department of Agriculture: "I applaud the Trump Administration and Secretary Pruitt's announcement to walk away from the previous administration's WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska's agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska's ability to protect our water and land resources."

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule."

Alabama Attorney General Steve Marshall: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule's broad assertion of authority unlawfully impinges on the States' traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA's final action withdrawing the WOTUS Rule and providing relief for our States and their citizens."

Arkansas Attorney General Leslie Rutledge: "The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today's action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists."

Georgia Attorney General Chris Carr: "This is a significant step in addressing the WOTUS Rule's sweeping assertion of authority, which unlawfully impinges on the State's traditional role as the primary regulators of land and water resources," said Attorney General Chris Carr. "We look

forward to EPA's final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities."

Tennessee Attorney General Herbert Slatery: "We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution."

Wisconsin Attorney General Brad Schimel: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA's final action withdrawing the WOTUS rule and providing relief for our states and their citizens."

Ryan Quarles, Kentucky Agriculture Commissioner: "I applaud EPA Administrator Scott Pruitt's decision to propose a repeal of the destructive Obama-era 'Waters of the United States' rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration."

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today's statement from EPA and Army Corps of Engineers is a great step forward for Michigan's farmers. The misguided WOTUS rule would have place unnecessary burden on Michigan's farmers, requiring a whole new level of regulation on nearly all of the state's farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as originally defined in the Clean Water Act. We'll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state."

Minnesota Farm Bureau President Kevin Paap: "Minnesota Farm Bureau was pleased with the EPA's proposal to ditch the 2015 rule defining "Waters of the United States" (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states."

Texas Farm Bureau President Russell Boening: "We are thankful new leadership has taken the action needed to repeal this flawed rule," TFB President Russell Boening said. "WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA's regulatory overreach and will instead allow the agency to work as it was intended by our forefathers."

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): "The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington's control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America's water clean and safe."

Senator Deb Fischer (NE): "Today's announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state's water resources."

Senator Steve Daines (MT): "Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn't impose regulations that hurt Montana farmers, ranchers and landowners."

Senator Chuck Grassley (IA): "This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation's waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers."

Senator Joni Ernst (IA): "I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstrings our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule."

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): "I'm pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I'm grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources."

House Members

Speaker of the U.S. House, Paul Ryan: "The West has finally won in the battle over the Obama administration's WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources.

The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

Chairman of the House Science Committee, Rep. Lamar Smith (TX): "Clean water is a necessity for all Americans. Today's decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation."

Chairman of the House Natural Resources Committee Rob Bishop (UT): "This rule aggrandized federal bureaucrats at the expense of farmers' water and private property rights. EPA's decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses."

U.S. Rep. Mike Bost (IL): "Turning back WOTUS is a clear win for Southern Illinois' hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration's WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That's why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois' economy at risk and impact millions of rural Americans."

U.S. Rep. Paul Gosar (AZ): "Today's announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that good work with today's proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy's water grab."

U.S. Rep. Scott Tipton (CO): "This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of 'Waters of the United States."

U.S. Rep. Dan Newhouse (WA): "I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump's order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country."

U.S. Rep. Steve Pearce (NM): "This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers,

ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government."

U.S. Rep. Mike Johnson (LA): "The so called 'WOTUS Rule' was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people."

***U.S. Rep. Rick Allen (GA):** "The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt's action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America's farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations."

***U.S. Rep. Doug LaMalfa (CA):** "The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California's first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration's power grabs."

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho's businesses and communities. I strongly opposed the previous administration's 'WOTUS' rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho's economy, and I appreciate the administration for continuing to show leadership on these types of issues."

U.S. Rep. Martha McSally (AZ): "WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA's decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news."

U.S. Rep. Lee Abraham (LA): "I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today's news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they've taken so far to repeal this terrible rule."

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today's announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress' promise to return government to its proper role."

U.S Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration's WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama

Administration engineered. It is a victory for those who love liberty and something called private property."

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts."

U.S. Rep. Doug Collins (GA): "Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely."

U.S. Rep. Markwayne Mullin (OK): "Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don't know the first thing about a backyard like mine." "The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I'm grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule."

U.S Rep. Kristi Noem (SD): "Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal."

U.S Rep. Liz Cheney (WY): "The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration."

House Agriculture Committee Chairman K. Michael Conaway (TX-11): "WOTUS has never been about clean water, it was about feeding the Obama EPA's insatiable appetite for power. Well that ends now. Today's EPA announcement is an important first step to getting the federal government out of America's backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn't done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they've always been."

U.S. Rep. Bob Gibbs (OH): "I applaud Administrator Pruitt's announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time."

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: "We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America's businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation's farmers and job creators."

National Farmers Union (NFU) President Roger Johnson: "Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act's jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies' ability to protect the United States' water resources."

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: "The goal of the Clean Water Act is to restore and maintain the integrity of the nation's waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming."

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: "We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid

needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power."

Zippy Duvall, president, American Farm Bureau Federation: "Farmers and ranchers across this country are cheering EPA's proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That's why our federal courts blocked it from going into effect for the past two years. Today's announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt's proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states."

National Mining Association (NMA) President and CEO Hal Quinn: "This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended."

Edison Electric Institute (EEI) President Tom Kuhn: "EEI's member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations."

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: "The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look

forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule."

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito: "Today's action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America's energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration's actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses."

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/20/2017 1:16:29 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Can you give me a shout when your free

Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/26/2017 6:55:30 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: WPS background

You bet. Let me get through the hearing tomorrow.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Monday, June 26, 2017 1:55 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: WPS background

Tate –
Wanted to share some background material with you in case you might not have seen this stuff.
When you have a chance, I'd like to talk about it.
Thanks
Paul

Paul Schlegel
Director, Energy and Environment Team
Direct: Ex. 6
Cell:
Email: pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/10/2017 1:28:08 AM
To: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: Re: Comments - Existing regulations - May 15

So interestingly enough, Nancy already has a meeting on the books w crop life next week. Are you in that one? Maybe on another topic?

> On Jun 9, 2017, at 6:14 PM, Beau Greenwood <BGreenwood@croplifeamerica.org> wrote:
>
> Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.
>
> Hope to see you next week.
>
> Beau.
>
>
>
> Beau Greenwood
> Executive Vice President
> CropLife America
> Washington, DC
>
> Begin forwarded message:
>
> From: "Fred Bosco" <FBosco@croplifeamerica.org<mailto:FBosco@croplifeamerica.org>>
> To: "Beau Greenwood" <BGreenwood@croplifeamerica.org<mailto:BGreenwood@croplifeamerica.org>>
> Subject: Comments - Existing regulations - May 15
>
>
>
> Thank you,
> Fred
>
> Fred Bosco
> Government Relations Coordinator
> CropLife America
> 1156 15th Street NW, Suite 400
> Washington, D.C. 20005
> P: Ex. 6 I F: 202-355-1411
> E: FBosco@croplifeamerica.org<mailto:FBosco@croplifeamerica.org>
> W: www.croplifeamerica.org<http://www.croplifeamerica.org/>
>
> <CropLife America Comments on Evaluation of Existing Regulations signed.pdf>
> <EPA-HQ-OA-2017-0190 PPC Comments re Regulatory Reform.pdf>
> <EPA-Final17.0515 AFBF et al.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 6:31:52 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Thanks!

On Jun 27, 2017, at 2:31 PM, Paul Schlegel <pauls@fb.org> wrote:

fyi

<image002.jpg>

Contacts: Will Rodger
(202) 406-3642
willr@fb.org

Kari Barbic
(202) 406-3672
karib@fb.org

Farm Bureau Applauds EPA Move to Ditch Flawed WOTUS Rule

WASHINGTON, D.C., June 27, 2017 – The following statement may be attributed to Zippy Duvall, president, American Farm Bureau Federation:

"Farmers and ranchers across this country are cheering EPA's proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day.

"But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That's why our federal courts blocked it from going into effect for the past two years. Today's announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected.

"Farm Bureau looks forward to supporting Administrator Pruitt's proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states."

Paul Schlegel
Director, Energy and Environment Team
Direct: (202) 406-3687
Cell: (202) 459-8831
Email: pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 27, 2017 2:29 PM

To: Paul Schlegel
Subject: Fwd: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 27, 2017 at 2:26:44 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Good afternoon! This Federal Register notice was just signed by Administrator Pruitt.
Let us know if you have any questions.

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

EPA, U.S. Army Move to Rescind 2015 "Waters of th U.S."

WASHINGTON - (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corp of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatc text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"**We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses,**" said Administrator Scott Pruitt. "**This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public.**"

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of La Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Orde states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and

showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty acros the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public, " said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information: http://www.epa.gov/wotus-ru

<image003.png>

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 5:57:07 AM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Amendment to HR1029

Thanks, Paul!

On Jun 28, 2017, at 10:36 PM, Paul Schlegel <pauls@fb.org> wrote:

FYI in case you haven't seen

Sent from my iPhone

Begin forwarded message:

From: "Vlasaty, Andrew (Agriculture)" <Andrew_Vlasaty@ag.senate.gov>
Date: June 28, 2017 at 10:30:31 PM EDT
To: Greenwood Beau <bgreenwood@croplifeamerica.org>, Schlegel Paul <pauls@fb.org>, Hoskins Dudley <Dudley@nasda.org>
Cc: "Glueck, James (Agriculture)" <James_Glueck@ag.senate.gov>
Subject: Amendment to HR1029

Here is the Gillibrand amendment which will be offered and withdrawn.

If you have any question let us know.

<Gillibrand Amendment_HR1029.pdf>

Message

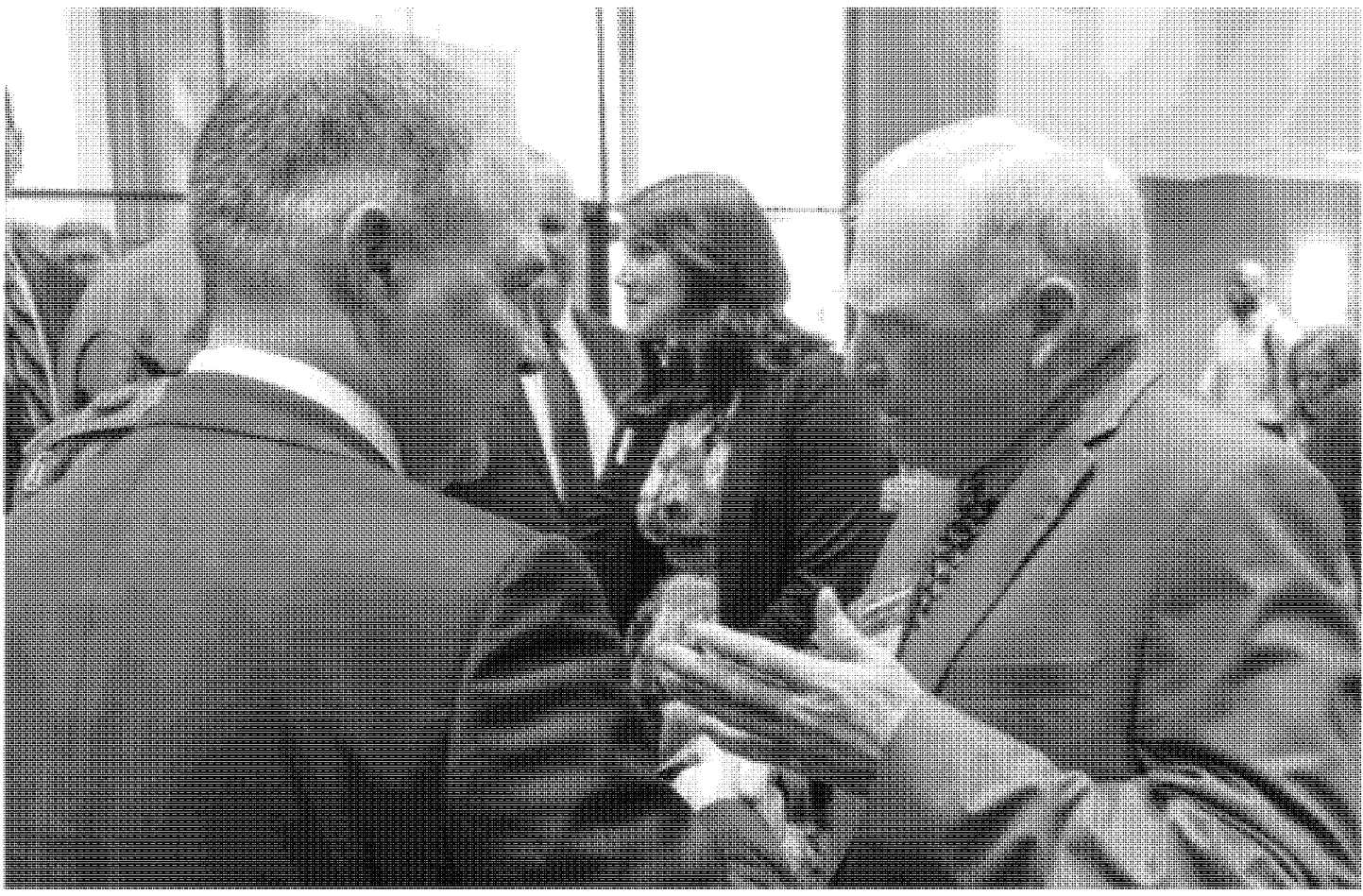
From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/14/2017 12:53:07 AM
To: donp@fb.org
Subject: Fwd: Mind passing this along?

FYI great photo

Sent from my iPhone

Begin forwarded message:

> **From:** Bennett.Tate@epa.gov
> **Date:** July 13, 2017 at 8:27:33 PM EDT
> **To:** tasmith@gfb.org
> **Subject: Mind passing this along?**
>
> Nice meeting you earlier this week!



Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/7/2017 1:07:45 PM
To: apiper@ruleoflawdefensefund.org
Subject: Fwd: WOTUS- Do not forward, please.

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: July 5, 2017 at 6:20:02 PM EDT
To: "Walker, Trey" <TWalker@governor.sc.gov>
Subject: Re: WOTUS- Do not forward, please.

FYI Sen. Scott is currently holding the date as well.

7/24 **WOTUS Tour Rollout, outside Charleston, S.C.**

10:00 AM- Gather at Super Sod (outside Charleston).

10:05-11 AM- Farm Tour for electeds

11 AM-11:45- Roundtable discussion on WOTUS, inside shop

11:45- 12:00- Local radio/press gaggle (per Jahan's guidance)

Invitees- **Governor McMaster, AG Wilson, Sen. Scott, Rep. Gowdy, Nikki Hayley, Local Ag Leaders, SC Farm Bureau, Representatives from SC Homebuilders.**

On Jul 5, 2017, at 6:13 PM, Walker, Trey <TWalker@governor.sc.gov> wrote:

Tate,

We're getting calls about a July 24th event in South Carolina with Administrator Pruitt and other state elected officials on WOTUS. I recall you mentioning to me a few weeks ago the potential for a July visit, but we haven't seen any request for the governor's participation or any scheduling details. Are these the same events?

Trey Walker
Chief of Staff
Office of the Governor
South Carolina Statehouse
Columbia, SC 29201
Ex. 6
twalker@governor.sc.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, June 26, 2017 4:39 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: WOTUS- Do not forward, please.

All-

Administrator Pruitt could potentially sign a Federal Register notice as early as tomorrow afternoon proposing a rule to repeal the 2015 WOTUS final rule.

Knowing of the importance of this issue to your state/office, we just wanted to flag now so your teams can plan any releases/statements accordingly. We will circle back with an update tomorrow.

Below are a few notes on the FR notice, and please let us know if you have any questions in the meantime.

Best.

Tate Bennett

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6

--The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to repeal the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States."

--This action would provide regulatory continuity and certainty in the interim pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States."

--The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

--This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule."

--The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

--The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

--The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/11/2017 5:54:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: joe.cain@kyfb.com; Hoelscher, Douglas L. EOP/WHO [Ex. 6]; Clark, Justin R. EOP/WHO [Ex. 6]; Johnson, Julia B. EOP/WHO [Ex. 6]; King, Eric L [ericl.king@uky.edu]; will.snell@uky.edu; undulatafarm@aol.com; kelsie.bickett@ky.gov; Vlasaty, Andrew (Agriculture) [Andrew_Vlasaty@ag.senate.gov]; Judd Deere [judd.deere@arkansasag.gov]; 'Gardner, Judd (Moran)' [Judd_Gardner@moran.senate.gov]; Don Parrish [donp@fb.org]; Paul Schlegel [pauls@fb.org]; Dudley Hoskins [Dudley@nasda.org]; Britt Aasmundstad [britt@nasda.org]; 'blake.rollins@osec.usda.gov' [blake.rollins@osec.usda.gov]; joe.cain@kyfb.com; mark.haney@kyfb.com; [Ex. 6] [Ex. 6] appolofuelsam@kyn.twcbc.com; [Ex. 6]
Subject: ICYMI: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

Scott Pruitt reaffirms Trump Administration's commitment to American farmers

WASHINGTON, D.C. (July 11, 2017) - U.S. Environmental Protection Agency Administrator Scott Pruitt addressed the American Farm Bureau Federation's State Leadership Meeting earlier today to discuss EPA's recent decision to begin rescinding the 'Waters of the U.S.' rule (WOTUS), as well as other issues of concern to American farmers.

"EPA is returning power to the states and standing with farmers who have been hurt by misguided policies of the past," said Administrator Pruitt. **"The farming industry deserves regulatory certainty and I committed that to them today. The group expressed gratitude that their voices are being heard for the first time in a long time and I look forward to an ongoing partnership with the agriculture community in the future."**

The address follows the Administrator's visit to Gully Branch Tree Farm in rural Georgia last week where he and U.S. Secretary of Agriculture Sonny Perdue visited one of Georgia's premier outdoor classrooms to promote environmental stewardship and reaffirm the Trump Administration's commitment to farmers and foresters.

U.S. Environmental Protection Agency Administrator Scott Pruitt addresses American Farm Bureau's State Leadership Meeting

Visit The EPA's Newsroom

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

Unsubscribe

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/7/2017 1:06:35 PM
To: apiper@ruleoflawdefensefund.org
Subject: Fwd: Line by Line

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: July 5, 2017 at 5:00:00 PM EDT
To: "jcleach@scda.sc.gov" <jcleach@scda.sc.gov>
Cc: "Shimmin, Kaitlyn" <shimmin.kaitlyn@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Morris, Madeline" <morris.madeline@epa.gov>, "Hupp, Millan" <hupp.millan@epa.gov>
Subject: Line by Line

Hey Clint! Let me know if this looks right to you? Cc'ing relevant folks on my end as well.

7/24 WOTUS Tour Rollout, outside Charleston, S.C.

10:00 AM- Gather at Sod Busters (Ridgeland, SC—I believe this is the company you recommended outside Charleston). Do you have a good address? Onsite POC?

10:05-11 AM- Farm Tour for electeds

11 AM-11:45- Roundtable discussion on WOTUS, inside shop

11:45- 12:00- Local radio/press gaggle (per Jahan's guidance)

Invitees- **Governor McMaster, AG Wilson, Sen. Scott, Rep. Gowdy, Nikki Hayley, Local Ag Leaders, SC Farm Bureau, Representatives from SC Homebuilders.**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/28/2017 9:16:30 PM
To: John Campbell [JohnCa@mdac.ms.gov]
CC: Dudley Hoskins [Dudley@nasda.org]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Re: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Let's get it on the books.

On Jun 28, 2017, at 4:09 PM, John Campbell <JohnCa@mdac.ms.gov> wrote:

Let's plan on a call soon.. Interested to hear any discussion surrounding the dicamba technology.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, June 28, 2017 2:20 PM
To: Dudley Hoskins; John Campbell
Cc: Konkus, John
Subject: RE: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Thanks, John! Hope you are well. Let's connect soon.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Wednesday, June 28, 2017 3:00 PM
To: John Campbell <JohnCa@mdac.ms.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Thanks John!

Hope you and Tate have a chance to connect sometime – good people all around!

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: John Campbell [mailto:JohnCa@mdac.ms.gov]
Sent: Wednesday, June 28, 2017 2:53 PM
To: Bennett.Tate@epa.gov
Cc: Dudley Hoskins
Subject: FW: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Tate-
Dudley Hoskins asked me to send you our press release regarding WOTUS.

On a separate note, if I can be of assistance to you on any other issue, please let me know.

Thank you,

John G. Campbell

Deputy Commissioner
Mississippi Department of Agriculture and Commerce

121 North Jefferson St.
Jackson, MS 39201
Office: Ex. 6
Cell: Ex. 6
Fax: (601) 354-6290
Email: johnca@mdac.ms.gov

From: Paige Manning
Sent: Wednesday, June 28, 2017 1:35 PM
To: Paige Manning
Subject: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

PRESS RELEASE

FOR IMMEDIATE RELEASE: June 28, 2017

Contact: **Paige Manning, Director of Marketing and Public Relations**
Phone: **(601) 359-1163**
E-mail: **paige@mdac.ms.gov**

Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

JACKSON, Miss. — Commissioner of Agriculture and Commerce Cindy Hyde-Smith applauds the decision by the U.S. Environmental Protection Agency (EPA) to rescind the 2015 Clean Water Rule and recodify the previous regulations.

"I am pleased with the actions taken by the EPA and their willingness to consider the impacts this rule would have had on our farmers and ranchers," said Hyde-Smith. As President of the Southern Association of State Departments of Agriculture (SASDA), Hyde-Smith looks forward to working with the EPA and agriculture commissioners and secretaries from across the country in developing a new rule.

"We must work collectively to ensure that our state's and nation's waters are kept clean, while simultaneously addressing the needs of our farmers, ranchers, and the agribusiness community. Farmers are some of the best conservationists and stewards of our land and water, and it is imperative that we protect them from overreaching, burdensome regulations."

Rescinding the 2015 rule is the first step of a two-step process to redefine "waters of the United States." Once the proposed new rule is published in the Federal Register, the public will be able to submit written comments.

###

Paige Manning
Director of Marketing and Public Relations
Mississippi Department of Agriculture and Commerce

121 North Jefferson Street
Jackson, MS 39201
Phone: Ex. 6
Fax: (601) 354-6001
paige@mdac.ms.gov

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 10:37:07 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: blake.deeley@mail.house.gov; jason.gray@mail.house.gov; Tomlinson, Adam (Capito) [Adam_Tomlinson@capito.senate.gov]; Tomassi, Chris (Appropriations) [Chris_Tomassi@appro.senate.gov]; Johnson, Tommy [TommyJohnson@consolenergy.com]; tommy.andrews@mail.house.gov; Buchanan, Natalie [Natalie.Buchanan@mail.house.gov]; Rogers, Sarah [Sarah.Rogers@mail.house.gov]; McBride, Stacy (Blunt) [Stacy_McBride@blunt.senate.gov]; Horner, Elizabeth (EPW) [Elizabeth_Horner@epw.senate.gov]; Sewell, Jack B. EOP/WHO [John.B.Sewell@who.eop.gov]; Hoelscher, Douglas L. EOP/WHO [Douglas.L.Hoelscher@who.eop.gov]; Kirkland, William H. EOP/WHO [William.H.Kirkland@who.eop.gov]
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

ICYMI

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowed from 75 ppb in 2015. 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 giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

"We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth," **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/11/2017 5:41:12 PM
To: Dale Moore [dalem@fb.org]
Subject: RE: Hard stop

THANK YOU! Working on these follow ups on my end. We were lucky to have you organizing.

-----Original Message-----
From: Dale Moore [mailto:dalem@fb.org]
Sent: Tuesday, July 11, 2017 1:39 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Hard stop

The Administrator was awesome this morning -- nothing but kudos and appreciation regarding his appearance. Thank you for making this work so great for all of our bosses. dwm

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 8:58 AM
To: Dale Moore
Subject: Hard stop

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/26/2017 4:21:17 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: WOTUS Tomorrow

Please relay an advance heads up from EPA:

A proposed withdraw rule of the 2015 WOTUS rule will likely be signed and sent to the Federal Register tomorrow.

It is just a WITHDRAW, a rewrite proposal later to come this year.

Please flag any media or send any questions to bennett.tate@epa.gov.

Messaging: Thank you Administrator Pruitt for following the President's direction and for starting the process of withdrawing this terrible rule that would have regulated every ditch and pothole.... Etc."

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/7/2017 3:58:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Blake.Deeley@mail.house.gov; Ed_Cox@hatch.senate.gov; aubrey_vaughan@paul.senate.gov; Leeann.Veatch@ky.gov; Debbie H [debbie@hohlt.com]; Judd.Deere@arkansasag.gov; Dudley@nasda.org; rick.vanmeter@mail.house.gov
Subject: Fwd: FOR APPROVAL: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview

We are doing another one of these this afternoon if your bosses want to send us any quotes.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Wednesday, June 7, 2017 10:18 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

WHAT THEY ARE SAYING ...

About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards

Leaders Across The Country ...

Senate Majority Leader Mitch McConnell applauded Administrator Pruitt decision, calling the standards an attack on middle-class families from the Obama Administration. "I applaud Administrator Scott Pruitt for his decision to delay this Obama Administration issued regulation, which was finalized in October 2015. This

regulation was yet another attack on the Middle Class by the Obama Administration and was forced through despite significant concern from communities across the country. Today's postponement will give states and municipalities relief in the interim while EPA continues to review NAAQS levels." (Press Release, 06/06/17)

West Virginia Senator Shelley Moore Capito said state and local employers had insufficient time to comply with these standards. "State and local governments and employers across the country have had insufficient time to comply with the latest revisions to the ozone standards. I commend Administrator Pruitt and his staff at the EPA for acknowledging this reality and acting today to delay existing standards." (Press Release, 06/06/17)

Arizona Senator Jeff Flake said the EPA is working with Arizonans to protect the environment, instead of the previous administration's one-size-fits-all approach. "It's great to see the EPA working with Arizonans for a change. Nowhere are the flaws of previous administration's one-size-fits-all approach to regulating ozone more evident than in Arizona, a desert state where naturally-occurring ozone makes it impossible to meet the new federal mandate. While today's move buys Arizona much-needed time, I remain committed to advancing a solution that will provide permanent relief from this egregious and unworkable rule." (Press Release, 06/06/17)

Texas Attorney General Ken Paxton praised Administrator Pruitt for pausing this costly and ineffective rule, which will help the economy in Texas. "I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I'm hopeful that the one-year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy." (Press Release, 06/06/17)

Recent News Coverage ...

U.S. extends deadline for states to meet ozone pollution standard. "The U.S. Environmental Protection Agency said on Tuesday it was extending the deadline by one year for states to declare which areas do not meet the federal standard for ground-level ozone, a pollutant linked to several serious health conditions." (Reuters, 06/06/17)

EPA's Pruitt delays Obama-era smog rules for a year. "The Environmental Protection Agency announced Tuesday that it is giving states another year to meet strict rules for smog-forming ozone emissions set by the Obama administration, citing states' confusion over regulatory requirements and the need for the EPA to review the regulations. … Pruitt also announced that he is establishing the Ozone Cooperative Compliance Task Force to develop the "additional flexibilities for states to comply with the ozone standard," the agency said. Congress gave EPA the authority to create the task force under the recently passed fiscal 2017 spending bill." (The Washington Examiner, 06/06/17)

Trump Delays One Of The Most Expensive EPA Regulations Ever. "The Trump administration announced Tuesday evening it would delay the implementation of a smog rule that's been called one of the costliest clean air regulations ever." (The Daily Caller, 06/07/17)

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/9/2017 3:42:40 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: RE: PRIA Coalition Members

Thanks!

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, June 9, 2017 11:37 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: PRIA Coalition Members

Tate – thanks for your time yesterday. Per our conversation, I wanted to share the attached PRIA letters sent to the House (Feb 16) and Senate (May 1).

List of PRIA Coalition members included on the signature line.

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:59:32 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: 10 more min

Hahahahah that's what everyone keeps telling me.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, June 6, 2017 5:52 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: 10 more min

Breathe. There is light at the end of the tunnel.

Get Outlook for iOS

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, June 6, 2017 5:50:34 PM
To: Adam Piper
Subject: 10 more min

So sorry.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/11/2017 4:51:36 PM
To: Don Parrish [donp@fb.org]
Subject: RE: AR Farm Bureau

Yes! But Changing now. I'm moving into general Administrator immediate office (I think).

From: Don Parrish [mailto:donp@fb.org]
Sent: Tuesday, July 11, 2017 12:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: AR Farm Bureau

And thanks for the title.

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 12:26 PM
To: Don Parrish
Subject: AR Farm Bureau

Do you mind connecting me with them as well?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:52:54 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]; Liz Murrell [elizabethmurrill@msn.com]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

We are still aiming to release this tonight. Standby

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, June 6, 2017 1:27 PM
To: Liz Murrell <elizabethmurrill@msn.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Liz -
Attached is embargoed background (the EPA's draft press release for later today) on the Ozone rule. Tate Bennett at the EPA is CC'd on this email for any questions you or AG Landry may have.

Thanks,
Adam

Get Outlook for iOS

_____
From: Bennett, Tate <bennett.tate@epa.gov>
Sent: Tuesday, June 6, 2017 1:17 PM
Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY
To: Adam Piper <apiper@ruleoflawdefensefund.org>,

Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea.

From: Bowman, Liz
Sent: Tuesday, June 6, 2017 12:59 PM
To: Schwab, Justin <schwab.justin@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Attached, please find the updated draft press release and the updated letter (draft of press release with edits is below), which attempt to incorporate the legal edits you sent me into both. (copied and pasted below for reference). I did not change anything per their comments on the third paragraph [1] b/c an overstatement doesn't mean factually inaccurate, and it's Mandy's language that she discussed with Ryan. Therefore, I don't really feel like I can/should change it if it isn't factually inaccurate. I am copying Mandy on this email chain for her awareness…

Can you please either send these to the person that needs to review them or let me know who I need to send them to, in order to get both the letter and the press release signed off on by legal? Thank you! – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

"We share the goal of clean air, a robust economy and stronger, healthier communities."
- Administrator Pruitt

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowed from 75 ppb in 2015. Areas designated as being in "nonattainment" of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to review effects associated with implementing the new standard.

"We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth," said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

###

Here are ARLO's views on the press release (and their request to review the letter):

Justin- There are a few statements in the press release that we want to flag for you, particularly the first two. Aside from that, I will note that ARLO has not seen the subject letter. Needless to say, we would strongly recommend a legal review of the letter since it is presumably the final agency action that is subject to challenge.

[1] The third paragraph says- "Areas designated as being in "nonattainment" of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses." We are not sure to what "stiff federal penalties" and "restrictions on infrastructure investment" refer. We assume "lost highway dollars" refers to the highway funding sanction, but that is not a consequence of designation itself (it would in fact be quite far in the future and only if a state fails to give us an approvable plan; there are no sanctions for not meeting the standard), and we are not aware that any area has ever actually lost funding. While this sentence may not be inaccurate per se, it seems to at least be an overstatement.
[2] The sixth paragraph (with the three bullets) suggests that we will consider "adverse effects associated with implementing the new standard" as part of the reconsideration of the NAAQS, that would be inconsistent with Whitman v. American Trucking Associations and could introduce some legal risk for any reconsideration.
[3] The first sentence of the fourth paragraph is confusing because it suggests the one-year delay is providing states flexibility, which it doesn't. If you need to include something, it would be better to say something like, "This action will give states more time to develop air quality plans and EPA is also looking at providing greater flexibility to states as they develop their plans."
[4] The fifth paragraph says the additional time will allow the agency to "complete" its review of the standard. Not sure what is intended here but it would almost certainly take more than a year to complete a rulemaking to revise the standard, if that is the decision.

From: Schwab, Justin
Sent: Tuesday, June 6, 2017 9:53 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

As far as I can remember I have not been shown the letter.

Sent from my iPhone

On Jun 6, 2017, at 9:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Ryan and Mandy both approved this language, it's directly from the letter. Have you all read the letter?
>
> ---
>
> **From:** Schwab, Justin
> **Sent:** Tuesday, June 6, 2017 9:34 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
> **Subject:** Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY
>
> Not sure the part about consequences for nonattainment is strictly correct. Will run this by the specialists in OGC
>
> Sent from my iPhone
>
> On Jun 6, 2017, at 9:23 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> Can you all take a look at the press release below, with regard to the Ozone letters being sent today? Please let me know if you have any legal edits. We would like to get this out asap. Thank you – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

"We share the goal of clean air, a robust economy and stronger, healthier communities." - Administrator Pruitt

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- Assessing methods to weigh any adverse effects associated with implementing the new standard.

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/23/2017 7:25:44 PM
To: Britt Aasmundstad [britt@nasda.org]; Dudley Hoskins [Dudley@nasda.org]
CC: Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Nathan Bowen [Nathan@nasda.org]
Subject: RE: connecting you

Thank you!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, May 23, 2017 2:42 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Nathan Bowen <Nathan@nasda.org>
Subject: RE: connecting you

Hi Tate and Jahan,

We think the below folks would be good points of contact and potential visits for a WOTUS tour. These are departments who were involved in WOTUS previously and have infrastructure to be helpful as well as unique water challenges:

- Commissioner John McMillan, Alabama
- Commissioner Doug Goehring, North Dakota or Secretary Jackie McClaskey, Kansas
- Secretary Jeff Witte, New Mexico (recommended) or Director Celia Gould, Idaho

Please let us know how we can continue to be helpful.

Thanks!

Britt

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, May 23, 2017 10:29 AM
To: Dudley Hoskins
Cc: Wilcox, Jahan; Nathan Bowen; Britt Aasmundstad
Subject: Re: connecting you

And please keep a close hold

On May 23, 2017, at 9:58 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

> Thanks Tate -- yes indeed. Please let us strategize internally and get back to you shortly. Thanks!
>
> Sent from my iPhone
>
> On May 23, 2017, at 9:55 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Dudley-

Working on putting together our WOTUS tour. Can you identify some good state Ag Commissioners (will keep confidential) for us to target while beginning to build out a plan? Copying Jahan who is running point.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:35:32 PM
To: Kennedy, Brian (Flake) [Brian_Kennedy@flake.senate.gov]; Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Still a hangup. 10 min

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/8/2017 10:28:45 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: blake.rollins@osec.usda.gov
Subject: Re: Contact list

Thank you!

> On May 8, 2017, at 6:02 PM, Dudley Hoskins <Dudley@nasda.org> wrote:
>
> Just passed this request on. I think someone from nasda is following up shortly.
>
> Sent from my iPhone
>
>> On May 8, 2017, at 4:29 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Dudley- do you have a master list of NASDA member office POC's + contact info that you can share?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/7/2017 2:40:28 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Paxton Mentions

http://dailycaller.com/2017/06/07/trump-delays-one-of-the-most-expensive-epa-regulations-ever/

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/16/2017 1:06:23 AM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nathan Bowen [Nathan@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: Worker Protection Standard Implementation Extension

You bet. Look forward to working together on this.

On May 15, 2017, at 8:06 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

> I just wanted to send a quick note to say thank you to our EPA partners for considering and granting NASDA's request to extend the implementation of the WPS rule!
>
> We included additional/specific recommendations in our Reg Reform comments on how to facilitate a successful path forward, and we would welcome the opportunity to work with OPP on incorporating those recommendations.
>
> Please let me know if you have any questions or would like to discuss further at this time – thank you!
>
> **Dudley W. Hoskins** • Public Policy Counsel • **National Association of State Departments of Agriculture**
> 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • **www.nasda.org**

From: Cleland-Hamnett, Wendy [mailto:Cleland-Hamnett.Wendy@epa.gov]
Sent: Friday, May 12, 2017 5:18 PM
To: Barb Glenn
Cc: Dudley Hoskins; Beck, Nancy; Keigwin, Richard; keany.kevin@epa.gov; Jakob, Avivah
Subject: Worker Protection Standard Implementation Extension

Dr. Glenn,

Please find attached a response to your request that EPA extend the implementation period for the revised Agricultural Worker Protection Standards. We are also sending a signed copy of the letter via the mail.

Please feel free to contact me if you would like to discuss the response, or any other issues on which I can be of help.

Sincerely,

Wendy Cleland-Hamnett
Acting Assistant Administrator
Principal Deputy Assistant Administrator
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
202-564-2910
cleland-hamnett.wendy@epa.gov

<Response to NASDA Petition 5-11-17.pdf>
<EPA_Evaluation.Existing.Regulations_05.15.17.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:08:28 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: EMBARGOED Signed Ducey letter
Attachments: AZ Ducey 6-6-17.pdf

Will let you know once we hit send on press release

E. Scott Pruitt
Administrator

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007

Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 Pennsylvania Ave. NW • Mail Code 1101A • Washington, DC 20460 • (202) 564-4700 • Fax: (202) 501-1450

This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours,

E. Scott Pruitt

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/16/2017 12:53:42 AM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: Re: NASDA Comments: Docket ID No. EPA-HQ-OA-2017-0190 (Evaluation of Existing Regulations)

Thank you!

On May 15, 2017, at 8:06 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Ken & Tate – wanted to share the attached NASDA comments just submitted to the docket.

Please let me know if you have any questions, and we are looking forward to seeing you all on Thur.

Many thanks,

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

<EPA_Evaluation.Existing.Regulations_05.15.17.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:04:58 PM
To: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]; Lynn Buhl -MDE- [lynn.buhl@maryland.gov]
CC: Lee Currey -MDE- [lee.currey@maryland.gov]
Subject: RE: Schedule on Thursday June 8

Hi Lynn-

Sounds like EPA will be well represented at the event. As such, I'll hang back at HQ but thanks for the thoughtful offer. The Administrator has asked me to help coordinate a meeting with the Governor in the near future, so perhaps we can meet at that time.

Hope it goes well.

Tate

From: Ben Grumbles -MDE- [mailto:ben.grumbles@maryland.gov]
Sent: Tuesday, June 6, 2017 4:39 PM
To: Lynn Buhl -MDE- <lynn.buhl@maryland.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Lee Currey -MDE- <lee.currey@maryland.gov>
Subject: Re: Schedule on Thursday June 8

Tate:

We will make sure you can attend the public press conference, after the lunch, in person.

Ben

Sent from my iPhone

On Jun 6, 2017, at 4:36 PM, Lynn Buhl -MDE- <lynn.buhl@maryland.gov> wrote:

> Good Afternoon Tate:
>
> We are down to the wire in planning for the Executive Council meeting in Annapolis this Thursday. Sec Grumbles is concerned over seating for the luncheon in the Governor's Mansion and fears there will not be three seats for the EPA reps. So that you are not left in the lurch, I would be pleased to take you to lunch somewhere charming (and nearby) in Annapolis during that time slot.
>
> Then it will be my responsibility to make sure you arrive at the State House after the lunch. I thought this plan might be helpful for you if you don't know Annapolis well.
>
> Both Ben and I worked at EPA during the Bush Administration, so I look forward to meeting you and the others. Please let me know if my invitation is helpful for you and I'll figure out where we can meet.

--
Lynn Buhl
Assistant Secretary
Maryland Department of the Environment
Ex. 6
cell Ex. 6

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]

Sent: 7/5/2017 7:30:56 PM

To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]

CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]

BCC: Stephanie Groen [Stephanie.Groen@iowa.gov]; 'kristin.allan@nebraska.gov'; 'lebachmeier@nd.gov'; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; 'kelsie.bickett@ky.gov'; 'ryan@nevadadc.org'; 'Gardner, Judd (Moran)' [Judd_Gardner@moran.senate.gov]; 'Ryan Flickner' [flicknerr@kfb.org]; 'Jerry Strickland' [Jerry.Strickland@gov.texas.gov]; 'Rell, Brian' [ber@mail.house.gov]; 'joseph.songy@governor.ms.gov'; 'Adam Piper' [apiper@ruleoflawdefensefund.org]; 'Adam Nordstrom' [adam.nordstrom@cch-llc.com]; 'Brian Sanderson' [bsanderson@rgppc.org]; 'Cassie Shirk -GOV-' [cassie.shirk@maryland.gov]; Cassie Bladow [Cassie.Bladow@beetsugar.org]; 'Cally Younger' [Cally.Younger@gov.idaho.gov]; 'Lopez, Danny' [DaLopez@gov.IN.gov]; 'Debbie Hohlt' [debbie@hohlt.com]; 'john.horne@ky.gov'; 'Charles.Snavely@ky.gov'; Penn, Stephanie (McConnell) [Stephanie_Penn@mcconnell.senate.gov]; 'Leeann.Veatch@ky.gov'; 'Kathy.Lydon@Illinois.gov'; 'Meier, Adam (Gov Office)' [Adam.Meier@ky.gov]; 'Southard, Sean (AGR)' [Sean.Southard@ky.gov]; 'A. Schafer' [aschafer@mt.gov]; 'Alexandra Dapolito Dunn' [adunn@ecos.org]; 'Schaefer, Alex' [ASchaefer@NGA.ORG]; Bruce.Scott@ky.gov; 'fitzhugh_elder@appro.senate.gov'; Britt Aasmundstad [britt@nasda.org]; 'Barry Hart' [bhart@amec.org]; 'Yasamine August' [yasamine.august@governor.alabama.gov]; 'mcbrideb@michigan.gov'; 'McBride, Stacy (Blunt)' [Stacy_McBride@blunt.senate.gov]; 'McKenzie, Trey (Blunt)' [Trey_McKenzie@blunt.senate.gov]; 'garrett.hawkins@mda.mo.gov'; 'Kathy Bergren' [Bergren@ncga.com]; 'taylor.gage@nebraska.gov'; 'DeLeon, Dona' [Dona.DeLeon@nj.gov]; 'larry.behrens2@state.nm.us'; 'rolauf@nd.gov'; Rollins, Blake - OSEC, Washington, DC [Blake.Rollins@osec.usda.gov]; Hoelscher, Douglas L. EOP/WHO [Douglas.L.Hoelscher@who.eop.gov]; Kirkland, William H. EOP/WHO [William.H.Kirkland@who.eop.gov]; Anderson, Jessica C. EOP/OMB [Jessica.C.Anderson@omb.eop.gov]; 'steves3388@gmail.com' [steves3388@gmail.com]; 'darcie.johnston@hhs.gov' [darcie.johnston@hhs.gov]; 'killionw@state.gov' [killionw@state.gov]; 'cody.reynolds@ed.gov' [cody.reynolds@ed.gov]; 'Symonds, Tori Q. (HQ-VA010)' [tori.q.symonds@nasa.gov]; 'Kellogg, Bryan' [Bryan.Kellogg@hq.doe.gov]; 'blake.rollins@osec.usda.gov' [blake.rollins@osec.usda.gov]; Jack, Brian T. EOP/WHO [Brian.T.Jack@who.eop.gov]; Trainer, Nick A. EOP/WHO [Nicholas.A.Trainer@who.eop.gov]; Amin, Stacy C. EOP/WHO [Stacy.C.Amin@who.eop.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bedell, Anthony (OST) [anthony.bedell@dot.gov]; Norton, Jane (OS/IEA) [Jane.Norton@hhs.gov]; 'John Ullyot' [John.Ullyot@va.gov]; 'Willard, Aaron (Federal)' [AWillard@doc.gov]; 'Christopher Gray' [Christopher.Gray@exim.gov]; 'john.barsa@hq.dhs.gov' [john.barsa@hq.dhs.gov]; Rateike, Bradley A. EOP/WHO [Bradley.A.Rateike@who.eop.gov]; 'john.wolf.wagner@va.gov' [john.wolf.wagner@va.gov]; 'michael.lukach@va.gov' [michael.lukach@va.gov]; 'Smith, Steven' [steven_m_smith@ios.doi.gov]; Robbins, Amanda H. EOP/OMB [Amanda.H.Robbins@omb.eop.gov]; 'Killian, Adam' [adam.killian@fema.dhs.gov]; Starling, Ray A. EOP/WHO [Raymond.A.Starling@who.eop.gov]; rebeckah.adcock@osec.usda.gov; anne.hazlett@osec.usda.gov; Laura Knoth [laura@kycorn.org]; justin.sok@mail.house.gov; mark1.roman1@gmail.com; mark.calvo@guam.gov; Conner, Katelyn (McConnell [Katelyn_Conner@mcconnell.senate.gov]; Cone, Travis (Capito) [Travis_Cone@capito.senate.gov]; Adam Andrews [adam@kycorn.org]; Hannon, Arnita [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=03d9d86e161b4a6e9ca30ab9df0df580-AHANNON]; Judy Sheahan [jsheahan@usmayors.org]; Natonski, Dave [Dave.Natonski@mail.house.gov]; Buchanan, Natalie [Natalie.Buchanan@mail.house.gov]; Antell, Geoffrey [Geoffrey.Antell@mail.house.gov]; matt.miltenberger@nebraska.gov; Matt Konenkamp [matt.konenkamp@state.sd.us]; Gronewald, Matt [Matt.Gronewald@Iowaagriculture.gov]; Neil_Chatterjee@mcconnell.senate.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 MOU with the Commodity Future Trading Commission (CTCF) 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

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Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/1/2017 4:13:20 PM
To: Ariel Judah -GOV- [ariel.judah@maryland.gov]
CC: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
Subject: RE: Call with EPA Administrator Pruitt

Great. We will be ready. We will have a few staff on the line as well.

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Thursday, June 1, 2017 10:57 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>
Subject: Re: Call with EPA Administrator Pruitt

Just confirmed that our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio, will be on the call with the Governor.

Thanks,
Ariel

CHANGING Maryland *for the Better*

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On Wed, May 31, 2017 at 6:34 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Ok! Thanks!

On May 31, 2017, at 6:27 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Hi Tate,

I believe the main focus will be the Chesapeake Bay restoration plan. I'll keep you updated if I hear more details beforehand.

Thanks,
Ariel

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On Wed, May 31, 2017 at 6:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Ariel! Any idea what topics are to be discussed? Thanks!

On May 10, 2017, at 9:52 AM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney! The Governor may be joined on the call by our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio.

Will anyone else be on the call on your end?

Best,
Ariel

....

<changingMD2a.png>

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On Tue, May 9, 2017 at 5:31 PM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Yes! I've got it on the calendar. Will it just be the Governor on the call?

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Tuesday, May 9, 2017 1:24 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Julia B. Johnson <Ex. 6>; Tiffany Waddell <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Sydney,

Yes, we could do 6/2. Would 11:15 am work?

Thanks,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On May 9, 2017 9:39 AM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Anyway we could do it on June 2?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Monday, May 8, 2017 10:20 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Tiffany Waddell <tiffany.waddell@maryland.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Julia B. Johnson <Ex. 6>
Subject: Re: Call with EPA Administrator Pruitt

Sydney,

The dates below would also work:

6/5 before 11:15 or after 3:30.

6/7 between 2-4

Thanks,

Ariel

...

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)

(mobile)

On Fri, May 5, 2017 at 6:12 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney. I will check and circle back.

Best,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On May 5, 2017 5:56 PM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Hello all! Originally set to leave on the 4th but that might be changing. Just to be safe, are there other potential dates they could connect?

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Bennett, Tate
Sent: Friday, May 5, 2017 2:11 PM
To: Hoelscher, Douglas L. EOP/WHO <Ex. 6>; Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <Ex. 6>; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Hupp, Sydney <hupp.sydney@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Of course! Sydney, is there any way we could schedule a call before his big trip in June on the 6th?

From: Hoelscher, Douglas L. EOP/WHO
Ex. 6
Sent: Friday, May 5, 2017 1:48 PM
To: Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <Ex. 6>; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call with EPA Administrator Pruitt

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate – can you please take coordination from here?

*Julia – please log.

Thanks,

Doug

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Friday, May 5, 2017 1:46 PM
To: Hoelscher, Douglas L. EOP/WHO <Ex. 6
Cc: Johnson, Julia B. EOP/WHO <Ex. 6; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>
Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel

...

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)

(mobile)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/14/2017 5:11:40 PM
To: Rashid G. Hallaway [rhallaway@hhqventures.com]
CC: Peter S. Glaser [Peter.Glaser@troutmansanders.com]
Subject: RE: SIPC Petition

Thanks, Rashid. Appreciate the update and your flagging.

-----Original Message-----
From: Rashid G. Hallaway [mailto:rhallaway@hhqventures.com]
Sent: Wednesday, June 14, 2017 9:19 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Peter S. Glaser <Peter.Glaser@troutmansanders.com>
Subject: SIPC Petition

Tate,

I want to let you know that SIPC filed their petition this morning. I have attached a PDF copy for your review.

Please let me know if you would like to schedule a call to discuss further. Thanks for your thoughtful consideration.

RH

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/1/2017 4:12:56 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Ben Grumbles [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usereb77e807]
Subject: RE: Meeting

Thanks again, both Sec. Grumbles and Ken!

From: Wagner, Kenneth
Sent: Thursday, June 1, 2017 11:51 AM
To: Ben Grumbles <ben.grumbles@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Meeting

Secretary Grumbles:

Thanks for the great discussion. Tate is the Senior DAA of OCIR and her email is Bennett.tate@epa.gov. Her cell number Ex. 6

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
US Environmental Protection Agency
Office: 202-564-1988
Cell: Ex. 6
wagner.kenneth@epa.gov

On May 19, 2017, at 1:59 PM, Ben Grumbles -MDE- <ben.grumbles@maryland.gov> wrote:

> Thanks Ken. Great meeting. One very important clarification to your email below:
>
> Gov Hogan is seeking to become chair of the Executive Council (of the Chesapeake Bay Program Partnership). That's the Council which includes the Administrator, the Governors of MD,VA, PA, DE, WV, NY, the Mayor of DC, and the chair of the Chesapeake Bay Commission. It's the key organization with secretaries of environment, natural resources, and agriculture from all of the jurisdictions. That's the group meeting in Annapolis on June 8 and Governor McAuliffe will be stepping down from the chairmanship due to his term ending in 2017.
>
> The Chesapeake Bay Commission, which is staffed by Ann, is composed of legislators and a rep from the governors offices of MD, VA, and PA. The current chair is a legislator from PA.
>
> Greatly appreciate your time and the importance of your work ahead.
>
> Ben
> Office Ex. 6
> Cell Ex. 6
>
> Sent from my iPad

On May 19, 2017, at 8:44 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Ben:

Thanks for taking the time to visit with me and Troy. I am excited that this is the first contact in a productive and strategic relationship. Please feel free to call my cell anytime that you think a conversation is helpful. I am sure we will talk in anticipation of your boss becoming the Chairman of the Chesapeake Bay Commission.

Thanks again,

Ken

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

Click here to complete a three question customer experience survey.

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 7/11/2017 12:55:16 PM
To: dmoore@fb.org

I think he's enjoying. Maybe one more

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/5/2017 1:41:44 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: letter

Thanks again!

On Jun 5, 2017, at 9:19 AM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

> That would be it.
>
> The preceding letter referenced would be the one I just texted you.
>
> Get Outlook for iOS
>
> ---
>
> **From:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Sent:** Monday, June 5, 2017 9:17:29 AM
> **To:** Adam Piper
> **Subject:** letter
>
> I think this is it.
>
> http://i2.cdn.turner.com/cnn/2017/images/04/12/comment.pruitt..pdf
>
> Elizabeth Tate Bennett
> Senior Deputy Associate Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/7/2017 12:48:14 AM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
CC: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: Re: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

Appreciate you!

On Jun 6, 2017, at 8:42 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

FYI. I will continue to forward additional AG reaction releases and clips as I see/receive them.

Get Outlook for iOS

From: Michael Toth <michaelctoth@gmail.com>
Sent: Tuesday, June 6, 2017 8:38:28 PM
To: Adam Piper
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

---------- Forwarded message ---------
From: Toth, Michael <Michael.Toth@oag.texas.gov>
Date: Tue, Jun 6, 2017 at 7:37 PM
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
To: michaelctoth@gmail.com <michaelctoth@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: "Office of TX Attorney General" <TXAttorneyGeneral@public.govdelivery.com>
Date: June 6, 2017 at 7:07:34 PM CDT
To: michael.toth@oag.texas.gov
Subject: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
Reply-To: TXAttorneyGeneral@public.govdelivery.com

KEN PAXTON

ATTORNEY GENERAL OF TEXAS

FOR IMMEDIATE RELEASE **PRESS OFFICE: (512) 463-2**

June 6, 2017 Kayleigh Lovvorn: Kayleigh.Lovvorn@oag.texas

www.texasattorneygeneral.gov

AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

AUSTIN – Texas Attorney General Ken Paxton announced his support of the Environmental Protecti Agency's (EPA) decision to give states more time to comply with the National Ambient Air Quality Standard (NAAQS), an ozone regulation issued in 2015. Administrator Scott Pruitt today sent a letter governors informing them that the EPA is extending the deadline for promulgating initial area designations for the NAAQS by one year.

The NAAQS for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of t process to determine what areas of the country are able to meet the current air quality standards, states currently submitting their proposals for area designations. Areas designated as being in "nonattainmer of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalt lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone le have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

"I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I'm hopeful that the one year delay will provide time for the EPA to revie the detrimental effects the Ozone Rule will have on the Texas economy," Attorney General Paxton sa

"Texas has continually reduced ambient ozone concentrations in the state without stifling the growth o Texas's industry or population, and looks forward to continuing efforts to improve air quality while bolstering the Texas economy."

Texas previously challenged this rule on December 28, 2015. In addition to Texas, Arizona, Arkansas Kentucky, New Mexico, Oklahoma, North Dakota, Utah and Wisconsin have also filed lawsuits again the Ozone Rule.

To view a copy of the letter, click here.

#

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This email was sent to michael.toth@oag.texas.gov using GovDelivery Communications Cloud on behalf of: Office of Texas Attorney General · 300 W. 15th Street · Austin, TX 78701

--
Sent from Gmail Mobile

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 6:57:47 PM
To: Judd Deere [judd.deere@arkansasag.gov]; Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Still trying to pry this out of GC. Standby!

From: Judd Deere [mailto:judd.deere@arkansasag.gov]
Sent: Tuesday, June 6, 2017 1:24 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

If y'all are interested in including one from the General, I can work to get that to you.

When do you need it by?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 06, 2017 12:17 PM
To: Adam Piper; Judd Deere
Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea. Can you cc me when you send it to WI/ TX/etc.?

Judd, thoughts on a statement/ does your boss want to give us a statement for inclusion in our press release as well?

From: Bowman, Liz
Sent: Tuesday, June 6, 2017 12:59 PM
To: Schwab, Justin <schwab.justin@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Attached, please find the updated draft press release and the updated letter (draft of press release with edits is below), which attempt to incorporate the legal edits you sent me into both. (copied and pasted below for reference). I did not change anything per their comments on the third paragraph [1] b/c an overstatement doesn't mean factually inaccurate, and it's Mandy's language that she discussed with Ryan. Therefore, I don't really feel like I can/should change it if it isn't factually inaccurate. I am copying Mandy on this email chain for her awareness…

Can you please either send these to the person that needs to review them or let me know who I need to send them to, in order to get both the letter and the press release signed off on by legal? Thank you! – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

"We share the goal of clean air, a robust economy and stronger, healthier communities."
- Administrator Pruitt

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowed from 75 ppb in 2015. Areas designated as being in "nonattainment" of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to review effects associated with implementing the new standard.

"We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth," said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

###

Here are ARLO's views on the press release (and their request to review the letter):

Justin- There are a few statements in the press release that we want to flag for you, particularly the first two. Aside from that, I will note that ARLO has not seen the subject letter. Needless to say, we would strongly recommend a legal review of the letter since it is presumably the final agency action that is subject to challenge.

[1] The third paragraph says- "Areas designated as being in "nonattainment" of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure

investment, and increased costs to businesses." We are not sure to what "stiff federal penalties" and "restrictions on infrastructure investment" refer. We assume "lost highway dollars" refers to the highway funding sanction, but that is not a consequence of designation itself (it would in fact be quite far in the future and only if a state fails to give us an approvable plan; there are no sanctions for not meeting the standard), and we are not aware that any area has ever actually lost funding. While this sentence may not be inaccurate per se, it seems to at least be an overstatement.

[2] The sixth paragraph (with the three bullets) suggests that we will consider "adverse effects associated with implementing the new standard" as part of the reconsideration of the NAAQS, that would be inconsistent with Whitman v. American Trucking Associations and could introduce some legal risk for any reconsideration.

[3] The first sentence of the fourth paragraph is confusing because it suggests the one-year delay is providing states flexibility, which it doesn't. If you need to include something, it would be better to say something like, "This action will give states more time to develop air quality plans and EPA is also looking at providing greater flexibility to states as they develop their plans."

[4] The fifth paragraph says the additional time will allow the agency to "complete" its review of the standard. Not sure what is intended here but it would almost certainly take more than a year to complete a rulemaking to revise the standard, if that is the decision.

From: Schwab, Justin
Sent: Tuesday, June 6, 2017 9:53 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

As far as I can remember I have not been shown the letter.

Sent from my iPhone

On Jun 6, 2017, at 9:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Ryan and Mandy both approved this language, it's directly from the letter. Have you all read the letter?
>
> ---
>
> **From:** Schwab, Justin
> **Sent:** Tuesday, June 6, 2017 9:34 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
> **Subject:** Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY
>
> Not sure the part about consequences for nonattainment is strictly correct. Will run this by the specialists in OGC
>
> Sent from my iPhone
>
> On Jun 6, 2017, at 9:23 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> Can you all take a look at the press release below, with regard to the Ozone letters being sent today? Please let me know if you have any legal edits. We would like to get this out asap. Thank you – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

"We share the goal of clean air, a robust economy and stronger, healthier communities." - Administrator Pruitt

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowed from 75 ppb in 2015. Areas designated as being in "nonattainment" of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is granting states more time and flexibility to develop air attainment plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
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- Assessing methods to weigh any adverse effects associated with implementing the new standard.

"We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth," said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 6:57:15 PM
To: Jeffrey Mateer [jeffmateer@gmail.com]; Adam Piper [apiper@ruleoflawdefensefund.org]; Marc Rylander [marcrylander@gmail.com]; Michael Toth [michaelctoth@gmail.com]
CC: Brantley Starr [brantleystarr@yahoo.com]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Awesome! Not sure we can add to our release but we are compiling and pushing out to stakeholders a list of all statements if you send them my way. Still TBD on timing so stand by.

From: Jeffrey Mateer [mailto:jeffmateer@gmail.com]
Sent: Tuesday, June 6, 2017 1:42 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>; Marc Rylander <marcrylander@gmail.com>; Michael Toth <michaelctoth@gmail.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Brantley Starr <brantleystarr@yahoo.com>
Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Thanks, Adam. We are planning on issuing statement.

I'm connecting you all with Mike Toth and Marc Rylander (our press guy), who will be working on it.

Sent from my iPhone

On Jun 6, 2017, at 12:25 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

> Jeff-
> Attached is the EPA draft release...it is embargoed until later today.
>
> Let me or Tate Bennett at the EPA know if AG Paxton is likely to put out a statement on it.
>
> Thanks,
> Adam
>
> Get Outlook for iOS
>
> _____
> From: Bennett, Tate <bennett.tate@epa.gov>
> Sent: Tuesday, June 6, 2017 1:17 PM
> Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY
> To: Adam Piper <apiper@ruleoflawdefensefund.org>,
>
> Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea. Can you cc me when you send it to WI/ TX/etc.?
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Tuesday, June 6, 2017 12:59 PM

To: Schwab, Justin <schwab.justin@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

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Here are ARLO's views on the press release (and their request to review the letter):

Justin- There are a few statements in the press release that we want to flag for you, particularly the first two. Aside from that, I will note that ARLO has not seen the subject letter. Needless to say, we would strongly recommend a legal review of the letter since it is presumably the final agency action that is subject to challenge.
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[2] The sixth paragraph (with the three bullets) suggests that we will consider "adverse effects associated with implementing the new standard" as part of the reconsideration of the NAAQS, that would be inconsistent with Whitman v. American Trucking Associations and could introduce some legal risk for any reconsideration.
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From: Schwab, Justin
Sent: Tuesday, June 6, 2017 9:53 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

As far as I can remember I have not been shown the letter.

Sent from my iPhone

On Jun 6, 2017, at 9:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Ryan and Mandy both approved this language, it's directly from the letter. Have you all read the letter?
>
> ---
>
> **From:** Schwab, Justin
> **Sent:** Tuesday, June 6, 2017 9:34 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
> **Subject:** Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY
>
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EPA is granting states more time and flexibility to develop air attainment plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

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<2017-06-05 DRAFT Release re Ozone Letter.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 5:33:03 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Call when you get here

Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 6:53:51 PM
To: Jeffrey Mateer [jeffmateer@gmail.com]; Adam Piper [apiper@ruleoflawdefensefund.org]; Marc Rylander [marcrylander@gmail.com]; Michael Toth [michaelctoth@gmail.com]
CC: Brantley Starr [brantleystarr@yahoo.com]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Thanks all! We are still aiming to get this out today. Standby.

From: Jeffrey Mateer [mailto:jeffmateer@gmail.com]
Sent: Tuesday, June 6, 2017 1:42 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>; Marc Rylander <marcrylander@gmail.com>; Michael Toth <michaelctoth@gmail.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Brantley Starr <brantleystarr@yahoo.com>
Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Thanks, Adam. We are planning on issuing statement.

I'm connecting you all with Mike Toth and Marc Rylander (our press guy), who will be working on it.

Sent from my iPhone

On Jun 6, 2017, at 12:25 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

> Jeff-
> Attached is the EPA draft release...it is embargoed until later today.
>
> Let me or Tate Bennett at the EPA know if AG Paxton is likely to put out a statement on it.
>
> Thanks,
> Adam
>
> Get Outlook for iOS
>
> _____
> From: Bennett, Tate <bennett.tate@epa.gov>
> Sent: Tuesday, June 6, 2017 1:17 PM
> Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY
> To: Adam Piper <apiper@ruleoflawdefensefund.org>,
>
> Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea. Can you cc me when you send it to WI/ TX/etc.?
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Tuesday, June 6, 2017 12:59 PM
> **To:** Schwab, Justin <schwab.justin@epa.gov>

Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Attached, please find the updated draft press release and the updated letter (draft of press release with edits is below), which attempt to incorporate the legal edits you sent me into both. (copied and pasted below for reference). I did not change anything per their comments on the third paragraph [1] b/c an overstatement doesn't mean factually inaccurate, and it's Mandy's language that she discussed with Ryan. Therefore, I don't really feel like I can/should change it if it isn't factually inaccurate. I am copying Mandy on this email chain for her awareness...

Can you please either send these to the person that needs to review them or let me know who I need to send them to, in order to get both the letter and the press release signed off on by legal? Thank you! – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

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Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

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<2017-06-05 DRAFT Release re Ozone Letter.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/31/2017 10:08:36 PM
To: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Subject: Re: Call with EPA Administrator Pruitt

Hey Ariel! Any idea what topics are to be discussed? Thanks!

On May 10, 2017, at 9:52 AM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney! The Governor may be joined on the call by our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio.

Will anyone else be on the call on your end?

Best,
Ariel

--

<changingMD2a.png>

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On Tue, May 9, 2017 at 5:31 PM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Yes! I've got it on the calendar. Will it just be the Governor on the call?

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Tuesday, May 9, 2017 1:24 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Julia B. Johnson <Ex. 6>; Tiffany Waddell <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Sydney,

Yes, we could do 6/2. Would 11:15 am work?

Thanks,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On May 9, 2017 9:39 AM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Anyway we could do it on June 2?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Monday, May 8, 2017 10:20 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Tiffany Waddell <tiffany.waddell@maryland.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Julia B. Johnson <Ex. 6
Subject: Re: Call with EPA Administrator Pruitt

Sydney,

The dates below would also work:

6/5 before 11:15 or after 3:30.

6/7 between 2-4

Thanks,

Ariel

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)

(mobile)

On Fri, May 5, 2017 at 6:12 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney. I will check and circle back.

Best,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On May 5, 2017 5:56 PM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Hello all! Originally set to leave on the 4th but that might be changing. Just to be safe, are there other potential dates they could connect?

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Bennett, Tate
Sent: Friday, May 5, 2017 2:11 PM
To: Hoelscher, Douglas L. EOP/WHO <Ex. 6>; Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <Ex. 6>; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Hupp, Sydney <hupp.sydney@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Of course! Sydney, is there any way we could schedule a call before his big trip in June on the 6th?

From: Hoelscher, Douglas L. EOP/WHO Ex. 6
Sent: Friday, May 5, 2017 1:48 PM
To: Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO Ex. 6; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call with EPA Administrator Pruitt

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate – can you please take coordination from here?

*Julia – please log.

Thanks,

Doug

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Friday, May 5, 2017 1:46 PM
To: Hoelscher, Douglas L. EOP/WHO <Ex. 6>
Cc: Johnson, Julia B. EOP/WHO <Ex. 6>; Tiffany Waddell -GOV-

<tiffany.waddell@maryland.gov>
Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)

(mobile)

Message

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Sent: 6/6/2017 11:44:48 PM
To: don.parrish@fb.org
Subject: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Attachments: AZ Ducey 6-6-17.pdf; ATT00001.htm

FYI, Don!

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: June 6, 2017 at 6:35:34 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

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R107

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

E. Scott Pruitt
Administrator

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007

Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 Pennsylvania Ave. NW • Mail Code 1101A • Washington, DC 20460 • (202) 564-4700 • Fax: (202) 501-1450

This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours,

E. Scott Pruitt

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/24/2017 8:45:59 PM
To: Provost, Megan (J) [MProvost@dow.com]
Subject: RE: Congratulations!

Hey. Sorry but we are totally slammed this week. Happy to catch up via phone soon, however.

From: Provost, Megan (J) [mailto:MProvost@dow.com]
Sent: Friday, April 21, 2017 3:30 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Congratulations!

Hey, Tate! I hope you're getting settled in over there!

I wanted to follow-up to see if you had some time to catch up. Any chance you're available on Monday (the 24th) or Tuesday (the 25th)?

From: Provost, Megan (J)
Sent: Saturday, April 1, 2017 10:59 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Congratulations!

No, I'm back and forth, though I'm in DC pretty often. I'm not out a ton over recess... How do April 10 (Monday) or 21 (Friday) look for you?

On a work-related note, I also wanted to give you a heads up that I spoke with Michal Freedhoff with the EPW Committee a couple times last week on EPA's recent decision on chlorpyrifos. It sounds like Sen. Carper will likely be sending (if he hasn't already) a letter to the Administrator.

Thanks!
Megan

On Mar 31, 2017, at 7:50 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Megan!

Are you back in DC? Admittedly these next few weeks are rough schedule wise. What might work on your end?

Tate

Sent from my iPhone

On Mar 30, 2017, at 11:55 AM, Provost, Megan (J) <MProvost@dow.com> wrote:

> Tate!
>
> I just heard the fantastic news... Congratulations on your new role! I'm so excited for you! (And, selfishly, I'm even more excited that I'll get to work with you more again!)

I would love to grab coffee and catch up sometime… Let me know how your schedule looks these days and if you've got time.

Congrats, again!
Megan

Megan J. Provost
Dow AgroSciences
U.S. Government Affairs
Ex. 6
Email: mprovost@dow.com

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 3:12:29 PM
To: Don Parrish [donp@fb.org]
Subject: touch base

Can I give you a quick buzz? Or vice versa Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/5/2017 11:18:51 AM
To: Ben Grumbles [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usereb77e807]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Hale, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb99f5247ab8412fa017133839301fee-Hale, Miche]
Subject: Re: Meeting

Just seeing this! Yes! Thanks for taking my call last minute to help move it up. He is sending a follow up thank you note today, and I'll be sure to send you a copy! Thanks, Secretary G!

On Jun 2, 2017, at 4:38 PM, Ben Grumbles -MDE- <ben.grumbles@maryland.gov> wrote:

> Thanks for your help today. I'm told the call went well. See you next week. Don't ever hesitate to reach out.
>
> Ben
> Ex. 6 cell
>
> Sent from my iPhone
>
> On Jun 1, 2017, at 12:12 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>> Thanks again, both Sec. Grumbles and Ken!
>>
>> **From:** Wagner, Kenneth
>> **Sent:** Thursday, June 1, 2017 11:51 AM
>> **To:** Ben Grumbles <ben.grumbles@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
>> **Subject:** Re: Meeting
>>
>> Secretary Grumbles:
>>
>> Thanks for the great discussion. Tate is the Senior DAA of OCIR and her email is Bennett.tate@epa.gov. Her cell number Ex. 6
>>
>> Kenneth E. Wagner
>> *Senior Advisor to the Administrator*
>> *For Regional & State Affairs*
>> **US Environmental Protection Agency**
>> Office: 202-564-1988
>> Cell: Ex. 6
>> wagner.kenneth@epa.gov
>>
>> On May 19, 2017, at 1:59 PM, Ben Grumbles -MDE- <ben.grumbles@maryland.gov> wrote:

Thanks Ken. Great meeting. One very important clarification to your email below:

Gov Hogan is seeking to become chair of the Executive Council (of the Chesapeake Bay Program Partnership). That's the Council which includes the Administrator, the Governors of MD,VA, PA, DE, WV, NY, the Mayor of DC, and the chair of the Chesapeake Bay Commission. It's the key organization with secretaries of environment, natural resources, and agriculture from all of the jurisdictions. That's the group meeting in Annapolis on June 8 and Governor McAuliffe will be stepping down from the chairmanship due to his term ending in 2017.

The Chesapeake Bay Commission, which is staffed by Ann, is composed of legislators and a rep from the governors offices of MD, VA, and PA. The current chair is a legislator from PA.

Greatly appreciate your time and the importance of your work ahead.

Ben
Office Ex. 6
Cell Ex. 6

Sent from my iPad

On May 19, 2017, at 8:44 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

> Ben:
>
> Thanks for taking the time to visit with me and Troy. I am excited that this is the first contact in a productive and strategic relationship. Please feel free to call my cell anytime that you think a conversation is helpful. I am sure we will talk in anticipation of your boss becoming the Chairman of the Chesapeake Bay Commission.
>
> Thanks again,
>
> Ken
>
> **Kenneth E. Wagner**
> *Senior Advisor to the Administrator*
> *For Regional and State Affairs*
> **Environmental Protection Agency**
> **202-564-1988 office**
> Ex. 6 **cell**
> wagner.kenneth@epa.gov

Click here to complete a three question customer experience survey.

Click here to complete a three question customer experience survey.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/30/2017 6:18:46 PM
To: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: RE: Comments - Existing regulations - May 15

Can I give you a quick buzz

From: Beau Greenwood [mailto:BGreenwood@croplifeamerica.org]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

> **From:** "Fred Bosco" <FBosco@croplifeamerica.org>
> **To:** "Beau Greenwood" <BGreenwood@croplifeamerica.org>
> **Subject: Comments - Existing regulations - May 15**
>
> Thank you,
> Fred
>
> Fred Bosco
> Government Relations Coordinator
> **CropLife America**
> 1156 15th Street NW, Suite 400
> Washington, D.C. 20005
> **P**: Ex. 6 | **F**: 202-355-1411
> **E**: FBosco@croplifeamerica.org
> **W**: www.croplifeamerica.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/30/2017 5:12:29 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: Sec. Pruitt Writes Governors on CPP

Yes. Ex. 6

Sent from my iPhone

On Mar 30, 2017, at 1:10 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

> Tate -
> Do you have 30 seconds for a quick call with a follow up question on the forwarded letter?
> Thanks,
> Adam
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Thursday, March 30, 2017 12:55 PM
> **To:** Adam Piper <apiper@ruleoflawdefensefund.org>; Dravis, Samantha <dravis.samantha@epa.gov>; Scott Will <swill@ruleoflawdefensefund.org>
> **Subject:** RE: Sec. Pruitt Writes Governors on CPP
>
> Look forward to working with you!
>
> **From:** Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
> **Sent:** Thursday, March 30, 2017 12:52 PM
> **To:** Dravis, Samantha <dravis.samantha@epa.gov>; Scott Will <swill@ruleoflawdefensefund.org>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: Sec. Pruitt Writes Governors on CPP
>
> Samantha -
> Thanks so much.
>
> Tate -
> It is a pleasure to meet you over e-mail.
>
> -Adam
>
> **From:** Dravis, Samantha [mailto:dravis.samantha@epa.gov]
> **Sent:** Thursday, March 30, 2017 12:42 PM
> **To:** Scott Will <swill@ruleoflawdefensefund.org>; Adam Piper <apiper@ruleoflawdefensefund.org>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** FW: Sec. Pruitt Writes Governors on CPP
>
> Scott and Adam:

We wanted to let you know that Administrator Pruitt is today sending the attached letter to all U.S. Governors regarding the EPA's current posture on the CPP that I believe state Attorneys General would be interested in reading as well. Tate Bennett in our office of Congressional and Intergovernmental Affairs can provide more information on this letter and answer any questions.

All the Best,
Samantha

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/3/2017 9:37:39 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Re: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

Very helpful . Conaway is attending their reception. Thanks.

On Jun 3, 2017, at 5:09 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

In case it's helpful context on any fronts --

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Barb Glenn
Sent: Wednesday, May 31, 2017 1:49 PM
To: Megan McDonald; Policy Unit
Subject: FW: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

From: AAW President [mailto:president@americanagriwomen.org]
Sent: Wednesday, May 31, 2017 1:33 PM
Subject: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

You are cordially invited to the following events being held during the American Agri-Women Fly-In
June 5 & 6.
<image002.png>

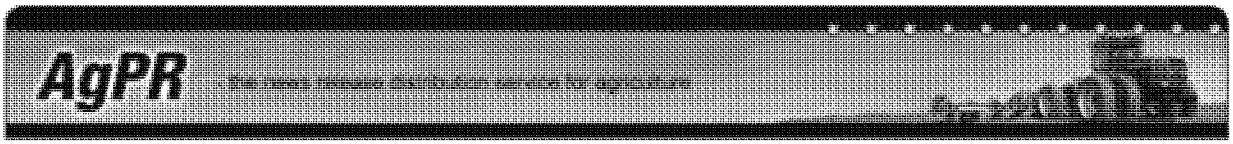
Please feel free to share this information with your colleagues.
The full sized invitation is attached.
Sincerely,
Doris Mold

Doris Mold
President American Agri-Women
Phone: Ex. 6
E-mail: president@americanagriwomen.org
www.americanagriwomen.org
@women4ag

AAW - 42 Years of Advocating for Agriculture, Empowering Women in Agriculture, and Planting the Future for Agriculture

#AGDAY365

If you're having trouble viewing this email please Click Here to view on the web.



Greetings! 05/30/2017

**** MEDIA ALERT **** *-- For Immediate Release*

American Agri-Women Invites Press and Ag Communicators to Events at Washington, D.C. Legislative Fly-In

Washington, DC (AgPR) May 30, 2017 — The American Agri-Women (AAW) invites interested media and agricultural communications professionals, who are in the Washington, D.C. area next week, to two different events held during June 4-7 Legislative Fly-in.

- <!--[if !supportLists]--><!--[endif]-->**AAW 27th Annual Agricultural Issues Symposium**: "National Security and The Role of Rural America" ... sponsored by the AAW Presidents' Council, ***Monday, June 5, 2017, 9–11 a.m***....USDA Whitten Building, Room 107. Please join us as we discuss this issue with our panelists...Kimmi Lewis, Cattle Producer who is serving in the Colorado Legislature representing the 64th District; Kathleen Sgamma, President of

Western Energy Alliance; Lawrence A. Kogan, Managing Principal for Kogan Law Group, P.C. in New York.

- <!--[if !supportLists]--><!--[endif]-->**AAW 32nd Annual Congressional Reception** on ***Tuesday, June 6, 2017, from 4:30-6:30 p.m***... Longworth 1309. We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW "Champion of Agriculture" awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, AAW will recognize **Representative Rodney Davis** of Illinois and **Senator Joni Ernst** of Iowa**.** Please join us as we celebrate agriculture in the United States.

If you would like to attend either of these events please RSVP to aaw@americanagriwomen.org.

We appreciate support from the National Association of Broadcasters, CCI Marketing, Western Skies Strategies, Property Casualty Insurers Association of America, Syngenta, and Nutra-Lix, Inc.

Following the Legislative Fly-In, AAW will issue a follow-up release with photos and information about the success of the Legislative Fly-in. We also invite all to follow on Twitter (@Women4Ag) and on Facebook (American Agri-Women) using #AAW17DC during the Legislative Fly-In.

About American Agri-Women
American Agri-Women (AAW) promotes the welfare of our national security through a safe and reliable food, fiber and mineral supply. Since 1974, AAW members have worked together to educate consumers; advocate for agriculture; and offer networking and professional development opportunities. For more information, or to join, visit AmericanAgriWomen.org. Find and follow AAW on social media at: facebook.com/AgriWomen and twitter.com/Women4Ag.

# # #

Media Contact:
Jane Marshall
VP Communications
American Agri-Women
937.336.1456 - mobile - voice or text
communications@americanagriwomen.org
AmericanAgriWomen.org

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<AAWcongressionalreceptioninvite2017 (1).pdf>

Invitation

AAW 32ND ANNUAL FLY-IN CONGRESSIONAL RECEPTION

Please be our guest on

Tuesday, June 6, 2017

4:30-6:30 P.M.

LONGWORTH 1309

We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW "Champion of Agriculture" awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, we are recognizing **Senator Joni Ernst and Representative Rodney Davis.** Please join us to celebrate agriculture in the United States.

Sincerely, *Doris Mold, President, American Agri-Women*

RSVP: aaw@americanagriwomen.org

Additional Events

AAW'S 27TH ANNUAL SYMPOSIUM: "NATIONAL SECURITY AND THE ROLE OF RURAL AMERICA" | *sponsored by the President's Council*

MONDAY, JUNE 5, 2017, 9-11 A.M. | USDA 107-A PRESS ROOM, 1400 INDEPENDENCE AVENUE

Please join us in discussing the issue with our panelists.

WE APPRECIATE SUPPORT FROM THESE FRIENDS OF AAW

Western States Sweeper • Syngenta • National Association of Broadcasters
Property Casualty Insurers Association of America • CCI Marketing

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 5:47:38 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: Ozone letter

This is awesome! BTW, it's looking more like later today this will happen. Sorry for the stalemate! Will keep you posted hourly.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, June 6, 2017 1:44 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Ozone letter

Tate -
FYI – attached is the original 2015 comment letter on the matter in case you need it.
-Adam

From: Greg Cairns [mailto:gcairns@republicanags.com]
Sent: Tuesday, June 6, 2017 1:32 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: Ozone letter

See attached. NE, OK, WV, AL, AR, Ga, KS, KY, LA, MT, ND, OH, SC, and WI.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/2/2017 4:30:05 PM
To: Dudley Hoskins [Dudley@nasda.org]; Andrew Bray [abray@pestworld.org]; admoore@agaviation.org
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: RE: Introduction & DRAFT NASDA Statement on C&T

Thanks, Dudley!

I also wanted to loop in our communications folks on this e-mail.

Let me know when the meeting is and where we need to be.

Tate

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 2, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; admoore@agaviation.org
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/8/2017 6:20:49 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Re: Thank You & NASDA Follow-Up

Tell her hello. Their personal office is a way underutilized resource.

On May 8, 2017, at 2:19 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

> For sure. On my cell all day tomorrow too. Stopping by to see Katelyn Conner in McConnell's office tomorrow afternoon.
>
> Thanks Tate.
>
> Sent from my iPhone
>
> On May 8, 2017, at 2:13 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>> Lets pivot to tomorrow if thats ok?
>>
>> On May 8, 2017, at 2:09 PM, Dudley Hoskins <Dudley@nasda.org> wrote:
>>
>>> Thanks Tate. Is there a good number to reach you on? I am on my cell Ex. 6 the rest of the day.
>>>
>>> Sent from my iPhone
>>>
>>> On May 7, 2017, at 9:41 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>
>>>> Monday works!
>>>>
>>>> On May 6, 2017, at 4:40 PM, Dudley Hoskins <Dudley@nasda.org> wrote:
>>>>
>>>>> Tate – my apologies on the tardy reply on this.
>>>>>
>>>>> Would love to touch base on a few fronts if you have a few minutes Mon or Tue?
>>>>>
>>>>> I will be bouncing around on my cell Ex. 6 Hope you're having a good Derby Day!
>>>>>
>>>>> **Dudley W. Hoskins** ● Public Policy Counsel ● **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910
Arlington, VA 22203 ● (P) 202.296.9680 ●
(C) Ex. 6 www.nasda.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, May 02, 2017 10:21 AM
To: Dudley Hoskins
Subject: RE: Thank You & NASDA Follow-Up

Just saw this. Give me a shout when you can. Ex. 6

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Saturday, April 29, 2017 5:02 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Lyons, Troy <lyons.troy@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Rees, Sarah <rees.sarah@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Subject: Thank You & NASDA Follow-Up

Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.

NASDA will be submitting formal comments to the "Evaluation of Existing Regulations" docket by the May 15th deadline, but in the interim, I wanted to share the attached "NASDA Priorities" document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).

Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.

Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks -- dudley

NASDA 2017 REGIONAL MEETINGS:

SASDA Annual Meeting
June 4-7
Nashville, TN
Event Registration

NEASDA Annual Meeting
June 12-15
Cooperstown, NY
(Hotel | Event Registration)
May 12: Deadline to book your hotel and receive the early-bird registration rate
Theresa.Sweeney@agriculture.ny.gov

MASDA Annual Meeting
June 19-22
Cleveland, OH
(Hotel | Event Registration)
May 22: Deadline to book your hotel and receive the early-bird registration rate
mark.bruce@agri.ohio.gov

WASDA Annual Meeting
July 23-28
Sun Valley, ID
(Hotel | Event Registration)
June 15: Deadline to book your hotel and receive the early-bird registration rate
laura.johnson@agri.idaho.gov

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910
Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/19/2017 3:09:16 PM
To: apiper@ruleoflawdefensefund.org
Subject: Zinke Intergov POC
Attachments: Contact.vcf; ATT00001.txt

E-mail: micah_chambers@ios.doi.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/2/2017 2:06:26 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Thank You & NASDA Follow-Up

Hey there! Not sure if your attachment came through. Mind sending it along?

From: Bennett, Tate
Sent: Saturday, April 29, 2017 8:42 PM
To: Dudley Hoskins <Dudley@nasda.org>
Cc: Lyons, Troy <lyons.troy@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Rees, Sarah <rees.sarah@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Subject: Re: Thank You & NASDA Follow-Up

Let me check my calendar and report back. Thanks for the invites!

On Apr 29, 2017, at 5:11 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

> Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.
>
> NASDA will be submitting formal comments to the "Evaluation of Existing Regulations" docket by the May 15th deadline, but in the interim, I wanted to share the attached "NASDA Priorities" document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).
>
> Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.
>
> Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley
>
> **NASDA 2017 REGIONAL MEETINGS:**

SASDA Annual Meeting
June 4-7
Nashville, TN
Event Registration

NEASDA Annual Meeting
June 12-15
Cooperstown, NY
(Hotel | Event Registration)
May 12: Deadline to book your hotel and receive the early-bird registration rate
Theresa.Sweeney@agriculture.ny.gov

MASDA Annual Meeting
June 19-22
Cleveland, OH
(Hotel | Event Registration)
May 22: Deadline to book your hotel and receive the early-bird registration rate
mark.bruce@agri.ohio.gov

WASDA Annual Meeting
July 23-28
Sun Valley, ID
(Hotel | Event Registration)
June 15: Deadline to book your hotel and receive the early-bird registration rate
laura.johnson@agri.idaho.gov

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

<NASDA Priorities Trump Administration_04 27 2017.pdf>
<PPC_C&T.Letter_04.27.17.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/30/2018 10:52:40 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

No. Is there a good number to reach you tomorrow?

On May 30, 2018, at 1:58 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate – see below. Have you guys suspended the rule?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: The DOJ news alerts email notification list2 [mailto:PRESSLIST2@DOJ.CA.GOV] **On Behalf Of** California Attorney General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV
Subject: Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

NEWS RELEASE
May 30, 2018
FOR IMMEDIATE RELEASE
(916) 210-6000
agpressoffice@doj.ca.gov

Social Networks

Print Version

Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

SACRAMENTO – Joining the Attorneys General of New York and Maryland, California Attorney General Xavier Becerra today filed a lawsuit against the U.S. Environmental Protection Agency

(EPA) over its decision to suspend critical safeguards for agricultural workers. The Agricultural Worker Protection Standard (WPS) is a regulation first implemented by the EPA in 1992 to reduce the number of illnesses and injuries to agricultural workers nationwide from exposures to pesticides.

In 2015, after determining that many incidents of pesticide exposure might have been avoided if farmworkers had better training, the EPA strengthened the WPS and required employers to provide agricultural workers and their families with new training. This new training resulted from more than 15 years of stakeholder meetings and the consideration of over 2,400 public comments. However, despite the availability of updated training materials, the Trump Administration's EPA suspended the new training requirements without following the necessary public notice and comment procedures. The lawsuit being brought by the Attorneys General is based on the fact that the EPA's suspension is arbitrary and capricious, in violation of the Administrative Procedure Act.

"EPA Administrator Scott Pruitt is not above the law. He does not get to do away with protections simply because he does not like them." **said Attorney General Becerra**. "It's because of agricultural workers — many of whom are immigrants — that families across America can enjoy fresh fruits and vegetables. Agricultural workers deserve to know that we have their backs. We will continue to hold the EPA accountable. That's why, with today's lawsuit, my Office has sued EPA Administrator Pruitt a total of 11 times."

Among other things, the training requirements that Administrator Pruitt wants to discard would allow agricultural workers to:

- Learn how to minimize family member exposure to pesticides from contaminated clothing or footwear;
- Access information about the hazards posed by particular pesticides; and
- Ensure they are aware of guidelines for emergency medical care.

Though California has its own strict agricultural worker safety training requirements, many of California's agricultural workers cross state lines for seasonal agricultural work. Without the federal safeguards at issue, these workers will not receive the information necessary to better protect themselves and their families from pesticide exposure.

A copy of the complaint is attached to the electronic version of this release at oag.ca.gov/news.

###

You may view the full account of this posting, including possible attachments, in the News & Alerts section of our website at: https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-epa-suspending-critical-safeguards-agricultural

You may view all News & Alerts on our website at: http://oag.ca.gov/news

Please visit the remainder of the Attorney General's site at: http://oag.ca.gov/

Unsubscribe from this list

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2017 4:14:33 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: Confirming your address

Consol Energy Inc, **Ex. 6**

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/3/2018 3:14:35 PM
To: aline@nasda.org

Hey there- give me a call at your convenience. Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2017 4:08:48 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: April 12th...

Hey! Checking with our scheduler. We are talking your Claysville location, correct?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 6:23 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

Yes. Free all night. Use mobile Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 5:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Sorry Tommy! I have not sat down all afternoon! Can't keep up! Can I give you a call this evening?
>
> ---
>
> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
> **Sent:** Friday, March 31, 2017 5:00 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: April 12th...
>
> I am free rest of tonight. Ex. 6
>
> Sent from my iPhone
>
> On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>> I can call at 2:45…
>>
>> ---
>>
>> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
>> **Sent:** Friday, March 31, 2017 1:10 PM
>> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
>> **Subject:** RE: April 12th...
>>
>> Before 200. Or after 400.
>>
>> Let me know. Use cell phone Ex. 6
>>
>> ---
>>
>> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>> **Sent:** Friday, March 31, 2017 1:07 PM
>> **To:** Johnson, Tommy
>> **Subject:** FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
Ex. 6

:: www.consolenergy.com ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association

101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Ex. 6
jmullins@nma.org

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/7/2018 11:38:59 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: PRIA

I'll try you around 8:20/8:30. Thank you!

> On Aug 7, 2018, at 7:33 PM, Paul Schlegel <pauls@fb.org> wrote:
>
> Yes. Should be in by 8:15 or so
>
> Sent from my iPhone
>
>> On Aug 7, 2018, at 7:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Do you have a minute to touch base tomorrow?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/2/2017 3:37:17 PM
To: Andrew_Vlasaty@ag.senate.gov; Dudley@nasda.org
Subject: Fwd: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay
Attachments: FR.2017-11458.pdf; ATT00001.htm

Begin forwarded message:

From: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Date: June 2, 2017 at 11:15:40 AM EDT
Subject: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Today EPA published a delay of the effective date for the Certification of Pesticide Applicators final rule. This action delays the effective date from June 5, 2017, to May 22, 2018 (FR notice attached). Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

EPA-APPROVED GEORGIA NON-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approval date	Explanation
*	* * *	*	*	*
2008 8-hour ozone Maintenance Plan for the Atlanta Area.	Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding and Rockdale Counties.	7/18/2016	6/2/2017, [insert **Federal Register** citation].	

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

■ 4. In § 81.311, the table entitled "Georgia—2008 8-Hour Ozone NAAQS (Primary and secondary)" is amended by revising the entry for "Atlanta, GA: [2]" to read as follows:

§ 81.311 Georgia.

* * * * *

GEORGIA—2008 8-HOUR OZONE NAAQS

[Primary and secondary]

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
Atlanta, GA: [2]	6/2/2017	Attainment.		
Bartow County		*Attainment.*		
Cherokee County		*Attainment.*		
Clayton County		*Attainment.*		
Cobb County		*Attainment.*		
Coweta County		*Attainment.*		
DeKalb County		*Attainment.*		
Douglas County		*Attainment.*		
Fayette County		*Attainment.*		
Forsyth County		*Attainment.*		
Fulton County		*Attainment.*		
Gwinnett County		*Attainment.*		
Henry County		*Attainment.*		
Newton County		*Attainment.*		
Paulding County		*Attainment.*		
Rockdale County		*Attainment.*		
* * * *	*		*	*

[1] This date is July 20, 2012, unless otherwise noted.
[2] Excludes Indian country located in each area, unless otherwise noted.

* * * * *

[FR Doc. 2017–10934 Filed 6–1–17; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 171

[EPA–HQ–OPP–2011–0183; FRL–9963–34]

Pesticides; Certification of Pesticide Applicators; Delay of Effective Date

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; delay of effective date.

SUMMARY: With this action, EPA is delaying the effective date for the final rule issued in the **Federal Register** on January 4, 2017, from June 5, 2017 to May 22, 2018. That rule addressed revisions to the Certification of Pesticide Applicators rule.

DATES: The effective date of the rule amending 40 CFR part 171 that published at 82 FR 952, January 4, 2017, delayed at 82 FR 8499, January 26, 2017, and 82 FR 14324, March 20, 2017, is further delayed until May 22, 2018.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2011–0183, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Kevin Keaney, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (703) 305–5557; email address: *keaney.kevin@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

On January 4, 2017, EPA published a final rule revising the regulation concerning the certification of applicators of restricted use pesticides (RUPs), promulgated in 40 CFR part 171 (82 FR 952; FRL–9956–70). The original effective date of March 6, 2017 was extended to March 21, 2017 by a final rule published in the **Federal Register** on January 26, 2017, entitled "Delay of Effective Date for 30 Final Regulations Published by the Environmental Protection Agency Between October 28, 2016 and January 17, 2017" (82 FR 8499). In that rule, EPA delayed the effective dates of the thirty regulations, including the final rule revising the regulation concerning the certification of applicators of restricted use pesticides (RUPs) issued on January 4, 2017 (82 FR 952) (FR–9956–70), as requested in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review" (January 20 Memorandum). The January 20 Memorandum directed the heads of Executive Departments and Agencies to postpone for 60 days from the date of the January 20 Memorandum the effective dates of all regulations that had been published in the **Federal Register** but had not yet taken effect.

The January 20 Memorandum further directed that where appropriate and as permitted by applicable law, agencies should consider a rule to delay the effective date for regulations beyond that 60-day period. Accordingly, on March 20, 2017, EPA published the final rule "Further Delay of Effective Dates for Five Final Regulations Published by the Environmental Protection Agency Between December 12, 2016 and January 17, 2017" (82 FR 14324), to give recently arrived Agency officials the opportunity to conduct a substantive review of those five regulations, which included the revised Certification of Pesticide Applicators rule. Pursuant to that March 20, 2017 rule, the effective date of the revised Certification of Pesticide Applicators rule was extended to May 22, 2017.

On May 15, 2017, EPA solicited public comment on a proposed 12-month delay of the effective date until May 22, 2018 (82 FR 22294; FRL–9962–31). EPA received more than 130 comments in response to the May 15, 2017 request for comments on the proposal to further delay the effective date until May 22, 2018. On May 22, 2017, EPA published a rule that made an interim extension of the effective date of the revised Certification of Pesticide Applicators rule until June 5, 2017 in order to allow additional time for Agency officials to consider and respond to the public comments.

Section 553(d) of the Administrative Procedure Act, 5 U.S.C. 553(d), allows the effective date of an action to be less than 30 days from its publication date when a good cause finding is made. The primary reason for the 30-day waiting period between publication and effective date is to allow affected parties to adjust to new requirements. This rule does not impose any new requirements but rather postpones the effective date of requirements that are not yet in effect. As noted below, allowing the rule to go into effect could cause confusion and disruption for affected parties if the rule were subsequently substantially revised or repealed. Thus, EPA finds there is good cause to make this rule effective immediately upon publication.

In addition, EPA still has only one Senate-confirmed official, and the new Administration has not had the time to adequately review the January 4, 2017 certification rule. This extension to May 22, 2018, will prevent the confusion and disruption among regulatees and stakeholders that would result if the January 4, 2017 rule were to become effective (displace the existing regulation) and then substantially revised or repealed as a result of administrative review.

In this final rule, EPA is delaying the effective date of the January 4, 2017 revisions to the Certification of Pesticide Applicators rule until May 22, 2018. EPA is delaying the effective date of the January 4, 2017 revisions to the Certification of Pesticide Applicators rule until May 22, 2018 in accordance with the Presidential directives as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review," and the principles identified in the April 25, 2017 Executive Order "Promoting Agriculture and Rural Prosperity in America."

II. Comments and Responses

EPA received more than 130 comments relevant to the proposal to further delay the effective date of the January 4, 2017 Certification of Pesticide Applicators rule until May 22, 2018. Seventeen comments were not relevant to this action because they did not address the extension of the effective date and instead urged EPA to ban chlorpyrifos or only included specific comments about the January 4, 2017 rule. Out of the relevant comments, 18 commenters supported the proposed 12-month extension of the effective date and the rest opposed the proposed 12-month extension.

Comments—specific provisions. About 20 of the comments included input on the specific provisions of the January 4, 2017 Certification of Pesticide Applicators rule.

EPA response—specific provisions. This final rule focuses on the extension of the effective date of the certification rule. Comments on the specific provisions of the revised certification rule are outside of the scope of this final rule and will be considered within the review of the rule through the Regulatory Reform Agenda efforts.

Comments—support. The comments supporting the 12-month extension of the effective date came from state pesticide regulatory agencies, a pesticide safety education program and a number of organizations representing state departments of agriculture, pesticide safety education programs, pesticide applicators, growers, pesticide manufacturers, and pesticide retailers. The commenters supported the 12-month extension for a variety of reasons. The most common reason was to allow EPA and states more time to prepare for the revisions to state certification programs, engage stakeholders, and develop information the states need to efficiently implement the January 4, 2017 rule. Some commenters supported the 12-month extension to give EPA time to revisit certain aspects of the January 4, 2017 rule and identified specific requirements, such as minimum age.

EPA response—support. EPA generally agrees with these comments. During the next 12 months, EPA plans to engage and work with the certifying authorities (states, tribes and federal agencies), pesticide safety education programs, pesticide applicators and other stakeholders to develop checklists, guidance and tools to facilitate the development of revised certification plans and to discuss how to effectively implement the certification rule. In addition, EPA will conduct a substantive review of the questions of fact, law and policy—all within the context of the very broad cost-benefit standard in FIFRA—during this period. As mentioned above, comments on the specific provisions of the revised certification rule will be considered within the review of the rule through the Regulatory Reform Agenda efforts.

Comments—adjust implementation schedule. One state pesticide regulatory agency supported the 12-month extension of the effective date of the Certification of Pesticide Applicators Rule as long as the implementation schedule in the January 4, 2017 rule is

extended as well. This implementation schedule allowed three years for certifying authorities to submit revised plans and an additional two years for EPA to review the plans and agree upon a timeline for the certifying authority to implement the plan.

EPA response—adjust implementation schedule. EPA agrees with this comment and intends to make corresponding changes to the implementation dates in 40 CFR 171.5 in a subsequent rulemaking.

Comments—implement protections sooner. The commenters opposing the 12-month extension included over 30 non-governmental organizations representing a range of interests, including but not limited to farm workers, environmental advocates, occupational or migrant health clinics and employment law, and many private citizens. The concerns raised by the commenters opposed to the delay covered several areas, which are summarized and responded to below.

The commenters urged EPA to begin implementing the rule in May 2017 to allow the intended protections to apply sooner. A few commenters argued that the extension would increase the risk of serious adverse effects on human health and the environment and one commenter pointed out that EPA identified preventable restricted use pesticide exposures to humans and the environment in the January 4, 2017 rule. This commenter stated that delaying the rule by a year means these types of exposures will occur for an additional year.

EPA response—implement protections sooner. The January 4, 2017 final certification rule would not have immediately put in place additional protections that would prevent or eliminate the types of exposures identified by EPA in its benefits analysis. The January 4, 2017 rule included an implementation schedule where the certifying authorities would have up to three years to submit revised certification plans that conform to the revised standards, so there already was going to be a delay in the protections actually being implemented by the certifying authorities. If EPA develops checklists, guidance and tools to facilitate the development of revised certification plans during the 12-month delay, it is possible that many certifying authorities will be able to submit the revised certification plans well before the three-year deadline for submitting plans.

Comments—basis for extension. Several commenters argued that EPA did not provide a rational basis for extending the effective date by a year, with one stating that, for that reason, the rule to extend the compliance date is arbitrary and capricious and an abuse of discretion. The commenters questioned what steps have been taken during the previous 4 months of extensions, what analyses would be done in the next year and why EPA needs 12 more months.

EPA response—basis for extension. Out of the 30 final regulations whose effective dates were delayed by the January 26, 2017 final rule, this is one of the few regulations with an effective date that has been extended several more times. The Administrator has determined that the certification rule requires a substantive review of the questions of fact, law and policy—all within the context of the very broad cost-benefit standard in FIFRA—so an additional 12 months is necessary and will provide more certainty to certifying authorities, pesticide safety education programs, pesticide applicators and other stakeholders than to have several medium term extensions. Extending the rule by 12 months is also more efficient for EPA staff and allows them to focus on the substantive review rather than drafting and implementing several medium term extensions. The 12-month extension also provides time for EPA to consider revisions to the certification rule based on input received through the Regulatory Reform Agenda efforts.

Comments—Administrative Procedures Act. Several comments argued that the May 15, 2017 rule violated the Administrative Procedures Act (APA) in several ways. First, commenters argued that the May 15 rule is a "final rule" that makes a significant amendment to a lawfully promulgated regulation without first proposing the change and seeking public comment. Second, commenters raised a number of concerns about the five-day comment period. Specifically, commenters argued that a delay of the effective date for 12 months is functionally a substantive amendment or rescission of the certification rule so the APA and FIFRA require a notice and comment period of at least 30 days. Commenters also stated that sections 553(d)(1) and (d)(3) of the APA are inapposite (not pertinent) as legal authority for dispensing with a "full . . . comment period" because these sections provide grounds to the generally applicable requirement that no final rule take effect sooner than 30 days after its publication but not the length of the comment period. Some commenters argued that the good cause exception to the APA's notice requirement in 5 U.S.C. 553(b)(B) is not relevant to the May 15, 2017 rule. Lastly, commenters disagreed with EPA's reasoning in the May 15, 2017 rule that a full 30-day comment period is impractical, unnecessary and contrary to the public interest.

EPA response—APA. The May 15, 2017 FR Notice was styled as a final rule to be consistent with standard procedures of the Office of the Federal Register, which require that rules that affect existing rules (in the case of rules that address changing the effective date of an existing rule) must appear in the "Final Rules" section of the **Federal Register**. See OFR Document Drafting Handbook (*https://www.archives.gov/files/federal-register/write/handbook/ddh.pdf*) at section 3.1. Irrespective of the "Final Rule" caption, EPA considers the May 15 **Federal Register** Notice to have the effect of a proposed rule under the APA. This is clear from the phrase "request for comments" in the action line, as well as from the text of the FR Notice, where EPA expressly stated that it was "proposing to further delay the effective date" and requested comment on the proposed extension.

The Agency's implementation of this action with an abbreviated opportunity for public comment is based on the good cause exception in 5 U.S.C. 553(b)(B), in that providing additional time for public comment is impracticable, unnecessary and contrary to the public interest. The delay of the effective date until May 22, 2018, is necessary to give Agency officials the opportunity for further review and consideration of the certification rule, consistent with the memorandum of the Assistant to the President and Chief of Staff, dated January 20, 2017, and the principles identified in the April 25, 2017 Executive Order "Promoting Agriculture and Rural Prosperity in America." Given the imminence of the certification rule effective date, allowing a longer period for comment on this delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

The 90-day comment period for the 2015 proposed rule, combined with EPA's extensive stakeholder outreach, provided EPA with robust public comment regarding the risks and benefits associated with the January 4, 2017 certification rule. Inasmuch as there was already a robust public comment on the merits of the certification rule, the narrow issue of when the rule should become effective could reasonably be addressed in a short period of time. If EPA had not shortened the comment period to five days, the January 4, 2017 certification rule would have gone into effect. It would have caused unnecessary confusion and disruption to certifying authorities,

pesticide safety education programs, pesticide applicators and other stakeholders for the certification rule to go into effect and then potentially be substantially revised or repealed following a substantive review.

Comments—FIFRA. Some commenters argued that the May 15, 2017 rule violates FIFRA, which requires rules to be reviewed by the U.S. Department of Agriculture and the FIFRA Scientific Advisory Panel. FIFRA also requires a 60-day effective date and requires EPA to transmit a copy of the final rule to Congress at the beginning of this 60-day period.

EPA response—FIFRA. EPA disagrees that the proposed extension of the effective date of the certification rule violates FIFRA. EPA is issuing this extension of the effective date of the certification rule as an APA rule and not a FIFRA rule because today's rule is only changing the effective date of a final rule that had not become effective.

Comments—Endangered Species Act. A few commenters argued that the May 15, 2017 rule violates the Endangered Species Act. Section 7 of the ESA requires federal agencies to consult with the Fish and Wildlife Service and the National Marine Fisheries Service unless EPA determined that its extension of the effective date has "no effect" on threatened and endangered species and their designated critical habitat.

EPA response—Endangered Species Act. EPA believes that its actions with respect to deferring the implementation of this rule are not inconsistent with its obligations under the Endangered Species Act.

III. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *http://www2.epa.gov/laws-regulations/laws-and-executive-orders.*

A. Executive Order 12866: Regulatory Planning and Review; and, Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act

This action does not involve any information collection activities subject to the PRA, 44 U.S.C. 3501 *et seq.*

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under RFA, 5 U.S.C. 601 *et seq.*

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments.

E. Executive Order 13132: Federalism

This action does not have federalism implications, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have Tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000).

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not an economically significant regulatory action as defined by Executive Order 12866.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a "significant energy action" as defined in Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not likely to have a significant adverse effect on the supply, distribution or use of energy.

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272 note.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

EPA believes that this action would not have disproportionately high and adverse human health or environmental effects on minority, low-income, or indigenous populations, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 171

Environmental protection, Applicator competency, Agricultural worker safety, Certified applicator, Pesticide safety training, Pesticide worker safety, Pesticides and pests, Restricted use pesticides.

Dated: May 26, 2017.

Wendy Cleland-Hamnett,

Acting Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2017–11458 Filed 6–1–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2016–0236; FRL–9954–47]

Bifenthrin; Pesticide Tolerances for Emergency Exemptions

Correction

In rule document 2016–29882, appearing on pages 93824–93831, in the Issue of Thursday, December 22, 2016, make the following correction:

On page on page 93827, in the second column, in the last line "(≤15% CT)" should be "(>15% CT)".

[FR Doc. C2–2016–29882 Filed 6–1–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 258

[EPA–R08–RCRA–2016–0505; FRL–9962–18–Region 8]

Approval of Alternative Final Cover Request for Phase 2 of the City of Wolf Point, Montana, Landfill

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is taking direct final action to approve an alternative final cover for Phase 2 of the City of Wolf Point landfill, a municipal solid waste landfill (MSWLF) owned and

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/7/2018 11:38:38 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: touch base on PRIA tomorrow?

Cool. Thank you!

> On Aug 7, 2018, at 7:37 PM, Aline DeLucia <aline@nasda.org> wrote:
>
> I am pretty open tomorrow. Feel free to call me whenever.
>
> Thanks!
>
> -----Original Message-----
> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Tuesday, August 07, 2018 7:34 PM
> To: Aline DeLucia
> Subject: touch base on PRIA tomorrow?
>
> Let me know if you have a second to chat?
>
>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 11:07:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Hoelscher, Douglas L. EOP/WHO [redacted] Ex. 6 [redacted]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Cook-Shyovitz, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=324db863c4b540d29852c65d352c8b57-Cook-Shyovitz, Becky]
BCC: yasamine.august@governor.alabama.gov; craig.fleener@alaska.gov; dseiden@az.gov; katie.beck@governor.arkansas.gov; [redacted] Ex. 6 [redacted] katie.wheelermathews@wdc.ca.gov; lisa.carpenter@state.co.us; Dan.DeSimone@ct.gov; sheila.grant@state.de.us; Emily.Kuiken@state.de.us; christine.diaz@eog.myflorida.com; ts@rubicondc.com; margaret.metcalfe@guam.gov; elizabeth.o.kim@hawaii.gov; david.hensley@gov.idaho.gov; katrine.franks@gov.idaho.gov; Kathy.Lydon@Illinois.gov; debbie@hohlt.com; Stephanie.Groen@iowa.gov; adam.nordstrom@cch-llc.com; leeann.veatch@ky.gov; erin.monroewesley@la.gov; toye.taylor@la.gov; lance.libby@maine.gov; sean.ingram@maine.gov; kristal.hartsfield@maryland.gov; tiffany.waddell@maryland.gov; ariel.judah@maryland.gov; tiffany.watkinsahern@state.ma.us; mcbrideb@michigan.gov; Browne15@michigan.gov; merone.melekin@state.mn.us; Debbie.carney@governor.ms.gov; caleb.jones@governor.mo.gov; aschafer@mt.gov; Lauren.Kintner@nebraska.gov; ryan@nevadadc.org; dona.deleon@gov.state.nj.us; james.ross@state.nm.us; larry.behrens2@state.nm.us; Alexander.Cochran@exec.ny.gov; Kylah.Hynes@exec.ny.gov; rlauf@nd.gov; justin.barnes@governor.ohio.gov; katie.altshuler@gov.ok.gov; richard.m.whitman@state.or.us; Drew.JOHNSTON@oregon.gov; Karmen.FORE@oregon.gov; sgalbally@pa.gov; cmercader@prfaa.pr.gov; jonathan.romano@governor.ri.gov; davidglaccum@gov.sc.gov; twalker@governor.sc.gov; kelsey.smith@state.sd.us; tony.venhuizen@state.sd.us; matt.konenkamp@state.sd.us; grace.kessler@state.sd.us; Beth.Tipps@tn.gov; jerry.strickland@governor.state.tx.us; codystewart@utah.gov; brittney.wilson@state.vt.us; Elizabeth.natonski@governor.virginia.gov; sam.ricketts@gov.wa.gov; derek.scarbro@wv.gov; kyle.roskam@wisconsin.gov; marykay.hill@wyo.gov; jerimiah.rieman@wyo.gov; tony.young@wyo.gov; nephi.cole@wyo.gov; matt.deleonguerrero@gov.mp; sgander@nga.org; John.Emminizer@dc.gov; jewart@midwesterngovernors.org; jheier@midwesterngovernors.org; Barnard, Brian [Brian.Barnard@mail.house.gov]; Elbert Lin [Elbert.Lin@wvago.gov]
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Attachments: AZ Ducey 6-6-17.pdf

ICYMI- This letter should be headed your Governor's way from Administrator Pruitt. Let me know if you have any questions. Tate

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowed from 75 ppb in 2015. 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 giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

"We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth," **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

E. Scott Pruitt
Administrator

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007

Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 Pennsylvania Ave. NW • Mail Code 1101A • Washington, DC 20460 • (202) 564-4700 • Fax: (202) 501-1450

This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours,

E. Scott Pruitt

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/20/2017 10:28:27 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Strain, Mike [drstrain@ldaf.state.la.us]; Steven Reviczky (Steven.Reviczky@ct.gov) [Steven.Reviczky@ct.gov]; Clover Adams, Jamie (MDARD) [CloveradamsJ@michigan.gov]; jwitte@nmda.nmsu.edu [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=542ee3fee247433d9a6d043d7df73ada-jwitte@nmda]; Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: Thank You

Thanks, Dudley. We appreciated everyone taking the time to come visit. My direct line is 202-329-3948 if I can ever be helpful to each and all of you.

On May 20, 2017, at 5:56 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

> Ken & Tate,
>
> I just wanted to send a quick note to thank you both again for your time and engagement with us last Thursday.
>
> Please let me know if I can be of assistance in facilitating any future engagements with our members around the country, and we look forward to building on these opportunities going forward.
>
> We greatly appreciate your leadership and partnership with NASDA.
>
> Many thanks! - dudley
>
> **Dudley W. Hoskins** ● Public Policy Counsel ● **National Association of State Departments of Agriculture**
> 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ● **www.nasda.org**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/31/2017 9:08:47 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: April 12th...

Sorry Tommy! I have not sat down all afternoon! Can't keep up! Can I give you a call this evening?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 5:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

I am free rest of tonight. Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> I can call at 2:45…
>
> ---
>
> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
> **Sent:** Friday, March 31, 2017 1:10 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: April 12th...
>
> Before 200. Or after 400.
>
> Let me know. Use cell phone Ex. 6
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Friday, March 31, 2017 1:07 PM
> **To:** Johnson, Tommy
> **Subject:** FW: April 12th...
>
> Hey Tommy! Is there a good time when I can give you a call today?
>
> ---
>
> **From:** Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
> **Sent:** Friday, March 31, 2017 12:21 PM
> **To:** 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
> **Cc:** Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
> **Subject:** RE: April 12th...
>
> Gentleman….not so sure by looking at this distribution list…I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
Ex. 6

:: *www.consolenergy.com* ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Ex. 6
jmullins@nma.org

"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."
"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an

intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."

"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/31/2017 5:10:59 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: April 12th...

I can call at 2:45…

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 1:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: April 12th...

Before 200. Or after 400.

Let me know. Use cell phone Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
Ex. 6

:: www.consolenergy.com ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Ex. 6
jmullins@nma.org

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/12/2017 3:23:11 PM
To: Scott Will [swill@ruleoflawdefensefund.org]
CC: Adam Piper [apiper@ruleoflawdefensefund.org]; Cook-Shyovitz, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=324db863c4b540d29852c65d352c8b57-Cook-Shyovitz, Becky]
Subject: Re: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

You bet

On May 12, 2017, at 11:16 AM, Scott Will <swill@ruleoflawdefensefund.org> wrote:

Welcome, Tate. Please include RLDF Policy Director Adam Piper (cc'd) on your distro list. Thanks.

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Friday, May 12, 2017 at 9:28 AM
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Bowles, Jack" <Bowles.Jack@epa.gov>, "Cook-Shyovitz, Becky" <Cook-Shyovitz.Becky@epa.gov>
Subject: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Happy Friday!

I wanted to take a quick second to introduce myself as the new Sr. Deputy Associate Administrator for Intergovernmental Relations (i.e. your liaison) at EPA in Administrator Scott Pruitt's Office. Please don't ever hesitate to give me a shout if I can be helpful. (202) 329-3948 is my direct.

I also wanted to flag the below settlement agreement with Pebble Limited Partnership that was announced by EPA earlier this AM.

Let me know if I can ever be helpful.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 12, 2017

EPA and Pebble Limited Partnership Reach Settlement Agreement

EPA Agrees to Allow Permit Process to Proceed; Pebble Agrees to Drop Lawsuits

WASHINGTON --The U.S. Environmental Protection Agency entered into a settlement agreement with the Pebble Limited Partnership to resolve litigation from 2014 relating to EPA's prior work in the Bristol Bay watershed in Alaska. The settlement provides the Pebble Limited Partnership (Pebble) an opportunity to apply for a Clean Water Act (CWA) permit from the U.S. Army Corps of Engineers before EPA may move forward with its CWA process to specify limits on the disposal of certain material in connection with the potential "Pebble Mine."

"We are committed to due process and the rule of law, and regulations that are 'regular'," said EPA Administrator Scott Pruitt. "We understand how much the community cares about this issue, with passionate advocates on all sides. The agreement will not guarantee or prejudge a particular outcome, but will provide Pebble a fair process for their permit application and help steer EPA away from costly and time-consuming litigation. We are committed to listening to all voices as this process unfolds."

Key Terms of the Settlement:

- Pebble and the U.S. Department of Justice (on behalf of the EPA) will ask the U.S. District Court for the District of Alaska to dismiss the cases with prejudice and to lift the court-ordered preliminary injunction.

- EPA agrees to commence a process to propose to withdraw the currently pending proposed determination, consistent with its regulations.

- EPA agrees that it will not move to the next step in its CWA process, which would be to issue a recommended determination (determination steps are: proposed, recommended, final), until 48 months from settlement or until the U.S. Army Corps of Engineers issues its final environmental impact statement, whichever comes first. To take advantage of this period of forbearance, Pebble would have to file its permit application within 30 months.

- Pebble will drop its lawsuits and requests for fees against EPA, and agree to file no new Freedom of Information Act (FOIA) requests during the pendency of the "forbearance" period.

- EPA may use its scientific assessment regarding the Bristol Bay Watershed without limitation.

Background:

In 2014, under the previous administration, EPA's Region 10 completed a multi-year watershed assessment in Bristol Bay, and then issued a CWA Section 404(c) proposed determination, which described restrictions on large-scale mining in the watershed. Section

404 is the part of the CWA that governs the permit evaluation process for actions that discharge dredged or fill material into a covered water.

The May 11, 2017 settlement does not guarantee or prejudge any particular outcome to this process, but does ensure that the process will be carried out in a fair, transparent, deliberate, and regular way.

R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Elizabeth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/22/2017 8:39:19 PM
To: donp@fb.org
Subject: touching base

Hey Don!

Just wanted to reach out and say I'm sorry I missed you while you were at the EPA today. Tried to catch you to tell you about a local project in MO/MT that we are working with your local folks on. If you get a chance tomorrow, give me a shout at Ex. 6

Tate Bennett

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/31/2017 5:07:19 PM
To: tommyjohnson@consolenergy.com
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6

CONSOL ENERGY
AMERICA'S ENERGY STARTS HERE.

:: *www.consolenergy.com* ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

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National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Ex. 6
jmullins@nma.org

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Message

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Sent: 5/16/2017 8:54:39 PM
To: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Subject: RE: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Likewise.

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Tuesday, May 16, 2017 4:46 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Thanks for the email introduction, Tate! Gov. Hogan looks forward to his call with Administrator Pruitt on 6/2. My contact info is below--please feel free to reach out if you need anything from our office.

Best,
Ariel

--

CHANGING Maryland *for the Better*

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov
Ex. 6 (office)
(mobile)

On Fri, May 12, 2017 at 10:31 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Happy Friday!

I wanted to take a quick second to introduce myself as the new Sr. Deputy Associate Administrator for Intergovernmental Relations (i.e. your liaison) at EPA in Administrator Scott Pruitt's Office. Please don't ever hesitate to give me a shout if I can be helpful. Ex. 6 is my direct.

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Let me know if I can ever be helpful.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 12, 2017

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R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2017 10:12:29 PM
To: Mace Thornton [macet@fb.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Dale Moore [dalem@fb.org]
Subject: RE: Farm Bureau Introduction

Not the first time and certainly won't be the last!

From: Mace Thornton [mailto:macet@fb.org]
Sent: Wednesday, April 5, 2017 4:22 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Dale Moore <dalem@fb.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Farm Bureau Introduction

Very sorry. Although it happens to me frequently. People often want to call me Ms. Thornton, though I am a Mr.

I am afraid I have done just the opposite to you, Ms. Bennett.

Please accept my apology.

Mace

From: Mace Thornton
Sent: Wednesday, April 05, 2017 4:13 PM
To: 'Wagner, Kenneth'
Cc: Dale Moore; Bennett, Tate
Subject: RE: Farm Bureau Introduction

Kenneth,

Great to connect. Give me a shout when you return from your travel. And, nice to connect with you as well, Mr. Bennett.

Mace

Mace Thornton
Executive Director, Communications
American Farm Bureau Federation
Ex. 6 office | Ex. 6 cell
macet@fb.org | @AFBFMace twitter

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Wednesday, April 05, 2017 3:46 PM
To: Mace Thornton

Cc: Dale Moore; Bennett, Tate
Subject: RE: Farm Bureau Introduction

Mace:

Thanks for reaching out. I am about to be on the road for the next several weeks meeting with five regions, but will be back on the week of April 24. Perhaps we can touch base at that time and set something up as I would love to hear your thoughts on various state meetings. I have copied Tate Bennett who is also on the Administrator's Senior Staff and is in the OCIR (congressional and intergovernmental relations) office. She is coordinating many of the calls with the respective governors' offices and other state agencies. She may have questions as well.

Respectfully,

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

From: Mace Thornton [mailto:macet@fb.org]
Sent: Wednesday, April 5, 2017 2:25 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Dale Moore <dalem@fb.org>
Subject: Farm Bureau Introduction
Importance: High

Mr. Wagner,

After visiting with my colleague Dale Moore, I wanted to take a quick moment to introduce myself. My name is Mace Thornton and I provide overall leadership for the AFBF Communications Department. I am a 31-year Farm Bureau veteran, and, like Dale, grew up in Kansas on a farm.

Dale tells me you are about to embark on a mission of reaching out and building relationships in each of the states. Certainly, I would be able to help you make some of those contacts as they relate to agriculture and through key communications contacts at the state Farm Bureau level.

I would be pleased to assist in any way that might be helpful to you in this endeavor. I am available for a more detailed discussion at your convenience. Or, just let me know how I can help.

Thanks,
Mace

Mace Thornton
Executive Director, Communications
American Farm Bureau Federation
Ex. 6 office | Ex. 6 cell

macet@fb.org | @AFBFMace twitter

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2018 6:34:20 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE:

Ok. Around the horn is good.

I'm going to give an overview of the outreach efforts and we want to hear their individual anecdotes for this season. We can ask questions from there.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Wednesday, August 8, 2018 2:27 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE:

Probably be easier on my end to ask the states just to identify themselves. I double checked and had 15 rsvp's to attend, which I could read off but wouldn't be sure if they're actually on. The Missouri President has indicated he will be on.

Is there an agenda? Am guessing you folks know what ground you want to cover and then solicit the feedback, which works fine from our end.

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation
Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 2:25 PM
To: Paul Schlegel <pauls@fb.org>
Subject: RE:

Ok. I'll introduce everyone on our side and you can introduce the states on the call? Then we will ask for feedback from each state…sound ok?

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Wednesday, August 8, 2018 1:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re:

Yes

Sent from my iPhone

On Aug 8, 2018, at 12:30 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Still good for this afternoon?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/11/2018 9:13:10 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Most updated chart

This is great! Thank you

On Jun 11, 2018, at 4:57 PM, Aline DeLucia <aline@nasda.org> wrote:

> Tate – This is the most updated chart that I have on Dicamba. Let me know if you have any questions.
>
> **Aline DeLucia**|Associate Director, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org
>
> <Dicamba Chart_2.23.18.xlsx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2017 2:41:26 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: Thanks

Yep! Whenever.

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:27 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Thanks

Yes. Hopping off of a conference call very shortly.

Free from 1045-1130 and then at 115?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 05, 2017 10:23 AM
To: Johnson, Tommy
Subject: RE: Thanks

Is there a good time I can give you a 2 second phone call this AM?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Thanks

Adding Zach Smith and Brian Aiello to this communication. They will be helping plan and stage this visit.

Below is a proposed framework to further discuss. Let us know when we can revisit this talk to put a finer point on the plan.

Harvey Mine- Patterson Creek Portal

1100am- Arrival at portal
11:15am-1200pm- Private roundtable discussion and lunch
1200-12:30-Safety training and overview
12:30-12:45- Gear up
100pm-300pm- Underground
- Harvey- 25 minute man trip each way gives us about an hour underground at the longwall

300pm-330pm- Press conference and employee event at the portal

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
Ex. 6

:: www.consolenergy.com ::

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 04, 2017 5:26 PM
To: Johnson, Tommy
Cc: Graham, Amy; Lyons, Troy; Hupp, Millan
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

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To: Johnson, Tommy [TommyJohnson@consolenergy.com]
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To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
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CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317
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Sent: Tuesday, April 04, 2017 5:26 PM
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Sr. Advisor to the Administrator
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Sent: 4/5/2017 4:30:01 AM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
Subject: Re: Thanks

Also, I might buzz you tomorrow with a quick question on the training video per MSHA. Meant to include that in my earlier email. Appreciate all you are doing!

On Apr 4, 2017, at 5:25 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Tommy,
>
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>
> Tate
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> Elizabeth Tate Bennett
> Sr. Advisor to the Administrator
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> U.S. Environmental Protection Agency

Message

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Sent: 4/12/2018 4:33:22 PM
To: Ethan Mathews [emathews@croplifeamerica.org]
CC: Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]
Subject: Re: CropLife America Support Letter for Andrew Wheeler

Thank you!

On Apr 12, 2018, at 11:49 AM, Ethan Mathews <emathews@croplifeamerica.org> wrote:

Tate -

Below is a letter of support for Andrew Wheeler that was sent to each US Senate office.

Ethan

From: CropLife America <emathews@croplifeamerica.org>
Sent: Wednesday, April 11, 2018 8:00 PM
To: Ethan Mathews <emathews@croplifeamerica.org>
Subject: CropLife America Support Letter for Andrew Wheeler

April 11, 2018

The Honorable Dan Sullivan

United State Senate

702 Hart Senate Office Building

Washington, DC 20510

Dear Senator Sullivan:

CropLife America is pleased to support the nomination of Andrew Wheeler to serve as the Deputy Administrator of the United States Environmental Protection Agency (EPA). CLA is the national trade association that represents the manufacturers, formulators and distributors of pesticides in the United States. CLA's member companies produce, sell and distribute virtually all the vital and necessary crop protection and biotechnology products used by American farmers, ranchers and landowners.

The mission of the EPA is to protect human health and the environment. However, more than a year into the new Administration, the EPA lacks Senate-confirmed Deputy and Assistant Administrators to carry out this mission. The EPA plays an important role in CLA members' ability to bring innovation to the market place. Ensuring that the Agency is appropriately staffed will allow the EPA to carry out its work on behalf of all stakeholders.

Mr. Wheeler's substantial public service experience makes him an excellent choice for leadership at the EPA. He began his career at the EPA, where he worked on toxic chemical, pollution prevention and right-to-know issues, and he was awarded the EPA Bronze Medal twice for his accomplishments. Mr. Wheeler also served as the Senate Environment and Public Works Committee majority staff director, minority staff director, and chief counsel. In these roles, he worked on every major piece of environmental and energy-related legislation before Congress for over a decade.

To ensure that EPA is able to carry out its important work in an effective and efficient manner, we urge you to vote in support of Mr. Wheeler's nomination to serve as Deputy Administrator.

Sincerely,

Jay Vroom

CEO, CropLife America

Cc:

The Honorable Mitch McConnell
Majority Leader
United State Senate
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, DC 20510

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/10/2017 3:57:30 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: Re: Mine elevator

Dang I'll bring my own coffee

Sent from my iPhone

On Apr 10, 2017, at 11:48 AM, Johnson, Tommy <TommyJohnson@consolenergy.com> wrote:

> Very spacious. More like a freight elevator. Would not concern at all!!! Designed to move shifts of people.
>
> Underground is equally spacious. Its literally an underground city. No starbucks though!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 10, 2017 11:38 AM
To: Johnson, Tommy
Subject: Mine elevator

About how big is the elevator he will be taking underground. He's a tad nervous r.e. claustrophobia....

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/10/2017 3:37:52 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: Mine elevator

About how big is the elevator he will be taking underground. He's a tad nervous r.e. claustrophobia....

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/14/2018 10:12:08 PM
To: emathews@croplifeamerica.org
Subject: Fwd: Administrator Pruitt Announces New Office of Continuous Improvement

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: May 14, 2018 at 4:31:05 PM EDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: Administrator Pruitt Announces New Office of Continuous Improvement
Reply-To: press@epa.gov

Administrator Pruitt Announces New Office of Continuous Improvement

Provides update on EPA Lean Management System

WASHINGTON (May 14, 2018) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt met with more than 75 employees and stakeholders to provide an update on the implementation of the new EPA Lean Management System (ELMS) and announced EPA's new Office of Continuous Improvement (OCI) and its director, Serena McIlwain.

"Through Lean Management, EPA is tracking, measuring, and improving vital agency processes, such as permitting and meeting legal deadlines on time, for the first time," **said EPA Administrator Scott Pruitt.** "Establishing theOffice of Continuous Improvement will ensure that these actions are implemented throughout the Agency and produce lasting results for years to come."

EPA established OCI to coordinate agency-wide implementation of ELMS. ELMS is a system that will enable the Agency to track important Agency actions to ensure we respond and resolve challenges quickly and thoroughly using Lean principles and tools. Prior to this administration, EPA was not systematically or regularly tracking key actions such as permitting, meeting legal deadlines, and correcting environmental violations. With ELMS, all parts of EPA will set ambitious and achievable targets for their work, measure their results, and improve their processes to bridge gaps between targets and

results. ELMS uses visual management with regularly updated performance and work flow data to monitor progress toward EPA's Strategic Plan targets. EPA's programs and regional offices hold monthly reviews of the performance data and report their progress to the agency's Chief of Operations. Administrator Pruitt will hold quarterly reviews to monitor overall progress on the Agency's Strategic Plan and priority areas.

"EPA has a long history of using Lean as a tool for process improvement. The new EPA Lean Management System and the Office of Continuous Improvement will take the Agency's efforts to the next level by creating the means to efficiently identify and resolve any process challenges and continue achieving our important mission of protecting human health and the environment," **said EPA Chief Operating Officer Henry Darwin.**

Through reorganization, EPA is using existing resources to support the Office of Continuous Improvement. The near-term goal of OCI is to deploy ELMS in 80 percent of agency work units by September 30, 2020. The creation of OCI builds on the process improvement work in which EPA has been engaged for a decade. ELMS will improve EPA's efficiency and effectiveness, increase employee engagement, and promote much greater accountability at the Agency.

"I am very grateful to have been selected as the first director of EPA's new Office of Continuous Improvement. My team is eager to provide the Agency with the training, tools, and support needed to bring ELMS to life. I look forward to supporting EPA's transformation to a much more efficient and effective organization," **said EPA Director of the Office of Continuous Improvement Serena McIlwain.**

Some ELMS accomplishments to date include:

- Established over 400 metrics across all EPA program and regional offices that are tracked monthly,
- Created a standardized method for communicating whether monthly targets are being met using a red/yellow/green system
- Implemented measures specifically designed to improve the time EPA takes to complete many of its core functions, including issuing permits, meeting the agency's legal deadlines, correcting environmental violations, completing reviews of new active ingredients, and others.
- Integrated monthly business reviews for all EPA program and regional offices at which the agency's senior leaders review their office's performance.
- Hosted 11 multi-day process improvement events to support rapid progress in the following areas: NPDES Section 402 permits, Underground Injection Control permits, TSCA Premanufacture Notice Final Determinations, Acquisition Quality, Simplified

Acquisitions, Clean Air Act State Implementation Plans, Freedom of Information Act requests, Brownfields, Superfund, Clean Air Act Title V, and Clean Air Act New Source Review for Preconstruction.

- Initiated training for EPA staff and first line supervisors on how to use ELMS at the work unit level. This includes developing a small cadre of ELMS "I am very grateful to have been selected as the first director of EPA's new Office of Continuous Improvement.

Background on Serena McIlwain:

Serena McIlwain has served in the federal government for nearly 30 years, working in both the legislative and executive branches of government. Most recently, Serena was selected as EPA's Performance Improvement Officer (PIO) and Director of the newly created Office of Continuous Improvement. In this role, Serena will implement the new EPA Lean Management System (ELMS) to drive accountability and performance improvement. Prior to assuming her new role, Serena was the Assistant Regional Administrator and Director of the Environmental Management Division at EPA Region 9 in San Francisco, CA. Before joining EPA in 2014, she served as the Chief Operating Officer at the Department of Energy's Fossil Energy department, providing management and operational support for scientists, engineers, technicians and administrative professionals.

Video of today's announcement can be viewed here: https://www.epa.gov/home/live

---

EPA Administrator Scott Pruitt announces the new Office of Continuous Improvement

EPA Chief Operating Officer Henry Darwin discusses the new EPA Lean Management System and his vision for the Office of Continuous Improvement.

New EPA Director of the Office of Continuous Improvement Serena McIlwain explains her new position within the Agency

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

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2018 4:10:41 PM
To: Don Parrish [donp@fb.org]
Subject: Re: Meeting next week

Ok. Call you then.

On Aug 8, 2018, at 11:43 AM, Don Parrish <donp@fb.org> wrote:

> How about between 1:30 and 2:00?
>
> don
>
> ---
>
> **From:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Sent:** Wednesday, August 8, 2018 9:37 AM
> **To:** Don Parrish <donp@fb.org>
> **Subject:** Re: Meeting next week
>
> Just when convenient. I'll be driving all afternoon.
>
> On Aug 8, 2018, at 9:30 AM, Don Parrish <donp@fb.org> wrote:
>
>> That works – any specific time?
>>
>> ---
>>
>> **From:** Bennett, Tate <Bennett.Tate@epa.gov>
>> **Sent:** Wednesday, August 8, 2018 9:27 AM
>> **To:** Don Parrish <donp@fb.org>
>> **Subject:** Re: Meeting next week
>>
>> Just for a call with me?
>>
>> On Aug 8, 2018, at 9:14 AM, Don Parrish <donp@fb.org> wrote:
>>
>>> Sounds good – send me the details.
>>>
>>> ---
>>>
>>> **From:** Bennett, Tate <Bennett.Tate@epa.gov>
>>> **Sent:** Wednesday, August 8, 2018 9:02 AM
>>> **To:** Don Parrish <donp@fb.org>
>>> **Subject:** Re: Meeting next week
>>>
>>> Friday afternoon?
>>>
>>> On Aug 8, 2018, at 8:58 AM, Don Parrish <donp@fb.org> wrote:
>>>
>>>> Sure – When are you thinking? I have a couple of meetings on Thursday and one on Friday morning.
>>>>
>>>> drp

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, August 7, 2018 4:55 PM
To: Scott Yager <syager@beef.org>; Don Parrish <donp@fb.org>
Subject: Meeting next week

Do you all have time to touch base before the 16th? I believe you should receive a confirmation e-mail soon. Want to see what issues you think will be covered so that we can have the Acting Admin ready. **Ex. 6**

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/1/2018 5:53:57 PM
To: aline@nasda.org
Subject: Any word?

Thanks! Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2018 12:13:15 PM
To: aline@nasda.org
Subject: This AM

Any chance I can give you a shout at 9 or 9:30?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/2/2018 4:49:02 PM
To: Sarah Anderson [sanderson@freedomworks.org]; Mike Thompson [mthompson@crcpublicrelations.com]
Subject: RE: FW: EMBARGOED UNTIL NOON- MTE Announcement

Thanks! Please share. Also, do you or Patrick have any interest in attending our event tomorrow?

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Monday, April 2, 2018 11:40 AM
To: Mike Thompson <mthompson@crcpublicrelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 11:04 AM, Mike Thompson <mthompson@crcpublicrelations.com> wrote:

FYI

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate Ex. 6

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

...
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comms/DM5PR0201MB36071E87D33812044F23A1CBC2A60%40DM5PR0201MB3607.namprd02.prod.outlook.com.
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2018 7:22:29 PM
To: Sarah Anderson [sanderson@freedomworks.org]
CC: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: Amplifying EPA Deregulatory Actions

Thanks, Sarah!

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Tuesday, April 3, 2018 3:22 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Amplifying EPA Deregulatory Actions

Hey Tate,

Here are FreedomWorks' tweets from yesterday and today on recent EPA deregulatory action:

https://twitter.com/FreedomWorks/status/980909015256522754
https://twitter.com/FreedomWorks/status/981241360652144642
https://twitter.com/FreedomWorks/status/981242303967883264
https://twitter.com/FreedomWorks/status/981246937381986305
https://twitter.com/FreedomWorks/status/981249154738475009

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/2/2018 3:39:29 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: Can I give you a call today?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/4/2018 6:07:42 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: FYI

Thanks for flagging this!

-----Original Message-----
From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Wednesday, April 4, 2018 2:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FYI

http://www.freedomworks.org/content/freedomworks-foundation-praises-scott-pruitt's-record-epa

Sent from my iPad

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/16/2018 1:03:37 PM
To: Don Parrish [donp@fb.org]
CC: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: Re: State FBs

Nice! We are scheduled to see most. Thank you!

On Mar 16, 2018, at 8:44 AM, Don Parrish <donp@fb.org> wrote:

See below

Sent from my iPhone

Begin forwarded message:

From: Valeria Zavala <valeriaz@fb.org>
Date: March 16, 2018 at 8:26:03 AM EDT
To: Don Parrish <donp@fb.org>
Subject: RE: State FBs

Kansas
Michigan
Illinois Ag policy class
Kentucky YF&R
Georgia
Pennsylvania
Texas
Wisconsin
New Jersey Ag Lead Class
Indiana

-----Original Message-----
From: Don Parrish
Sent: Thursday, March 15, 2018 10:05 PM
To: Valeria Zavala <valeriaz@fb.org>
Subject: State FBs

Which states are coming in next week?

Don
Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/23/2018 4:31:09 PM
To: Aline DeLucia [aline@nasda.org]
Subject: RE: Thank you!

Will do.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, March 23, 2018 12:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Thank you!

Tate,

Thank you for the info. Please, keep us posted. My direct is Ex. 6 I cover all pesticide related issues. Thanks again!

Aline DeLucia|Associate Director, Public Policy | **National Association of State Departments of Agriculture** |4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/28/2018 8:59:17 PM
To: Aline DeLucia [aline@nasda.org]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
Subject: RE: Desk Statement

I'm sorry for rambling the message verbally. Didn't realize we had one!

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, March 28, 2018 4:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Re: Desk Statement

Thank you! I shared this info with our members early this week. Thanks again for keeping me posted.

Aline

Sent from my iPhone

On Mar 28, 2018, at 4:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Wanted to follow up with this as well, Aline!
>
> Desk Statement
>
> The *compliance* date for the CPA rule of March 6, 2020, has never changed. All states must submit their new compliance plans to EPA by March 6, 2020. If they submit their new plan by that date, the states can continue to use their existing plans until EPA rejects or approves their new compliance plan.
>
> Background: On March 21, 2018, the District Court for the Northern District of California ruled that EPA violated the Administrative Procedures Act by failing to provide notice and opportunity to comment before delaying the effective date of the January 4, 2017, FIFRA Certification of Pesticide Applicator's rule. The court declared the rule effective as of March 6, 2017, its original effective date.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/26/2018 2:11:17 PM
To: Aline DeLucia [aline@nasda.org]
Subject: This AM

I'm around if you want to give me a shout. Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/4/2018 4:11:13 PM
To: Don Parrish [donp@fb.org]
Subject: Follow up from this AM

Just wanted to touch base on that contact.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/24/2018 12:55:35 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Thank you!

Sounds good. I just have some answers for you

On Mar 23, 2018, at 10:27 PM, Aline DeLucia <aline@nasda.org> wrote:

> Of course! If it is not urgent from your end, we can connect Monday morning. Thanks, Tate.
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Friday, March 23, 2018 9:53 PM
> **To:** Aline DeLucia
> **Subject:** Re: Thank you!
>
> Tomorrow afternoon works if it can wait until then!
>
> On Mar 23, 2018, at 8:57 PM, Aline DeLucia <aline@nasda.org> wrote:
>
>> Hey. Sorry just got your message. I am available now and over the weekend. Just let me know if that works for you. If not, I can give you a call on Monday.
>>
>> ---
>>
>> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>> **Sent:** Friday, March 23, 2018 5:59 PM
>> **To:** Aline DeLucia
>> **Subject:** Re: Thank you!
>>
>> Give me a shout. Ex. 6
>>
>> On Mar 23, 2018, at 12:29 PM, Aline DeLucia <aline@nasda.org> wrote:
>>
>>> Tate,
>>>
>>> Thank you for the info. Please, keep us posted. My direct is 571.447.5324. I cover all pesticide related issues. Thanks again!
>>>
>>> **Aline DeLucia** | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/16/2018 5:37:18 PM
To: Andrew Walmsley [andreww@fb.org]
Subject: Quick call

Hey there! Can you give me a quick shout? Ex. 6

Elizabeth Tate Bennett
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