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

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Byron Brown BKB 9/26/17
Deputy Chief of Staff for Policy

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. Thus far, I have followed the advice provided by OGC/Ethics and have not participated personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. This memorandum formally notifies you of my continuing obligations to recuse myself from these matters.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I confirm that I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on my spouse's current employer, **Hess Corporation**. I will not participate personally and substantially in any particular matter that affects Hess Corporation as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on **oil and gas exploration and production** ("upstream issues") or **oil and gas processing and transportation** ("midstream issues"). I have been advised by OGC/Ethics that my recusal does not extend to "matters" that are not yet focused on these oil and gas sectors as a discrete and identifiable class of persons. Therefore, I understand that I am not recused from participating in broad policy deliberations and actions pertaining to diverse interests, such as the risk management plan rulemaking. I understand that my recusal lasts until my spouse is no longer employed with Hess Corporation.

Because I am in an Administratively Determined position, I have been advised by OGC/Ethics that I am not considered an appointee for the purposes of Executive Order 13770 and therefore not required to sign the Trump Ethics Pledge. But as an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my spouse's employer, pursuant to 5 C.F.R. § 502(b)(1)(iii).

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. I will provide a copy of this memorandum to Justina Fugh, Senior Counsel for Ethics.

cc: Justina Fugh, Senior Counsel for Ethics