QUESTIONS SUBMITTED BY SENATOR ALEXANDER

METHYLENE CHLORIDE

Question. I have heard from Tennesseans who are concerned about the federal regulation of methylene chloride. I have also heard from manufactures in Tennessee about the impact of a ban on methylene chloride. In 2016, Congress passed the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which requires the Environmental Protection Agency to perform risk evaluations on the uses of ten specific chemicals, including methylene chloride. Last week, you announced that the Environmental Protection Agency will finalize the methylene chloride rulemaking first proposed in January 2017. As the Environmental Protection Agency considers the regulation of methylene chloride, I encourage you to work with both advocates and manufacturers to achieve a result. What is the timeline for finalizing the rule? Will you keep me updated on the process as you work to finalize the rule?

Answer. On May 10, 2018, EPA announced plans to finalize its ongoing methylene chloride rulemaking. The agency issued a proposed rule in January 2017 under TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to regulate methylene chloride in paint and coating removal. Specifically, EPA proposed to prohibit the manufacture (including import), processing and distribution in commerce of methylene chloride for all consumer and most types of commercial paint and coating removal; to prohibit most commercial uses of methylene chloride for paint and coating removal; to prohibit most distribution in commerce of methylene chloride for paint and coating removal in containers with a volume less than 55 gallons; and to require all manufacturers, processors, and distributors of methylene chloride to provide downstream notification of these prohibitions and to keep limited records. EPA also proposed a time-limited exemption from these requirements for paint and coating removal for critical national security uses. The proposed rule and supporting documents are in docket EPA-HQ-OPPT-2016-0231, available at: https://www.regulations.gov. EPA accepted public comments on the proposed rule until May 19, 2017. Over 147,000 public comments were received.

The agency is currently considering information received during the public comment period.

In addition, you may be aware that EPA is undertaking a risk evaluation of the conditions of use of methylene chloride not covered by the ongoing rulemaking. In December 2016, EPA published a list of 10 chemical substances that are the subject of the Agency's initial chemical risk evaluations (81 FR 91927), as required by TSCA § 6(b)(2)(A). Methylene chloride was one of those chemicals.

TSCA § 6(b)(4)(D) requires that EPA publish the scope of the risk evaluation to be conducted, and in June 2017, EPA published the Scope of the Risk Evaluation for methylene chloride, which includes paint removal as one of the conditions of use. In June 2018, EPA published the Problem Formulation of the Risk Evaluation for Methylene Chloride ((https://www.regulations.gov/document?D=EPA-HQ-OPPT-2016-0742-0083)). The problem formulation document refines the scope of the risk evaluation by clarifying the chemical conditions of use that EPA expects to evaluate and describes how EPA expects to conduct the evaluation. Comments received on this problem formulation document will inform development of the draft risk evaluation, which will be made available for public comment and subjected to peer review prior to EPA's issuance of the final risk evaluation. The problem formulation document was available for comment until August 16, 2018 through docket EPA-HQ-OPPT-2016-0742, available at: https://www.regulations.gov.

ED_004145_00010027-00001

QUESTIONS SUBMITTED BY SENATOR CAPITO

INTEGRATED RISK INFORMATION SYSTEM (IRIS) PROGRAM

Question. Can you describe how you will make sure the IRIS program reflects the priority needs of the program offices, including what is the prioritization process and how will the public be informed?

Answer. The IRIS Program maintains regular engagement with EPA program and regional offices to identify upcoming assessment needs. These engagements include evaluating offices needs for existing assessment products in the IRIS pipeline; the priority or urgency for specific assessments; and any other additional considerations that would inform assessment development.

IRIS provides routine updates and engages program and regional offices throughout assessment development during monthly EPA-wide calls. These calls serve two purposes: providing program and regional offices timely information on assessment status, and providing IRIS real-time information on EPA program priorities. This allows IRIS Program management to be aware of changes in EPA program needs resulting from high-priority regulatory developments, and ensures that IRIS has the capability to respond in a timely way to emerging Agency needs (e.g., per- and polyfluoroalkyl substances).

Information on assessments under development as well as updates to IRIS Program activities are made available to the public on EPA's IRIS website (www.epa.gov/iris).

Question. When can we expect the handbook to be made available for public review and comment? Will it clearly describe the Agency's process for evaluating and integrating scientific data?

Answer. The handbook is currently being updated based on input received from the April 2018 report of the National Academy of Science (NAS), "Progress Toward Transforming the Integrated Risk Information System (IRIS) Program" and from public comments received on the Systematic Review Protocol for the IRIS Chloroform Assessment (Inhalation). The IRIS handbook is anticipated to be released following completion of external peer review.

The IRIS handbook outlines methods used to evaluate and integrate scientific information for IRIS assessments. Many of the methods outlined in the handbook summarize widely-accepted practices used in systematic review. These methods have been placed into operation on ongoing assessments, and were presented to the EPA Science Advisory Board and the NAS. In addition, beginning in 2018, IRIS publishes chemical specific protocols that outline the IRIS handbook methods as applied to specific chemicals (see, for example, the systematic review protocol for chloroform, released in January 2018). These protocols undergo public comment early in the stages of assessment development (IRIS Step 1: https://www.epa.gov/iris/basic-information-about-integrated-risk-information-system#process).

QUESTIONS SUBMITTED BY SENATOR DAINES

SPECIAL ACCOUNT FUNDS FROM LIBBY CLEANUP

Question. Mr. Pruitt, I know you received my letter urging EPA to ensure the voices of local leaders are incorporated into the operation and maintenance plan for the Libby Asbestos Superfund site. On a separate but related matter, I would like to note that I want to work with you to ensure that the special account money that was set aside in the initial settlement for Libby

ED_004145_00010027-00002

cleanup are used to the maximum extent to benefit Libby, rather than getting swept back up into the general Superfund account.

Are you willing to engage with local leaders and with me on the use of those funds?

Answer. EPA will continue to engage with Congressional offices, the State of Montana, and local leaders on the use of these funds. As a result of the 2008 bankruptcy settlement between W.R. Grace and the United States, EPA received $11 million to fund operation and maintenance (O&M) for the Libby Asbestos Site. EPA retains those funds in the Libby Asbestos Site O&M Special Account pursuant to its authority under the Comprehensive Environmental Response, Compensation and Liability Act's section 122(b)(3). Currently, including interest, there is approximately $12 million available in the special account. EPA has begun to make those funds available to the state via a cooperative agreement. EPA anticipates all the funds in the account will be used for future O&M at the site.

QUESTIONS SUBMITTED BY SENATOR FEINSTEIN

BORDER POLLUTION IN THE TIJUANA RIVER VALLEY

Due to geography and inadequate wastewater infrastructure on the Mexican side of the border, untreated sewage, trash, and sediment routinely flow into U.S. communities. These toxic transboundary flows jeopardize the health of U.S. Border Patrol officers and U.S. residents, requiring the regular closure of U.S. beaches and endangering sensitive wildlife habitat. According to some reports, 80 agents at the Imperial Beach Border Patrol Station were sickened last year from toxic transboundary runoff that could be addressed through EPA's U.S.-Mexico Border Water Infrastructure Program.

EPA's U.S.-Mexico Border Water Infrastructure Program funds competitive grants to help finance critical infrastructure projects, including construction of sewage collectors in Mexico to reduce polluted runoff to the U.S., wastewater treatment plants on both sides of the border, and residential and commercial sewer connections on both sides of the border to prevent illegal dumping into rivers and streams.

Given these binational challenges, I strongly support funding for EPA's Border Water Infrastructure Program, which will not only improve the quality of life for U.S. communities along the border, but also improve the safety of U.S. Border Patrol officers.

Question. In light of the health and safety concerns that these transboundary flows pose for U.S. citizens and Border Patrol officers, why does your budget proposal eliminate funding for the U.S.-Mexico Border Water Infrastructure Program?

Answer. The proposed program elimination is part of the administration's overall goal to focus on funding core environmental programs with a national scope. Other EPA sources of funding are available to support these efforts in U.S. communities along the border, most notably the Clean Water and Drinking Water State Revolving Funds.

Question. If this program were eliminated, how would you improve conditions for U.S. Border Patrol officers working in polluted areas?

Answer. EPA is working with stakeholders including the International Boundary and Water Commission (IBWC), Department of State, U.S. Customs and Border Patrol managers and agents, the North American Development Bank (NADB), and state and local officials to identify diplomatic and financial mechanisms to minimize transboundary contamination.

ED_004145_00010027-00003

EPA REGION 9 APPOINTMENT

On May 17, 2018, I sent a letter regarding Mr. Mike Stoker's appointment to be Region 9 Administrator, given the questions surrounding his desire to work remotely from Los Angeles. I am concerned about the costs associated with such a remote work arrangement and whether it would negatively impact the mission of EPA Region 9.

On May 18, 2018, Mr. Stoker was officially appointed EPA Region 9 Administrator.

Question. Please provide any information as to the criteria and decision-making process if Mr. Stoker has in fact requested to work remotely instead of out of the San Francisco headquarters full time.

Answer. Mr. Stoker's official duty station is San Francisco, California, the location of EPA's Region IX headquarters. EPA intends to follow all applicable rules and policies regarding the conditions of Mr. Stoker's service.

Question. Would tax payers be expected to pay for Mr. Stoker's travel costs when he travels to San Francisco to meet with his own senior staff?

Answer. Mr. Stoker's official duty station is San Francisco, California, the location of EPA's Region IX headquarters. EPA intends to follow all applicable rules and policies regarding the conditions of Mr. Stoker's service.

Question. Does the EPA have any estimate of how much travel would be required?

Answer. Mr. Stoker's official duty station is San Francisco, California, the location of EPA's Region IX headquarters. EPA intends to follow all applicable rules and policies regarding the conditions of Mr. Stoker's service.

Question. To the best of my knowledge, Mr. Stoker lives in Santa Barbara and has no plans to move to closer to Los Angeles. Is Mr. Stoker planning on commuting 2 to 3 hours to the Los Angeles office each way every day?

Answer. Mr. Stoker's official duty station is San Francisco, California, the location of EPA's Region IX headquarters. EPA intends to follow all applicable rules and policies regarding the conditions of Mr. Stoker's service.

Question. What plans does the EPA have in place to keep Mr. Stoker's travel costs to a reasonable level?

Answer. Mr. Stoker's official duty station is San Francisco, California, the location of EPA's Region IX headquarters. EPA intends to follow all applicable rules and policies regarding the conditions of Mr. Stoker's service.

QUESTIONS SUBMITTED BY SENATOR MURKOWSKI

OMNIBUS – DIESEL GENERATORS

The recently passed omnibus bill included a directive that requires the EPA to reexamine a regulation related to diesel generators that are often used to generate power in rural Alaskan communities. Any generators purchased after Model Year 2014 are required to have a "Diesel Particulate Filter" installed if they are used as the primary power generator. These filters have a high failure rate and even simple upgrades can be difficult.

ED_004145_00010027-00004

This issue was originally raised by rural Alaskans as part of your regulatory review panel, which was a result of Executive Order 13777.

Question. What is the status of the review that was required by the omnibus?

Answer. EPA has begun the internal process for a notice and comment rulemaking to address these concerns, with a proposal likely in 2019. EPA is continuing to work with the Alaska Energy Authority and to review information they have provided.

BIOMASS- CARBON NEUTRALITY

In both FY17 and FY18, we included language in the omnibus to require the Agency to work with the Department of Energy and the Department of Agriculture to develop a policy related to the carbon neutrality of biomass. You recently issued a policy memo making clear that future regulatory actions will treat biomass from managed forests as carbon neutral when used for energy production at stationary sources.

I appreciate your efforts on this front and am hopeful that you will enshrine the policy memo in some sort of regulation.

Question. Do you plan to issue a regulation on this issue?

Answer. As stated in the April 23, 2018 announcement, EPA's policy in forthcoming regulatory actions will be to treat biogenic CO_2 emission from the combustion of biomass from managed forests at stationary sources as carbon neutral. The Agency is currently exploring options for implementing this policy in the relevant regulatory programs, including under the Prevention of Significant Deterioration and Title V permitting programs.

Question. What is your timeframe for doing so?

Answer. EPA is currently considering how this policy may be implemented; while there is currently no firm timeframe for any forthcoming actions, the Agency will keep the committee apprised of its progress.

TIER 4: PILOT BOATS

I am submitting questions 3 and 4 on behalf of Senator Perdue.

In a recent Energy & Commerce Committee hearing, you mentioned that you would now be personally involved in the marine engine waiver issue for pilot boats, after giving the commitment to look into in your December testimony from the committee. This is a pressing issue that could have a wide-ranging impact on our port operations and growth.

Question. Mr. Administrator, can you please provide a breakdown of the actions the EPA has taken to address the Tier 4 concerns?

Answer. EPA has engaged multiple stakeholders on this topic, including meeting with the Savannah Bar Pilots and, in a separate meeting, with the company that builds pilot vessels. After the April 26 hearing, EPA sent technical experts to meet with the pilot boat builder to discuss relevant technical issues in detail. EPA also has met with seven marine engine manufacturers to better understand what Tier 4 engines are available now or will be available in the near future. Finally, EPA staff spoke with NOAA staff to discuss and better understand the impacts that NOAA's whale strike rule has on pilot boat operations. EPA will use the information gathered in these meetings to develop a path forward.

ED_004145_00010027-00005

Question. Please provide a timeline of what the EPA has done and any upcoming actions that will be taken by the EPA to address this concern.

Answer. Since October 2017, EPA staff have engaged in technical discussions with multiple industry and government stakeholders on this topic (see the above response for more detail). EPA is currently reviewing this information and assessing its options under Clean Air Act authorities and regulations.

Question. After you send technical experts to California, what will need to be done?

Answer. EPA's technical experts have recently met with the boat builder. EPA will use the information gathered in that meeting and other discussions to inform any future action.

Question. Does the EPA have the authority to move forward with a waiver system? If not, what are your legal restrictions?

Answer. EPA regulations provide limited exemptions from the Tier 4 marine engine standards for specific circumstances, such as national security. However, the regulatory exemptions would not apply in these circumstances. Any potential waiver process for boat operators, or other changes to EPA's existing regulations would require a notice and comment rulemaking.

TIER 4: GENERATORS

Administrator Pruitt, I have a similar concern for the Tier 4 restrictions placed on large, 1-megawatt generators. It's my understanding that the Tier 4 restrictions are preventing Tier-4 generators from being sold in the market due to that and the portability restrictions. It's forecasted that there won't be a viable solution in the market until the early 2020s.

Question. Is this something you are working on? Answer. EPA is not currently working to amend the standards for nonroad engines. Engine manufacturers had nearly 10 years of lead time before the current Tier 4 standards took effect in 2014. However, because engine manufacturers have a low volume of sales in this power category, they chose not to initially focus on developing Tier 4 engines of this size. Engine manufacturers have indicated that these Tier 4 generators will be available soon.

Question. What would need to be done by the EPA to remedy this situation and allow for the sale of currently developed generators?

Answer. The flexibilities for these nonroad emission standards (which effectively extended the compliance deadline for Tier 4 generators in this category) ended January 1, 2018. Any revisions to the emission standards or compliance deadline would need to go through notice and comment rulemaking. This regulatory process likely could not be accomplished before 1-megawatt, Tier 4 generators become available in late 2019 (currently, Tier 4-compliant 600-kilowatt generators—which can be paired together to provide 1.2-megawatts of power—are available in the marketplace.) Any changes to the standards could disrupt the market by allowing new Tier 2 generators to continue to be sold, putting at a disadvantage those engine manufacturers who have already invested resources to develop Tier 4 generators.

ED_004145_00010027-00006

Question. Is the EPA currently reviewing this concern or working on any changes that would remedy it?

Answer. At this time, EPA has reviewed this concern and has no plans to change the regulations.

QUESTIONS SUBMITTED BY SENATOR REED

PFAS

On April 13, 2018, I wrote to you, along with 24 of my colleagues, to urge the EPA to declare a Maximum Contaminant Level (MCL) for Per- and Polyfluoroalkyl Substances (PFAS) based on rigorous scientific evidence. My office received a response on May 11, 2018 stating that the EPA was "evaluating this monitoring data and available peer reviewed studies…to determine if a national primary drinking water regulation should be promulgated." On May 14, 2018, Politico published an article asserting that staff from the EPA and the White House sought to block publication of an assessment of these chemicals by HHS's Agency for Toxic Substances and Disease Registry (ATSDR).

Question. Will you commit to ceasing all efforts by the EPA to block the ATSDR assessment from becoming public and instead support its immediate release?

Answer. Addressing Per- and polyfluoroalkyl substances (PFAS) is one of EPA's top priorities and the Agency is committed to continuing to participate in and contribute to a coordinated approach across the federal government. ATSDR released the report on June 20, 2018, after coordinating with the Environmental Protection Agency (EPA and several other federal agencies. The report contains ATSDR toxicological profiles (or Tox Profiles) on four PFAS. EPA looks forward to continuing to collaborate with ATSDR and all of our federal partners as we work together to protect public health.

Question. The EPA issued a voluntary standard in 2016, but a draft of this assessment indicates that exposure to PFAS chemicals could endanger public health at levels far below that standard. If scientific evidence is showing that the standard is too high to adequately protect the public's health, what immediate steps is EPA taking to update the standard as quickly as possible?

Answer. A key priority for EPA is to further the understanding of human health impacts of PFAS to support states and local communities. EPA has published drinking water Health Advisories for PFOA and PFOS that provide technical guidance to state agencies, public water systems, and public health officials on health effects, analytical methodologies, and treatment technologies to inform decision-making to address drinking water contamination. As the science continues to evolve, EPA will evaluate the need to revise or update Health Advisories as appropriate. It is important to note that ATSDR's Minimum Risk Levels (MRLs) and EPA's Health Advisories (HAs) are two different tools that are used in different situations. MRLs are intended to be used to help public health professionals determine areas and populations potentially at risk for health effects from exposure to a particular chemical. An MRL is an estimate of the amount of a chemical a person can eat, drink, or breathe each day without a detectable risk to health. MRLs are unique to each substance. These are used as screening levels by public health professionals. EPA's HAs, on the other hand, provide information on contaminants that can cause human health effects and are known or anticipated to occur in drinking water.

ED_004145_00010027-00007

At the PFAS National Leadership Summit, Administrator Pruitt announced that the Agency will initiate steps to evaluate the need for a Maximum Contaminant Level (MCL) (that would be legally enforceable nationwide) for PFOA and PFOS as laid out in the Safe Drinking Water Act (SDWA). As a first step, the Agency has already included PFOA and PFOS as priority contaminants on the Contaminant Candidate List for regulatory consideration. The Agency also collected monitoring data for six PFAS compounds, including PFOA and PFOS, from drinking water systems across the country, from 2013 to 2015, as part of the third Unregulated Contaminant Monitoring Rule (UCMR).

The next step is to publish a preliminary regulatory determination on whether to regulate the contaminants. To do so, the Agency is evaluating available information to determine if PFOA and PFOS meet the three criteria for regulation in accordance with the SDWA: (1) whether a contaminant may have adverse health effects; (2) whether a contaminant is known to occur or there is a substantially likelihood that it will occur in public water systems with a frequency and at levels of concern; and (3) whether, in the sole judgement of the Administrator, there is a meaningful opportunity for health risk reduction through a national drinking water regulation.

Question. A national standard for PFAS would provide much-needed certainty to move forward with remediation activities and protection regimes for drinking water systems. Establishing an MCL for Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA), two types of PFAS, is especially urgent for the Department of Defense, as it awaits the MCL to know what standard it needs to use to remediate and clean up affected military installations. Do you agree that the EPA should replace the voluntary standard with something that is legally-enforceable nationwide?

Answer. EPA is currently conducting the next step under the SDWA, which is to develop a preliminary regulatory determination on whether to regulate the contaminants. EPA is required by the SDWA to publish a preliminary determination and provide an opportunity for public comment prior to making a final determination to regulate. To do so, the Agency is evaluating available information to determine if PFOA and PFOS meet the three criteria for regulation in accordance with the SDWA: (1) whether a contaminant may have adverse health effects; (2) whether a contaminant is known to occur or there is a substantially likelihood that it will occur in public water systems with a frequency and at levels of concern; and (3) whether, in the sole judgement of the Administrator, there is a meaningful opportunity for health risk reduction through a national drinking water regulation.

Question. When will you issue an MCL?

Answer. At the PFAS National Leadership Summit, Administrator Pruitt announced that the Agency will initiate steps to evaluate the need for a Maximum Contaminant Level (MCL) (that would be legally enforceable nationwide) for PFOA and PFOS as laid out in the Safe Drinking Water Act (SDWA). As a first step, the Agency has already included PFOA and PFOS as priority contaminants on the Contaminant Candidate List for regulatory consideration. The Agency also collected monitoring data for six PFAS compounds, including PFOA and PFOS, from drinking water systems across the country, from 2013 to 2015, as part of the third Unregulated Contaminant Monitoring Rule (UCMR). The next step required by the SDWA, which EPA is currently working on, is to issue a preliminary regulatory determination for public comment.

ED_004145_00010027-00008

VEHICLE EMISSIONS STANDARDS

Question. You have announced your intention to weaken fuel economy and vehicle emissions standards for cars and trucks, and have challenged California's authority under the Clean Air Act to set its own standards. Rhode Island is one of the twelve other states that aligns with California, and together these states represent over one-third of the nation's auto market. During a recent meeting with automakers, President Trump reportedly directed his Administration to work with California on these standards.

Are you working with California toward a resolution that will preserve the ability of states like Rhode Island to pursue cleaner car standards?

Answer. EPA will continue to engage with all stakeholders, including California and other states, with the goal of retaining a single, national program.

QUESTIONS SUBMITTED BY SENATOR RUBIO

FEDERAL-STATE PARTNERSHIP ON CLEAN WATER ISSUES

Question. Can you speak to the importance of the federal-state partnership on clean water issues, and do you believe this budget reflects the appropriate commitment to the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund?

Answer. Cooperative federalism -- the partnership between states, tribes, and EPA -- is critical for implementing environmental protection programs. EPA understands that improvements to protecting human health and the environment cannot be achieved by any actor operating alone, but only when the states, tribes, and EPA, in conjunction with affected communities, work together in a spirit of trust, collaboration, and partnership.

The FY 2019 budget requests funding for critical drinking and wastewater infrastructure to further the President's ongoing commitment to infrastructure repair and replacement. The request includes $2.3 billion for the State Revolving Funds, allowing states to finance high priority infrastructure investments. In addition, $20 million is requested for the Water Infrastructure Finance and Innovation Act (WIFIA) program. EPA could potentially provide $2 billion in credit assistance, which when combined with other funding sources could spur an estimated $4 billion in total water and wastewater infrastructure investments.

WIFIA STATUS

Question. As you are aware, Miami-Dade County was one of 12 entities selected to apply for a WIFIA loan in 2017. The County has a 2025 deadline to construct new injection wells and wastewater treatment capacity to reduce its ocean outfall discharges to improve coastal water quality and increase potential reuse of reclaimed water. What is the status of the WIFIA program as a whole, and the 2017 applications in particular?

Answer. Regarding the 2017 applications, EPA expects to close loans for all projects for which we have received a full application by the end of the 2018 calendar year. Regarding the 2018 application process, on May 5, 2018, the Administrator announced that the deadline for prospective borrowers to submit letters of interest for WIFIA loans has been extended to July 31, 2018. Administrator Pruitt also sent a letter highlighting the deadline extension to the governors of 56 states and territories, as well as tribal leadership. This year's WIFIA Notice of Funding Availability highlights the importance of protecting public health, including reducing exposure to

ED_004145_00010027-00009

lead and other contaminants in drinking water systems and updating the nation's aging infrastructure.

SOUTH FLORIDA GEOGRAPHIC PROGRAM

Question. The Comprehensive Everglades Restoration Plan is arguably the largest environmental restoration project that mankind has ever attempted. The EPA has a significant role in providing funding and technical assistance for water quality and habitat monitoring throughout the project region. Yet, the FY19 budget once again cuts the South Florida Geographic Program. Can you explain to me why it seems that you believe assisting states with environmental monitoring is not a core mission of the Agency, and why an annual investment of a few million dollars to help ensure the success of a $16 billion federal-state partnership is not a prudent use of taxpayer funds?

Answer. EPA's FY 2019 budget lays out a comprehensive back-to-basics and foundational strategy to maintain core environmental protection with respect to statutory and regulatory obligations. EPA will encourage Florida and local entities to continue to make progress on the Comprehensive Everglades Restoration Plan, working with core water programs, including water quality standards, industrial and stormwater permitting and enforcement, and water quality assessment.

ALGAE BLOOM OUTBREAK

Question. The most recent "Lost Summer" harmful algae bloom outbreak in the Indian River Lagoon caused millions of dollars in economic damages, and featured several months of exposure to environmental and human health hazards for several communities in the area. Given that the algae outbreak actually originated in Lake Okeechobee, and that freshwater harmful algal blooms fall under EPA's jurisdiction, can you describe what efforts, if any, the Agency has undertaken since that 2016 event to understand what happened and how to prevent or mitigate the impacts of the next outbreak in South Florida?

Answer. EPA has a multifaceted approach to addressing harmful algal blooms in freshwater systems across the country. EPA, acting as a co-chair of the Interagency Working Group on the Harmful Algal Bloom and Hypoxia Research and Control Act (IWG-HABHRCA), coordinates the actions across the Federal partners that directly address the issues related to HABs and hypoxia in the US. This Interagency Working Group has embraced Congress' request to collaboratively address HABs by crafting strategic plans, reports, and assessments of events. EPA, in coordination with federal and state partners, continues to take actions to protect public health and local economies from HABs, including: development of health advisories for both drinking water and recreational water, guidance documents, recommendations, and tools; maintaining and creating new working partnerships; and conducting critical research on effective preventative and mitigation strategies.

Specifically, since the 2016 harmful algal bloom event in South Florida, EPA made the following progress on research and tools to help in such future events:

- Published draft Recreational Ambient Water Quality Criteria/Swimming Advisories for two cyanotoxins, microcystins and cylindrospermopsin and additional support materials for states, tribes, and communities to protect public health during cyanobacterial HABs in recreational waters.

ED_004145_00010027-00010

- Revised draft Recreational Ambient Water Quality Criteria/Swimming Advisories document in response to public comment period that ended March 2017. Revised document currently going through internal review and comment process with the goal to release the final document later in 2018.
- Developed new monitoring screening tools and analytical methods for use of toxin detection in surface and finished drinking waters.
- Developed three new support tools to assist in monitoring, treatment and communicating the risks of cyanotoxins in drinking water to assist states, tribes and drinking water systems in managing cyanotoxins in drinking water.
- Began monitoring cyanotoxins in the nation's drinking water systems to determine the extent of its occurrence in finished drinking water, as part of the Unregulated Contaminant Monitoring program.
- Continued to work alongside state and utility associations, non-governmental organizations, federal agencies (including the USDA) and other partners, in the national Source Water Collaborative. This effort supports effective source water protection strategies to reduce and prevent the occurrence of cyanotoxins in drinking water sources, including reducing nutrient pollution, a major driver of harmful algal blooms.
- Hosted nine separate regionally-focused harmful algal bloom workshops across the country to develop improved algal toxin management strategies. One of these workshops was hosted on May 14-16th, 2018 for EPA Region 4 states (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) at EPA Region 4's Offices. The State of Florida health and environmental departments participated in this meeting. Participants discussed new approaches for addressing harmful algal blooms in states across the entire region, and included a lesson learned session from the Lake Okeechobee event in 2016.

CITRUS GREENING

Question. Florida citrus has been battling citrus greening for more than a decade. I want to thank you on behalf of Florida's citrus growers for the emergency exemptions you issued to help suppress the continued spread and impacts of the disease. As far as I know, these expired at the end of last year, as did a separate exemption for dealing with Laurel Wilt, a disease killing avocados and several related species of native trees throughout the southeast. Was there any consideration made to extending these exemptions?

Answer. Although emergency exemptions have expiration dates, should growers in the state of Florida need access to these tools for additional periods of time, requests to extend the Section 18 emergency exemption can be submitted for the EPA's consideration.

- The following section 18 emergency exemptions have been authorized for 2018 to assist Florida growers in controlling Asian Citrus Psyllid and Citrus Greening:
  - Clothianidin (Issued 12/29/2017; Expires 10/31/2018)
  - Oxytetracycline (Issued 1/17/2018; Expires 12/31/2018)
  - Streptomycin (Issued 1/17/2018; Expires 12/31/2018)
- The following section 18 emergency exemption has been authorized to assist Florida growers in controlling laurel wilt in avocadoes. This section 18 request was first authorized in 2010.
  - Propiconazole (Issued 4/3/2017; Expires 4/3/2020)

ED_004145_00010027-00011

Source: Emergency Exemption Database available at:
https://iaspub.epa.gov/apex/pesticides/f?p=110:2

Question. Citrus greening is spread by the Asian Citrus Psyllid, an invasive insect that has proven difficult to manage. In December, EPA released new citrus benefits assessments identifying foliar applications of four neonicotinoids, as being critical for psyllid control. What is the status of the final pollinator risk assessments and proposed interim decisions for these chemicals?

Answer. In December 2017, EPA released the preliminary ecological and human health risk assessments for the neonicotinoid insecticides, clothianidin, thiamethoxam, and dinotefuran and a preliminary ecological risk assessment for imidacloprid, assessing risks to birds, mammals, non-target insects, and plants. Preliminary pollinator-only risk assessments for these chemicals were published for comment in 2016 and 2017, and preliminary human health and ecological assessments (for aquatic species only) for imidacloprid were also released in 2017. EPA also released new cotton and citrus benefits assessments for foliar applications of the neonicotinoids as well as a response to public comments on the 2014 Benefits of Neonicotinoid Seed Treatment to Soybean Production.

POTENTIAL ENVIRONMENTAL HAZARDS

Question. How concerned should Floridians be about potential environmental hazards in their neighborhood that they may not know about?

Answer. Floridians can learn more about environmental activities in their area and generate maps of environmental information to better identify and address potential environmental hazards in their neighborhood through the use of several sources of information provided by EPA and its state and local government partners.

First, Floridians can access information regarding potential environmental hazards in their neighborhood from *Envirofacts*, accessed at https://www3.epa.gov/enviro/, which is EPA's one-stop source for Environmental Information across various EPA data systems. In addition, EPA's *MyEnvironment* (https://www3.epa.gov/myem/envmap/find.html) and *EnviroMapper* (https://www.epa.gov/emefdata/em4ef.home) provide geospatial support in better understanding potential hazards using mapping tools. Finally, for Floridians interested in understanding and protecting services provided by ecosystems in communities, in contrast to potential environmental hazards in their communities, *EnviroAtlas* (https://www.epa.gov/enviroatlas) provides interactive tools that allow users to discover, analyze, and download data and maps related to ecosystem services, or the benefits people receive from nature. Ecosystem services underpin most aspects of human well-being, including water, security, and the economy.

Along with these resources, EPA's Region 4 office highlights and brings awareness to key environmental issues occurring in the southeast (https://www.epa.gov/aboutepa/about-epa-region-4-southeast), and state and local health and environmental agencies such as the Florida Department of Environmental Protection and the Florida Department of Health are also important resources for Floridians.

BROWNFIELDS AND SUPERFUND SITES IN FLORIDA

Question. Are the number of Brownfield and Superfund sites in Florida increasing, decreasing, or largely unchanged?

ED_004145_00010027-00012

Answer. Communities in Florida consistently apply for EPA Brownfields competitive grants and have been successful in receiving competitive grant funds every year since 2003. EPA funds have reached over 100 different communities in Florida through more than 135 grants. Since the pilot year of the program (1998), over 1,100 properties have been assessed and 30 cleanups have been completed with EPA funds. The state has a mapping tool[1] that highlights all the brownfield sites that have been enrolled in the state voluntary cleanup program. On average, about 40 new properties are added to the state program each year.

The attached chart provides a summary of the number of Florida's proposed, final and deleted National Priorities List (NPL) Superfund sites. There have been 80 sites added to the NPL in Florida, 26 of which have since been deleted which leaves 54 active sites. Since 1990, the number of sites being added and deleted in Florida has been relatively consistent, with the cumulative total ranging from 49 – 54.

Question. How does EPA work with the Florida Department of Environmental Protection to identify, assess, and clean up these sites?

Answer. For Brownfields, EPA works closely with Florida Department of Environmental Protection (FDEP) to identify sites for assessment and/or cleanup, often engaging them on a property-specific basis. For example, EPA has approved and funded the development of improved community access tools, such as the website noted above, for communicating the success of the state program to those looking to invest nearby and/or invest further in a specific property.

In addition, EPA and FDEP collaborate throughout the Superfund process. As part of that process, EPA annually awards cooperative agreement funds to FDEP to help finance the evaluation of sites throughout Florida. Working together, EPA and FDEP prioritize sites for assessment and, for the highest priority sites, develop the information necessary to support a determination on whether adding the site to the NPL is appropriate. When EPA and FDEP believe a site warrants NPL addition, EPA requests a letter documenting the state's support prior to proposing the site to the NPL. Once EPA receives written state support, the Agency typically proceeds with the site's proposal, takes public comment on the proposal, and finalizes the site for the NPL. Although, based on public comments and other factors, EPA may determine not to proceed with finalizing the site on the NPL. EPA collaborates with the state throughout the remedial process, including seeking state input on remedy decisions and seeking state concurrence on a site's NPL deletion. For private NPL sites, the state may perform either a support or a lead agency role for remedial activities. EPA and the state execute a Superfund state contract (SSC) or a cooperative agreement prior to the state conducting a cleanup at an NPL site located in the state. The SSC or cooperative agreement clarifies EPA's and the state's roles in the response action, and documents other requirements and state assurances before the response action occurs (including, as appropriate, the state's commitment to share costs).

Question. What additional authorities or flexibilities for EPA would improve coordination with FDEP and overall program effectiveness?

Answer. Overall, FDEP has a very robust Brownfields and state cleanup program that addresses a wide variety and large number of contaminated sites and allows for substantial coordination between EPA and FDEP. EPA will continue to seek and expand opportunities to efficiently leverage the respective resources.

---

[1] https://ca.dep.state.fl.us/mapdirect/?focus=brnflds

ED_004145_00010027-00013

ATTACHMENT

Florida's National Priorities List Actions

FY	Proposed NPL[1]	Removal from Proposed NPL	Final NPL	Deleted NPL	Total on NPL
1983	29		25		25
1984			4		29
1985	10				29
1986	2	1	3		32
1987			2		34
1988	13			2	32
1989	4	1	1	1	32
1990	1	1	19		51
1991	1				51
1992	3				51
1993	1		1	1	51
1994	3		3		54
1995	1	1	1	3	52
1996	3			1	51
1997	1	1	3	2	52
1998	1		2	2	52
1999				2	50
2000	5		4	2	52
2001			1	2	51
2002	1				51
2003			1	1	51
2004					51
2005				1	50
2006				1	49
2007					49
2008	3		1	1	49
2009	3		2	1	50
2010	1		4		54
2011	1			1	53
2012	1		2		55
2014				2	53
2016	1				53
2017			1		54

[1] Three sites were initially proposed for NPL addition and re-proposed later due to updates in Hazard Ranking System (HRS) scoring information (Pratt & Whitney, Stauffer Chemical – Tampa, and City Industries).

ED_004145_00010027-00014

RENEWABLE FUEL STANDARDS (RFS)

Question. What is the typical process and timing for biomass-to-energy pathway registration and petition applications submitted under the RFS? How does that compare with previous Administrations?

Answer. In the March 2010 RFS2 final rule, EPA established a number of allowable pathways, and created a process by which entities could petition to add new pathways to the RFS program. The petition review process is described on EPA's website: https://www.epa.gov/renewable-fuel-standard-program/renewable-fuel-petition-review-process. The timing of petition reviews depends on many factors, including the nature of the petition, making it difficult to objectively compare the timing of petition reviews over different periods or Administrations.

Once a pathway has been approved, a company may submit a registration request. EPA processes all registration requests as quickly as possible on a first-in-first-out basis. The process and timing have been consistent across Administrations.

Question. How does the Agency plan to resolve any outstanding programmatic issues impacting biomass power in the RFS?

Answer. With regard to biomass power issues associated with Renewable Identification Numbers generated for renewable electricity (eRINs) under the RFS, EPA published the proposed Renewables Enhancement and Growth Support (REGS) rule in November 2016. As part of that proposed rulemaking, EPA sought public comment on important issues related to designing and implementing an eRIN-generation program, including: which of many possible parties (e.g., electric vehicle producers, renewable electricity producers, utilities distributing renewable electricity, owners of charging stations, electric vehicle owners or third party aggregators) should generate eRINs; what data should demonstrate the use of electricity as transportation fuel; and how fraud from double-counting could best be prevented. The Agency continues to review these issues and we believe they should be resolved before an electric pathway is implemented.

Question. Is EPA committed to improving the rate of capture and use of biomethane as a key factor in the long-term growth of Advanced and Cellulosic Biofuels under the RFS? If so, how do you intend to ensure this growth trajectory?

Answer. In projecting the cellulosic biofuel volume for each year, EPA projects the production of renewable CNG/LNG from biogas. This projection takes a "neutral aim at accuracy" as prescribed by the D.C. Circuit Court of Appeals in *API v. EPA*, 706 F.3d 474 (2013). Most renewable CNG/LNG qualifies as cellulosic biofuel, however, renewable CNG/LNG from biogas can qualify as an advanced biofuel, and EPA takes these sources into account in determining the advanced biofuel standard.

QUESTIONS SUBMITTED BY SENATOR TESTER

ASBESTOS

You know that the community of Libby has struggled with the direct health impacts of asbestos, with the highest rate of asbestos-related diseases in the country. This matter is deadly serious. Your asbestos evaluation scoping document cited evidence from the National Toxicology Program, the International Agency for Research on Cancer, the Agency for Toxic Substances and Disease Registry, as well as past work from the EPA. These reports lay out the truth: asbestos causes

ED_004145_00010027-00015

mesothelioma, and a whole variety of cardiovascular, pulmonary, immunodeficiency diseases. People are losing their lives.

Question. If the agency is still on track to finalize its evaluation in December of 2019, what is the absolute soonest asbestos could be pulled from the market? Do you believe that taking asbestos of the market before then would save lives?

Answer. The Agency is on track to finalize the risk evaluation for asbestos as required by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Upon completion of the risk evaluation, if unreasonable risk is identified, EPA is required to take action to propose a Section 6(a) rule within one year of the completion of the risk evaluation and to publish a final rule within one additional year (extendable in the aggregate for two additional years).

In addition to the risk evaluation, on June 13, 2018, EPA proposed a Significant New Use Rule for certain uses of asbestos (including asbestos-containing goods) that would require manufacturers and importers to receive EPA approval before starting or resuming manufacturing, including importing or processing, of new uses of asbestos. Under the proposed rule, if approval is sought under the review process, EPA would evaluate the conditions of use of asbestos and, when necessary, take action to prohibit or limit the use. The Proposed Rule may be found at https://www.federalregister.gov/documents/2018/06/11/2018-12513/asbestos-significant-new-use-rule and is available for public comment until August 10, 2018 (Docket: EPA-HQ-OPPT-2018-0159).

QUESTIONS SUBMITTED BY SENATOR UDALL

ANTIDEFIENCY ACT REPORTING

Question. During the hearing, we discussed the need for you to provide a report to the President and Congress on your violation of the Antideficiency Act by hiding a $43,000 expenditure on your "privacy booth."

The law requires agencies to immediately report to the President and Congress on how spending violations happened and what your plan is to resolve them, yet we still have no report on hand. You committed to providing that report. Please do so immediately.

Additionally, please submit a report on all additional expenditures that have been made on your office. You are required to report on everything once the $5,000 limit is exceeded. The following items have not been reported yet:

- Biometric locks for $3,389.50
- Captain's Standing Desk for $2,963.05
- Sit-to-Stand Table for $2,514.73
- Executive Desk Refurnishing for $2,075
- Portraits (two) for $1,200

Please submit the report on the privacy booth and these additional office enhancements immediately.

Answer. The Government Accountability Office has found that EPA's failure to inform Congress of a political appointee's office expense above the $5,000 threshold as required by Section 710 of the Financial Services and General Government Appropriations Act of 2017 created an Antideficiency Act (ADA) violation. EPA provided the notification for the items listed by GAO and is currently reviewing other obligations and expenditures that were made related to the Administrator's Office throughout the entirety of his tenure. Going forward the Agency will fulfill

ED_004145_00010027-00016

the Section 710 requirements, as required. In addition, as required by OMB guidance, the Agency will work with OMB to prepare the reporting for potential ADA violations.

CONDO LEASE

At the hearing you reaffirmed your commitment from June 2017 before the Committee to respond to all questions, including written correspondence, from both majority and minority members of the Subcommittee as quickly as possible. You have still not responded to my letter, dated April 4th, and my follow-up letter, dated May 9th, requesting documents and information related to your condo lease at 223 C Street.

The questions are re-printed here for the Record. Please respond to them:

Request for Information:

Question. How did you learn about the availability of the property you rented at 223 C Street, Northeast ("rental property")? Does this property advertise rooms for rent to the general public?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. What were the specific dates of the rental agreement, and what is the total amount you paid the landlord for the use of the rental property during that time?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Were any employees of the Office of the Administrator or other EPA employees involved in locating the property, or otherwise negotiating, facilitating, or executing any portion of your rental agreement? Did any EPA employees communicate with the landlord or other owners or representatives of owners of the property on your behalf?

Answer. The EPA cannot comment on the private arrangement between a former employee and his landlord.

Question. What is your relationship with the landlord or other owners of the rental property? Please describe any interactions you had with Ms. Vicki Hart, Mr. Steven Hart, or any other owner or representative of an owner of the property prior to the date on which you entered into the rental agreement.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Was the room rented to you available for your exclusive use for the duration of your lease agreement, despite reports that you only paid for nights when you actually used the property? Was the room rented to other people when you were not using the rental property?

Answer. The EPA cannot comment on the private arrangement between a former employee and his landlord.

Question. It has been reported that your daughter also lived at the rental property for some duration of your rental agreement. How did you secure the arrangement for your daughter to stay at

ED_004145_00010027-00017

the rental property? Did the arrangement to use the rental property extend to any other family members? If so, which members of your family? Did you have other family or guests stay at the rental property who were not a part of your rental agreement?

Answer. The EPA cannot comment on the private arrangement between a former employee and his landlord.

Question. Did you set a schedule ahead of time for your usage of the rental property? Did you pay any utilities, cleaning, or other fees? Did you receive mail or other packages delivered to the property?

Answer. The EPA cannot comment on the private arrangement between a former employee and his landlord.

Question. Did you attend any fundraisers or other political functions that occurred at the rental property during your stay? If so, on how many occasions and by whose invitation?

Answer. The EPA cannot comment on the private arrangement between a former employee and his landlord.

Question. Did you discuss any EPA official business with the landlord, their affiliates, or other visitors at the rental property? If so, what topics were discussed, and with whom?

Answer. The EPA cannot comment on the private arrangement between a former employee and his landlord.

Question. Did you agree to undertake any official actions that benefited the landlord, their affiliates, or other visitors you met at the rental property? If so, what actions were taken, and on whose behalf?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Did you ever discuss your trip to Morocco to promote liquefied natural gas with the landlord, their affiliates, or visitors you met at the rental property? If so, what topics were discussed, and with whom?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Who requested review of the rental agreement by EPA's designated Agency ethics officer or related ethics staff, and on what date was that request made? Please describe any review—formal or informal—of the rental agreement that occurred by EPA staff between January 20, 2017, and the release of the Agency's March 30, 2018, memorandum titled "Review of Lease Agreement Under the Federal Ethics Regulations Regarding Gifts".

Answer. EPA follows, and is committed to following, all federal ethics rules and regulations, including regulations regarding gifts.

Question. The Agency's March 30, 2018, memorandum appears to address only the narrow question of whether the rental agreement in question constitutes a gift under Federal ethics regulations. Did Agency ethics officials determine whether the agreement was fully in compliance with the entire

Standards of Ethical Conduct for Employees of the Executive Branch and other applicable Federal ethics statutes or standards of conduct?

Answer. See attached memorandum from March 30, 2018, and accompanying Clarification of and Record for Review of Lease.

Question. How did the Agency determine that the fair market value described by the rental agreement was "reasonable" as cited by the March 30, 2018 memorandum? Please provide the analysis used to reach that conclusion, including comparable rental agreement costs used in making that determination.

Answer. See attached memorandum from March 30, 2018, and accompanying Clarification of and Record for Review of Lease.

Question. Were any employees of the Office of the Administrator or other EPA employees involved in making subsequent housing arrangements for any other property other than the rental property in question for you or your family?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Request for Documentation:

Please provide copies of any of the following documents that may have been developed since December 7, 2016, when President Trump announced his intention to nominate you as EPA Administrator:

Question. A copy of the rental agreement for the rental property;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Any communications between yourself and Ms. Vicki Hart, any other owner of the residence, or anyone representing the owners;

Answer: Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Any communications between yourself and Mr. Steven Hart, any person employed by Williams & Jensen, and any calendar entries or notes relating to any meetings or conversations between yourself and Mr. Hart or any other person employed by Williams & Jensen;

Answer. We are in the process of searching, collecting and reviewing documents related to this event. We will deliver to you once available.

Question. Any communications between anyone working in the Administrator's office and Mr. Hart, any other person employed by Williams & Jensen, and any calendar entries or notes relating to any meetings or conversations between anyone working in the Administrator's office and Mr. Hart or any other person employed by Williams & Jensen; and

Answer. We are in the process of searching, collecting and reviewing documents related to this event. We will deliver to you once available.

ED_004145_00010027-00019

Question. Any communications between yourself or anyone working in the Administrator's office and any other official or employee of EPA regarding Mr. Hart, any other person employed by Williams & Jensen, or any client of Williams & Jensen

Answer. We are in the process of searching, collecting and reviewing documents related to this event. We will deliver to you once available.

Additionally, during the hearing you referenced two ethics reviews of the lease that occurred by EPA ethics officials.

Question. Did you abide by the terms of the lease as they were written?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Did you or your family, or anyone else ever use the second bedroom in the condo? If so, please provide the dates the bedroom was occupied and your process for notifying the Harts.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Both Mr. Minoli and Ms. Fugh have indicated that their ethics assessments were limited to the information they had at the time, which has proven to be incomplete. Have you requested a subsequent review by those officials?

Answer. A subsequent review cannot be requested by Mr. Pruitt. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency.

Question. The copy of your lease for 223 C Street that was released to the public is undated and initially stated that the agreement was with Steven, not Vicki Hart. Who prepared that lease for you? When was it signed?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. You told Ed Henry on Fox News that Steven Hart, from whose wife you leased the condo on Capitol Hill for $50/night, "has no client that has business before this Agency." It has since been revealed that Mr. Hart arranged and attended a meeting with you personally, along with a former executive of Smithfield Foods.[2] Additionally, Mr. Hart wrote to your Chief of Staff and urged that you name three candidates nominated by his client to the Science Advisory Board.[3] Please provide any records reflecting contact that Mr. Hart has had with EPA since you became Administrator.

---

[2] Eric Lipton, "Scott Pruitt Met With Lobbyist Whose Wife Rented Him a $50-a-Night Condo," New York Times (Apr. 21, 2018), available at https://www.nytimes.com/2018/04/21/climate/pruitt-hart-condo-epa-lobbying.html

[3] E.A. Crunden, "Condo deal lobbyist pushed client's nominees for EPA science board to Pruitt," Think Progress (May 2, 2018), available at https://thinkprogress.org/pruitt-condo-lobbyist-epa-science-board-0c7cd42d505e/.

ED_004145_00010027-00020

Answer. We are in the process of searching, collecting and reviewing documents related to this event. We will deliver to you once available.

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

MAR 30 2018

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Review of Lease Agreement Under the Federal Ethics Regulations Regarding Gifts

FROM: Kevin S. Minoli KSM
Designated Agency Ethics Official &
Principal Deputy General Counsel

TO: Matthew Z. Leopold
General Counsel

As requested, the Ethics Office reviewed the lease agreement entered into by E. Scott Pruitt (TENANT) and Vicki Hart (LANDLORD) under the federal ethics regulations regarding gifts. The regulations issued by the Office of Government Ethics are clear that if a federal employee pays market value for something, it is by definition not a gift under those regulations. 5 C.F.R. 2635.203(b)(10)(excluding from the definition of gift "[a]nything for which market value is paid by the employee"). Market value for rental apartments is commonly thought of in terms of rental cost per month. Under the terms of the lease, if the space was utilized for one 30-day month, then the rental cost would be $1500, which is a reasonable market value. The lease authorized use by the Administrator and his immediate family, specifically including his spouse and children, and consistent with that provision of the lease his immediate family did stay there when they were in Washington, DC. The lease did not require payment when the property was not utilized. Neither of these two provisions render the rental cost under the lease as something other than market value. Therefore, entering into the lease was consistent with federal ethics regulations regarding gifts, and use of the property in accordance with the lease agreement did not constitute a gift as defined in those regulations.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, DC

OFFICE OF
GENERAL COUNSEL

APR - 4 2018

MEMORANDUM

SUBJECT: Record for "Review of Lease Agreement Under the Federal Ethics Regulations Regarding Gifts"

FROM: Kevin S. Minoli KSM
Designated Agency Ethics Official &
Principal Deputy General Counsel

TO: Matthew Z. Leopold
General Counsel

On March 30, 2018, I signed a memorandum entitled "Review of Lease Agreement Under the Federal Ethics Regulations Regarding Gifts" (Review). Questions have been raised as to the scope of the Review and the factual basis for it. Today's memorandum explains the factual basis for the conclusion reached in the March 30 Memorandum and explains the scope of that review.

Factual Basis for the Conclusion

Regulations promulgated by the Office of Government Ethics exclude from the definition of gift "Anything for which market value is paid by the employee." The regulations then explain how an ethics official is to establish market value:

> (c) *Market value* means the cost that a member of the general public would reasonably expect to incur to purchase the gift. An employee who cannot ascertain the market value of a gift may estimate its market value by reference to the retail cost of similar items of like quality. The market value of a gift of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is deemed to be the face value of the ticket.

A first step in ascertaining the market value of a gift is to identify and understand the item of value. Here, the item of value is the ability to use the space at 233 C Street as

defined by the terms of the lease. In developing the Review, the ethics office examined the entire lease, which is attached hereto as Exhibit 1, and highlight the following terms that were particularly relevant to the value of the lease:

- **Term**: 39 Days from February 20, 2017, to April 1, 2017
- **Rent**: $50 per day
  - Rent is "payable on the 1st day of each month of the term, in installments of $500 on March 1, 2017 and any remaining balance on April 1, 2017 based on days of actual occupancy." (emphasis removed)
- **Use of Premises**: To be used by Tenant and Tenant's immediate family
  - "Tenant may store possessions on the premises when he is not occupying the bedroom assigned to him. There will be no charge for storage of limited personal items including clothing."
- **Tenant's Hold Over**: Provided for the possibility of new week-to-week tenancies
- **Quiet Enjoyment**: Limited to one bedroom
  - "Enjoyment is limited to one bedroom that cannot be locked. All other space is controlled by landlord. (*sic*) Landlord will attempt to notify Tenant if common space is to be utilized during early or late hours. No notice is required for usage during weekday business hours, 8am-6pm. Tenant shall provide Landlord's representative (Vicki Hart) with a cell number for this and all required communications." (emphasis removed)

When there is not a pre-established market, the regulation provides that that the ethics official may "estimate…market value by reference to the retail cost of similar items of like quality." In order to estimate the market value of the use authorized by the terms of the lease, the ethics office reviewed the following information regarding similar items of like quality:

<u>Daily Rentals for One Private Bedroom</u>

- Because the rent was assessed per day based on days of actual occupancy, we reviewed the availability of a private bedroom available for rent by the day.
- Because the rentals are "similar" and of "like quality," a cut-off of $55 per day was used and rooms not suitable for an adult were removed from the list.
  - Within a six-block radius of 233 C St, NE, there were seven (7) private bedrooms that could be rented for $55 or less/day (Exhibit 2)
  - Across a broader section of Capitol Hill, there were thirty-eight (38) private bedrooms that could be rented for $55 or less/day (Exhibit 3)

<u>Monthly Rental Units</u>

- While the lease created something less than a month-to-month tenancy and did not provide exclusive use to the entire property, we reviewed available monthly rental units as potentially similar units to ensure thoroughness of the evaluation.
  - Capitol Hill is the 19th most expensive neighborhood for renting in Washington, DC with an average cost of a rental apartment of $2,361/month
    - Source: https://www.rentcafe.com/average-rent-market-trends/us/dc/washington/

- Rental units currently available within three blocks (less than 1/3 mile) of the location of the lease (Exhibit4) include:
  - Eight (8) 1BR units with an average price of $2,173/month
  - Three (3) 2BR units with an average price of $3,695
  - Source: Zillow.com

The information demonstrates that there are several private rooms available to be rented on a per day basis for $55 or less that are in close proximity to the exact location the leased space. Within the Capitol Hill neighborhood, there are multiple private rooms available at a per day rate equal to or less than the one included in the lease. When checked against the price of traditional month-to-month rentals that would most likely offer increased privacy and exclusivity of use, a converted amount of $1,500 for Tenant's portion of the rent under the lease is within the range of amounts charged for locations no further than three blocks away. Based on the foregoing, the ethics office estimated $50/day to be a reasonable market value of the use authorized by the terms of the lease. As such, the use of the property according to the terms of the lease would not constitute a gift under the Federal ethics regulations.

Scope of Review Under Ethics Regulations Regarding Gifts

The Review addressed the terms of the lease as they were written in the lease agreement only. Some have raised questions whether the actual use of the space was consistent with the terms of the lease. Evaluating those questions would have required factual information that was not before us and the Review does not address those questions.

The memorandum concluded, after considering the factual record, that the use of the property authorized by the terms of the lease would not constitute a gift. Individuals have noted that the Review used the words "did not" constitute a gift instead of "would not" constitute a gift, and understood that language to imply that the Review had evaluated the actual use that occurred; to be clear, despite use of the words "did not," the Review only addressed the terms of the lease as written.

Ethics Regulations Other than Those Regarding Gifts

The Review addressed those parts of the Federal ethics regulations that regard gifts, but was not intended to and did not address other portions of the Federal ethics regulations such as the impartiality rule. It is important to note that the Federal ethics regulations regarding impartiality apply regardless of whether something involves receiving a prohibited gift. A federal employee must comply with the Standards of Ethical Conduct, including those relating to impartiality, at all times.

Exhibit 1

District of Columbia Residential Lease Agreement

THIS LEASE AGREEMENT (hereinafter referred to as the "Agreement") made and entered into this 15th day of February 2017 by and between **223 C Street LLC** (hereinafter referred to as "Landlord") and **Scott Pruitt** (hereinafter referred to as "Tenant")

W I T N E S S E T H :

WHEREAS, Landlord is the fee owner of certain real property being, lying and situated in the City of Washington, District of Columbia, such real property having a street address of 223 C Street, NE (hereinafter referred to as the "Premises").

WHEREAS, Landlord desires to lease the Premises to Tenant upon the terms and conditions as contained herein; and

WHEREAS, Tenant desires to lease the Premises from Landlord on the terms and conditions as contained herein;

NOW, THEREFORE, for and in consideration of the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. **TERM**. Landlord leases to Tenant and Tenant leases from Landlord the above described Premises together with any and all appurtenances thereto, for a term of **39 days**, such term beginning on **February 20, 2017** and ending at 11:59 PM on **April 1, 2017**.

2. **RENT**. The total rent for the term hereof is the sum of **fifty dollars** (**$50.00**) per day payable on the 1st day of each month of the term, in installments of **$500.00 on March 1, 2017 and any remaining balance on April 1, 2017 based on days of actual occupancy.** All such payments shall be made to Landlord at premises address as set in this Agreement on or before the due date and without demand.

3. **USE OF PREMISES**. The Premises shall be used and occupied by Tenant and Tenant's immediate family, consisting of tenant, spouse and children exclusively, as a **private single family dwelling**, and no part of the Premises shall be used at any time during the term of this Agreement by Tenant for the purpose of carrying on any business, profession, or trade of any kind, or for any purpose other than as a private single family dwelling. Tenant shall not allow any other person, other than Tenant's immediate family or transient relatives and friends who are guests of Tenant, to use or occupy the Premises without first obtaining Landlord's written consent to such use. Tenant shall comply with any and all laws, ordinances, rules and orders of any and all governmental or quasi-governmental authorities affecting the cleanliness, use, occupancy and preservation of the Premises. Tenant may store possessions on the premises when he is not occupying the bedroom assigned to him. There will be no charge for storage of limited personal items including clothing .

4. **CONDITION OF PREMISES**. Tenant stipulates, represents and warrants that Tenant has examined the Premises, and that they are at the time of this Lease in good order, repair, and in a safe, clean and tenantable condition. Landlord has the option of providing cleaning services but must obtain Tenant permission for cleaning staff to enter the Tenant's bedroom.

5. **ASSIGNMENT AND SUB-LETTING**. Tenant shall not assign this Agreement, or sub-let or grant any license to use the Premises or any part thereof without the prior written consent of Landlord. A consent by Landlord to one such assignment, sub-letting or license shall not be deemed to be a consent to any subsequent assignment, sub-letting of license. An assignment, sub-letting or license without the prior written consent of Landlord or an assignment or sub-letting by operation of law shall be absolutely null and void and shall, at Landlord's option, terminate this Agreement.

6. **ALTERATIONS AND IMPROVEMENTS**. Tenant shall make no alterations to the buildings or improvements on the Premises or construct any building or make any other improvements on the Premises without the prior written consent of Landlord. Any and all alterations, changes, and/or improvements built, constructed or placed on the Premises by Tenant shall, unless otherwise provided by written agreement between Landlord and Tenant, be and become the property of Landlord and remain on the Premises at the expiration or earlier termination of this Agreement. Tenant shall not hang pictures or otherwise attach any object to the walls.

7. **NON-DELIVERY OF POSSESSION**. In the event Landlord cannot deliver possession of the Premises to Tenant upon the commencement of the Lease term, through no fault of Landlord or its agents, then Landlord or its agents shall have no liability, but the rental herein provided shall abate until possession is given. Landlord or its agents shall have thirty (30) days in which to give possession, and if possession is tendered within such time, Tenant agrees to accept the demised Premises and pay the rental herein provided from that date. In the event possession cannot be delivered within such time, through no fault of Landlord or its agents, then this Agreement and all rights hereunder shall terminate.

8. **HAZARDOUS MATERIALS**. Tenant shall not keep on the Premises any item of a dangerous, flammable or explosive character that might unreasonably increase the danger of fire or explosion on the Premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

9. **UTILITIES**. Landlord shall be responsible for arranging for and paying for all utility services required on the Premises. No phone service is provided. Tenant agrees to use his private cell number for all telephone communications.

10. **MAINTENANCE AND REPAIR; RULES**. Tenant will, at its sole expense, keep and maintain the Premises and appurtenances in good and sanitary condition and repair during the term of this Agreement and any renewal thereof. Without limiting the generality of the foregoing, Tenant shall:

    (a) Not obstruct the driveways, sidewalks, courts, entry ways, stairs and/or halls, which shall be used for the purposes of ingress and egress only;
    (b) Keep all windows, glass, window coverings, doors, locks and hardware in good, clean order and repair;
    (c) Not obstruct or cover the windows or doors;
    (d) Not leave windows or doors in an open position during any inclement weather;
    (e) Not hang any laundry, clothing, sheets, etc. from any window, rail, porch or balcony nor air or dry any of same within any yard area or space;
    (f) Not cause or permit any locks or hooks to be placed upon any door or window without the prior written consent of Landlord;
    (g) Keep all air conditioning filters clean and free from dirt;
    (h) Keep all lavatories, sinks, toilets, and all other water and plumbing apparatus in good order and repair and shall use same only for the purposes for which they were constructed. Tenant shall not allow any sweepings, rubbish, sand, rags, ashes or other substances to be thrown or deposited therein. Any damage to any such apparatus and the cost of clearing stopped plumbing resulting from misuse shall be borne by Tenant;
    (i) And Tenant's family and guests shall at all times maintain order in the Premises and at all places on the Premises, and shall not make or permit any loud or improper noises, or otherwise disturb other residents;
    (j) Keep all radios, television sets, stereos, phonographs, etc., turned down to a level of sound that does not annoy or interfere with other residents;
    (k) Deposit all trash, garbage, rubbish or refuse in the locations provided therefor and shall not allow any trash, garbage, rubbish or refuse to be deposited or permitted to stand on the exterior of any building or within the common elements;
    (l) Abide by and be bound by any and all rules and regulations affecting the Premises or the common area appurtenant thereto which may be adopted or promulgated by the Condominium or Homeowners' Association having control over them.

ED_004145_00010027-00028

11. **DAMAGE TO PREMISES**. In the event the Premises are destroyed or rendered wholly uninhabitable by fire, storm, earthquake, or other casualty not caused by the negligence of Tenant, this Agreement shall terminate from such time except for the purpose of enforcing rights that may have then accrued hereunder. The rental provided for herein shall then be accounted for by and between Landlord and Tenant up to the time of such injury or destruction of the Premises, Tenant paying rentals up to such date and Landlord refunding rentals collected beyond such date. Should a portion of the Premises thereby be rendered uninhabitable, the Landlord shall have the option of either repairing such injured or damaged portion or terminating this Lease. In the event that Landlord exercises its right to repair such uninhabitable portion, the rental shall abate in the proportion that the injured parts bears to the whole Premises, and such part so injured shall be restored by Landlord as speedily as practicable, after which the full rent shall recommence and the Agreement continue according to its terms.

12. **INSPECTION OF PREMISES**. Landlord and Landlord's agents shall have the right at all reasonable times during the term of this Agreement and any renewal thereof to enter the Premises for the purpose of inspecting the Premises and all buildings and improvements thereon. And for the purposes of making any repairs, additions or alterations as may be deemed appropriate by Landlord for the preservation of the Premises or the building. Landlord and its agents shall further have the right to exhibit the Premises and to display the usual "for sale", "for rent" or "vacancy" signs on the Premises at any time within forty-five (45) days before the expiration of this Lease. The right of entry shall likewise exist for the purpose of removing placards, signs, fixtures, alterations or additions that do not conform to this Agreement or to any restrictions, rules or regulations affecting the Premises.

13. **SUBORDINATION OF LEASE**. This Agreement and Tenant's interest hereunder are and shall be subordinate, junior and inferior to any and all mortgages, liens or encumbrances now or hereafter placed on the Premises by Landlord, all advances made under any such mortgages, liens or encumbrances (including, but not limited to, future advances), the interest payable on such mortgages, liens or encumbrances and any and all renewals, extensions or modifications of such mortgages, liens or encumbrances.

14. **TENANT'S HOLD OVER**. If Tenant remains in possession of the Premises with the consent of Landlord after the natural expiration of this Agreement, a new tenancy from week-to-week shall be created between Landlord and Tenant which shall be subject to all of the terms and conditions hereof except that rent shall then be due and owing at **fifty dollars ($50.00) per day** and except that such tenancy shall be terminable upon three (3) days written notice served by either party.

15. **SURRENDER OF PREMISES**. Upon the expiration of the term hereof, Tenant shall surrender the Premises in as good a state and condition as they were at the commencement of this Agreement, reasonable use and wear and tear thereof and damages by the elements excepted.

16. **QUIET ENJOYMENT**. Tenant, upon payment of all of the sums referred to herein as being payable by Tenant and Tenant's performance of all Tenant's agreements contained herein and Tenant's observance of all rules and regulations, shall and may peacefully and quietly have, hold and enjoy said Premises for the term hereof. **Enjoyment is limited to one bedroom that cannot be locked. All other space is controlled by landlord. Landlord will attempt to notify Tenant if common space is to be utilized during early or late hours. No notice is required for usage during weekday business hours, 8am-6pm. Tenant shall provide Landlord's representative (Vicki Hart) with a cell number for this and all required communications.**

17. **INDEMNIFICATION**. Landlord shall not be liable for any damage or injury of or to the Tenant, Tenant's family, guests, invitees, agents or employees or to any person entering the Premises or the building of which the Premises are a part or to goods or equipment, or in the structure or equipment of the structure of which the Premises are a part, and Tenant hereby agrees to indemnify, defend and hold Landlord harmless from any and all claims or assertions of every kind and nature.

18. **DEFAULT**. If Tenant fails to comply with any of the material provisions of this Agreement, other than the covenant to pay rent, or of any present rules and regulations or any that may be hereafter prescribed by Landlord, or materially fails to comply with any duties imposed on Tenant by statute, within seven (7) days after delivery of written notice by Landlord specifying the non-compliance and indicating the intention of Landlord to terminate the Lease by reason thereof, Landlord may terminate this Agreement. If Tenant fails to pay rent when due and the default continues for seven (7) days thereafter, Landlord may, at Landlord's option, declare the entire balance of rent payable hereunder to be immediately due and payable and may exercise any and all rights and remedies available to Landlord at law or in equity or may immediately terminate this Agreement.

19. **ABANDONMENT**. If at any time during the term of this Agreement Tenant abandons the Premises or any part thereof, Landlord may, at Landlord's option, obtain possession of the Premises in the manner provided by law, and without becoming liable to Tenant for damages or for any payment of any kind whatever. Landlord may, at Landlord's discretion, as agent for Tenant, relet the Premises, or any part thereof, for the whole or any part thereof, for the whole or any part of the then unexpired term, and may receive and collect all rent payable by virtue of such reletting, and, at Landlord's option, hold Tenant liable for any difference between the rent that would have been payable under this Agreement during the balance of the unexpired term, if this Agreement had continued in force, and the net rent for such period realized by Landlord by means of such reletting. If Landlord's right of reentry is exercised following abandonment of the Premises by Tenant, then Landlord shall consider any personal property belonging to Tenant and left on the Premises to also have been abandoned, in which case Landlord may dispose of all such personal property in any manner Landlord shall deem proper and Landlord is hereby relieved of all liability for doing so.

20. **ATTORNEYS' FEES**. Should it become necessary for Landlord to employ an attorney to enforce any of the conditions or covenants hereof, including the collection of rentals or gaining possession of the Premises, Tenant agrees to pay all expenses so incurred, including a reasonable attorneys' fee.

21. **RECORDING OF AGREEMENT**. Tenant shall not record this Agreement on the Public Records of any public office. In the event that Tenant shall record this Agreement, this Agreement shall, at Landlord's option, terminate immediately and Landlord shall be entitled to all rights and remedies that it has at law or in equity.

22. **GOVERNING LAW**. This Agreement shall be governed, construed and interpreted by, through and under the Laws of the District of Columbia.

23. **SEVERABILITY**. If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

24. **BINDING EFFECT**. The covenants, obligations and conditions herein contained shall be binding on and inure to the benefit of the heirs, legal representatives, and assigns of the parties hereto.

25. **DESCRIPTIVE HEADINGS**. The descriptive headings used herein are for convenience of reference only and they are not intended to have any effect whatsoever in determining the rights or obligations of the Landlord or Tenant.

26. **CONSTRUCTION**. The pronouns used herein shall include, where appropriate, either gender or both, singular and plural.

27. **NON-WAIVER**. No indulgence, waiver, election or non-election by Landlord under this Agreement shall affect Tenant's duties and liabilities hereunder.

28. **MODIFICATION**. The parties hereby agree that this document contains the entire agreement between the parties and this Agreement shall not be modified, changed, altered or amended in any way except through a written amendment signed by all of the parties hereto.

29. **NOTICE**. Any notice required or permitted under this Lease or under state law shall be deemed sufficiently given or served if sent by United States certified mail, return receipt requested, addressed as follows:

If to Landlord to:

Nick Hart
223 C Street LLC
223 C Street NE
Washington, DC 20002

If to Tenant to:
Scott Pruitt

_____

_____
[*Tenant's Address*]

Landlord and Tenant shall each have the right from time to time to change the place notice is to be given under this paragraph by written notice thereof to the other party.

30. **ADDITIONAL PROVISIONS; DISCLOSURES**.

_____
_____
_____
_____

As to Landlord this 17 **day of** _____, **20**____.
LANDLORD:

Sign: _____ Print: Nick Hart

As to Tenant, this _____ **day of** _____, **20**____.
TENANT ("Tenant"):

Sign: _____ Print: _____
TENANT:

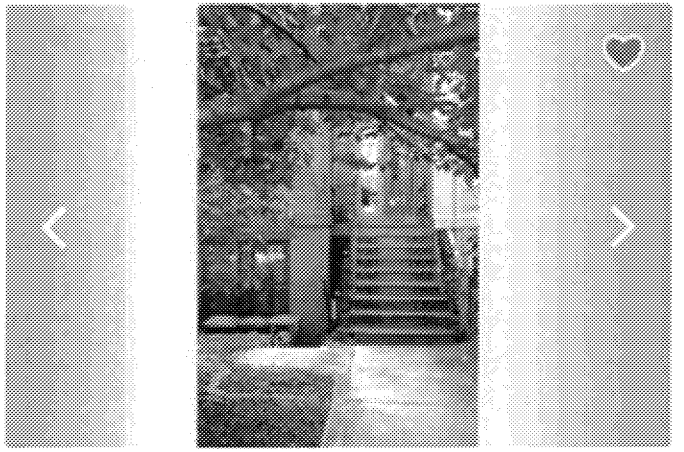
Exhibit 2

Search was initially conducted on March 30, 2018, repeated on March 31 and April 1. This version was printed on April 2.
This map documents rooms closest to 233 C St. Source: www.airbnb.com

Capitol Hill Rooms for $55 Or Less

No dates · 1 guest

7 homes



PRIVATE ROOM · 1 BED

Stanton Park Place 3F

$39 per night

★★★★★ 13 · Superhost

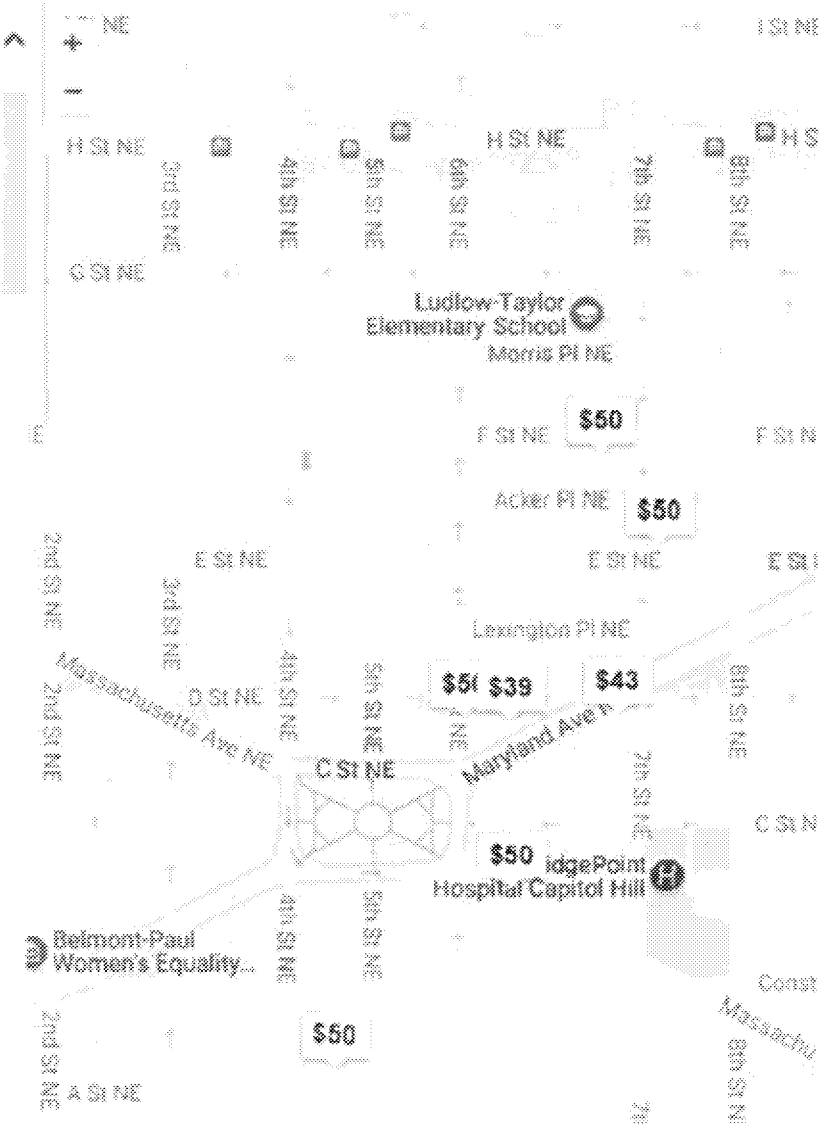


Exhibit 3

Search was initially conducted on March 30, 2018, repeated on March 31 and April 1. This version was printed on April 2.
This map documents rooms across Capitol Hill broadly. For the area closest to 233 C St, please see the map entitled "Capitol Hill Rooms for $55 Or Less"

All Sale

Broader Capitol Hill Rooms for $55 or Less

No dates · 1 guest

38 homes

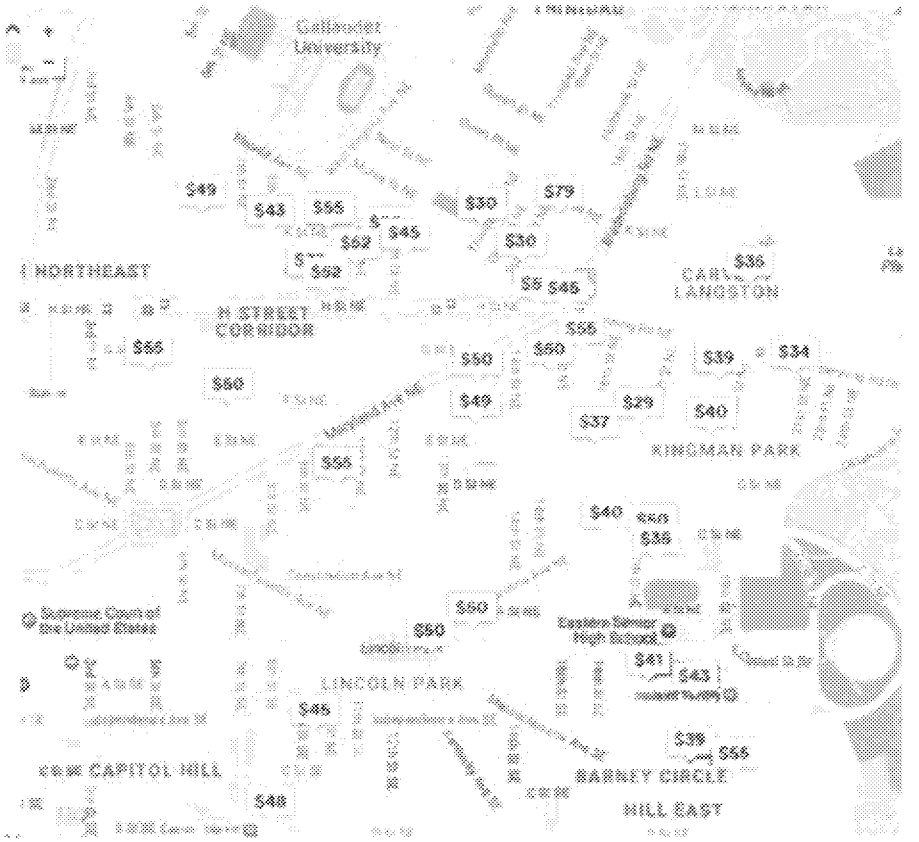


Exhibit 4

Availabe 1BR and 2BR Rental Units

1 Bedroom Apartments

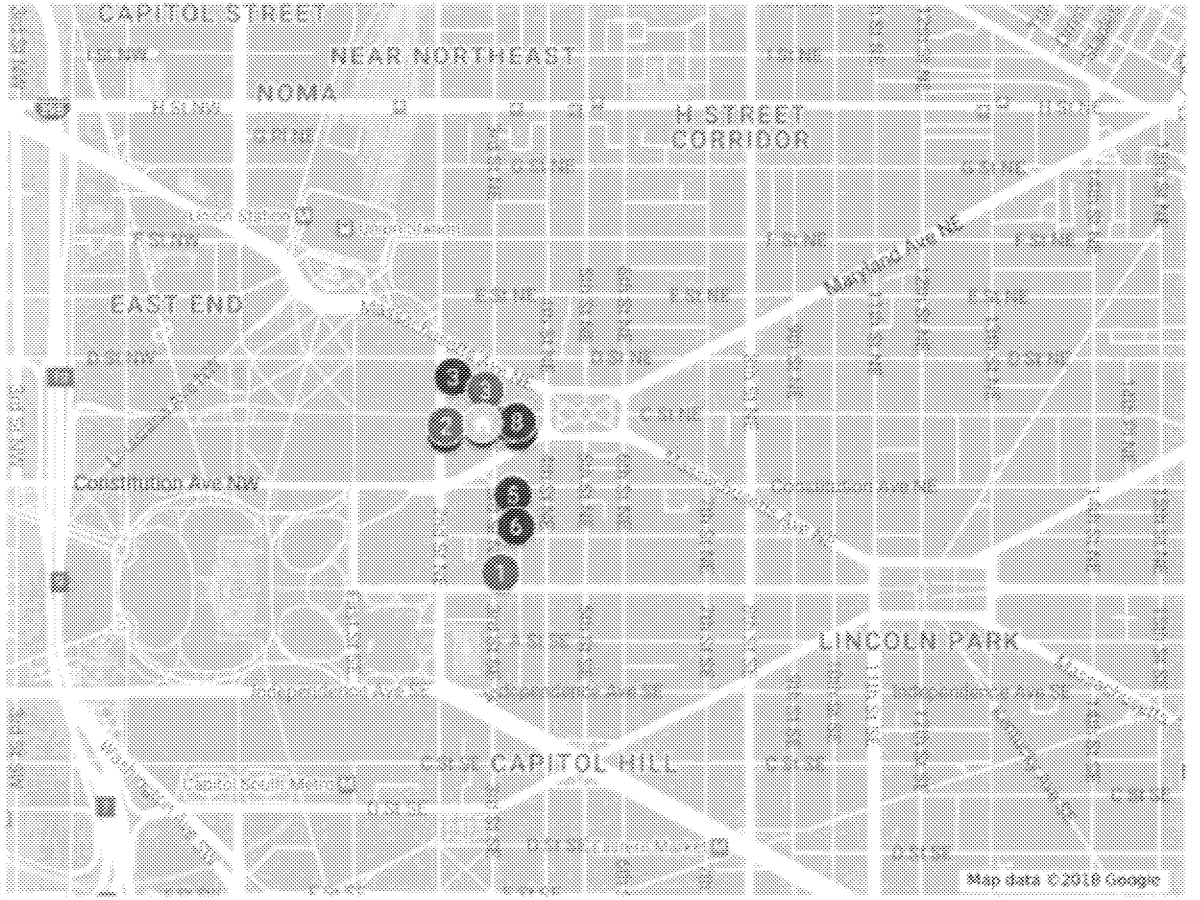
- 1BR $1600
- 1BR $1875
- 1BR $2200
- 1BR $1975
- 1BR $2100
- 1BR $3240
- 1BR $2400
- 1BR $1995

2 Bedroom Units

- 2BR $2595
- 2BR $3750
- 2BR $4740

Leased Property

- 233 C St NE: Site of Leased Space



Apartments listed on Zillow March 30, 31, or April 1.

Scope of consideration limited to eight blocks bordered by D Street, 4th Street, East Capitol Street, and 2nd Street.

Source: Listed on Zillow

MOROCCO/SMOTKIN

During the hearing you committed to providing this committee and others in Congress all documents related to your trip to Morocco, Mr. Richard Smotkin and the Free Trade Agreement with Morocco. Please ensure this is done within two weeks of receiving these questions. Additionally, it has been reported that almost immediately after your trip, Mr. Smotkin became registered foreign agent on behalf of the Moroccan government with a $40,000 a month contract.

Question a. Did Mr. Smotkin ever contribute to any organization or campaign you've been affiliated with? If yes, please provide a list.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Mr. Smotkin was also participated in a number of the meetings with you in Morocco. Did you discuss official EPA matters with Mr. Smotkin during the trip? Please describe those discussions.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Has Mr. Smotkin been involved in any other matters with EPA during your tenure, including with your planned trips to Australia, Mexico and Israel?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Were you or any members of your staff aware of Mr. Smotkin's financial relationship with the Government of Morocco?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Will you commit to providing transparency regarding your meetings as EPA administrator with any other lobbyist or former political donors?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer. Acting Administrator Wheeler is committed to providing transparency and his calendar is published on the EPA website.

SAMANTHA DRAVIS AND OTHER STAFF

During the hearing you testified that the schedule shows that your staff, Samantha Dravis, was attending meetings, not just with you, but others in the agency.

Question. Please provide these schedules, noting which meetings she attended and which were on her calendar but were unattended by her, and any relevant materials related to Ms. Dravis' whereabouts during the time period of November 2017 through February 2018, including leave requests and staff travel.

ED_004145_00010027-00038

Answer. Effective April 20, 2018, Samantha Dravis resigned from her position at the EPA and is no longer employed by the Agency. Due to an ongoing review by EPA OIG, it would be inappropriate to comment at this time.

APARTMENT SEARCH

During the hearing, you committed to providing copies of all emails and other documents related to your apartment search and any assistance you received from your staff. This should include official and unofficial emails since it is against Code of Federal Regulations to accept gifts from subordinates whether during work or personal time.

Question. During the hearing, you expressed your understanding that Millan Hupp's "activity there was on personal time," in reference to Ms. Hupp's assistance in your housing search. You acknowledged that you didn't pay her for the service. Please explain how this arrangement complies with government ethics rules concerning gifts between employees.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

PHONE BOOTH

Question. You responded to Rep. Lance at a recent hearing that you thought the phone booth expense was inappropriate. Specifically, you said, "I believe that that was an amount of money that should not have been spent and was never authorized." In our hearing, you said it was an example of "where processes at the Agency were not properly instituted to prevent certain abuses from happening." But EPA's official response to the Government Accountability Office's investigation states that "the Agency determined that the expenditure of appropriated funds to procure the privacy booth was a necessary Agency expense to support the Administrator's ability to conduct official business."[4] Did your Agency provide a false statement to the GAO? Please clarify for the record.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer. Please refer to EPA's response to GAO submitted on March 23, 2018.

Question. When did you learn that the cost of this project would be more than $5,000? What did you do in response to learning that information?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

---

[4] Letter from Kevin S. Minoli, EPA Principal Deputy General Counsel, to Julie Matta, GAO Managing Associate General Counsel, at 3 n.1 (Mar. 23, 2018), available at https://www.eenews.net/assets/2018/04/16/document_gw_09.pdf

ED_004145_00010027-00039

Question. Have any EPA staff been held responsible for this cost, given your statement that you wouldn't have approved it?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. What have you done to discipline staff responsible for the procurement?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Please explain why you needed personal privacy booth in your office when there are two other Sensitive Compartmented Information Facility at the EPA.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Did you ever use your privacy booth to speak with non-governmental officials who are regulated by the EPA, or any other non-governmental entity? If yes, please provide a list.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

TRAVEL

Question. You reportedly traveled to Oklahoma using a Southwest Airlines companion pass provided to you by Kenneth Wagner, who currently serves as EPA's senior adviser for regional and state affairs. How many times did you travel to Oklahoma using the companion pass, and on which dates?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. In an AP report dated April 18, 2018, Kevin Minoli stated that EPA ethics officials were consulting with OGE to determine "whether any additional steps needed to be taken to ensure full compliance with the ethics requirements." Was it determined that any additional steps were necessary in order to ensure that you were in compliance with the ethics requirements? If so, what were they and when were they taken?

Answer. As the Designated Agency Ethics Official, Mr. Minoli does not have any investigatory authority or powers. Consistent with his obligations under Office of Government Ethics regulations, he has referred a number of matters reported in the press to EPA' s Inspector General for further investigation. To the best of his knowledge, all of the matters that he has referred are either under consideration for acceptance or under active investigation.

Question. How did Matthew Freedman come to be involved in the arrangement of your planned trip to Australia? Please provide any records reflecting communications between Mr. Freedman and any EPA employee.

ED_004145_00010027-00040

Answer. We are in the process of searching, collecting and reviewing documents related to this event. We will deliver to you once available.

Question. How did Sheldon Adelson and Andy Abboud come to be involved in the arrangement of your planned trip to Israel? Please provide any records reflecting communications between Mr. Adelson, Mr. Abboud, or any employee of Mr. Adelson, and any EPA employee.

Answer. Former Administrator Pruitt did not travel to Israel.

Question. How did Leonard Leo come to be involved in the arrangement of your trip to Italy? Please provide any records reflecting communications between Mr. Leo and any EPA employee.

Answer. We are in the process of searching, collecting and reviewing documents related to this event. We will deliver to you once available.

COMMUICATIONS

Question. Have you ever used text messaging to conduct Agency business? If so, are your text messages searched in response to records requests from Congress or through the Freedom of Information Act?

Answer. The EPA Records Policy discourages the use of text messaging on a mobile device for sending or receiving substantive (or non-transitory) Agency records, however the Policy recognizes that some use can and does occur in limited instances. In those limited instances, staff must save and manage text message records like any other Agency record. Specifically, the Policy provides that:

> users of text messaging, instant messaging or other transient messaging technologies on EPA information systems are responsible for ensuring that messages that result in the creation of a substantive (or non-transitory) federal records are saved for FRA purposes and placed in a recordkeeping system. For example, if a text message on an EPA mobile device is received or sent that qualifies as a substantive (or non-transitory) federal record, it must be saved into an approved recordkeeping system.

Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer. Text messages are searched in response to records requests from Congress or through the Freedom of Information Act through searches of Outlook email accounts to which the messages have been forwarded.

Question. Have you ever used your personal cell phone for agency business? If so, when and for what purpose?

Answer. The EPA's Records Policy strongly discourages the use of non-official messaging systems. Specifically, the Agency's Records Policy states that:

> Official Agency business should first and foremost be done on official EPA information systems.... EPA strongly discourages the use of personal email or other personal electronic messaging systems, including text messaging on a personal mobile device, for sending or receiving Agency records, but to the extent such use occurs, the individual creating or sending the record from a non-EPA electronic messaging system must copy their EPA email account at the time of transmission or forward that record to their EPA email account within 20 days of creation or sending.

Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

EPA ORGANIZATION AND WORKFORCE

Please provide EPA's "Workforce Reduction Plan" (or if EPA did not prepare a document with that title, any equivalent document) that EPA prepared pursuant to the directive for such a plan contained in the *Memorandum for Heads of Executive Departments and Agencies; Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce* (Apr. 12, 2017) (https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-22.pdf) from OMB Director Mulvaney, and which was referenced in *Memorandum: Reforming the Federal Government and Reducing the Workforce* (Apr. 17, 2017) from Michael P. Flynn, Acting Deputy Director, U.S. EPA. Per Director Mulvaney's April 12 memo, the draft workforce reduction plans were due by June 30, 2017, and final versions of these plans were due to OMB in September along with the FY 2019 budget materials.

Question. Is this or any other plan to reduce EPA's workforce currently in effect?

Answer. The Agency has been prudently managing staffing levels since the issuance of the FY 2018 President's Budget and the FY 2018 House and Senate mark-ups, which provided policy levels significantly lower than previous appropriations. In FY 2018, EPA has focused on staffing needed to achieve results called for in the goals and objectives of the Agency's strategic plan. Once the FY 2018 Omnibus was enacted in April, the Agency also reviewed funding priorities included in the Omnibus, particularly new programs. Internal guidance has established an overall end of FY 2018 onboard employees target of 14,172.

Question. Please detail all steps that EPA has taken and is currently taking to implement workforce reductions generally and the plan in particular.

Answer. The staffing levels focused on ensuring strategic plan objectives, and each organization is managing to the end of year target. Changes, which may be increases or decreases over current levels depending on the organization, are being managed through attrition, strategic hiring, and targeted use of VERA/VSIP authorities.

ED_004145_00010027-00042

Question. List the FTE reductions and deadlines for such reductions specified in the workforce reduction plan.

Answer. The chart below shows the end of FY 2018 onboard employees target by responsible program implementation office (RPIO).

FY 2018
Onboards by RPIO

RPIO	FY 2018 Onboards Target
OA	350.3
OAR	1,086.7
OARM	667.4
OCFO	319.9
OCSPP	974.9
OECA	690.1
OEI	377.6
OGC	224.9
OIG	270.0
OITA	68.1
OLEM	463.3
ORD	1,513.9
OW	547.3
R01	541.8
R02	723.8
R03	724.6
R04	869.9
R05	995.7
R06	684.3
R07	455.4
R08	484.8
R09	654.5
R10	482.8
TOTAL	**14,172.0**

Question. Does EPA have any other formal or informal target levels for FTEs?

Answer. No, there is not a separate guidance.

ED_004145_00010027-00043

Question. Please provide all formal or informal target levels for FTE reductions or caps, whether from the Workforce Reduction Plan or other sources, by office (or at the most detailed level for which EPA has set targets, if it has sub-office targets).

Answer. See chart, provided under iii.

Question. Please provide EPA's most current FTE totals, by office, regional office, laboratory, or other, detailed down to the division level.

Answer. The table provided shows onboard employees by office as of June 18, 2018. It includes part-time and special government employees, i.e. Federal Advisory Committee Act (FACA) participants.

Question. Please provide the equivalent FTE totals, by office, regional office, laboratory, or other, detailed down to the division level, as of January 20, 2017.

Answer. The table provided shows onboard employees by office and division as of January 15, 2017 and June 18, 2018. It includes part-time and special government employees, i.e. Federal Advisory Committee Act (FACA) participants.

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OA		NEPA COMPLIANCE DIVISION		9
OA		PERMITTING POLICY DIVISION		5
OA	ASSOC ADMR FOR CONGRESS&INTERGOV RLNS		2	6
OA	ASSOC ADMR FOR CONGRESS&INTERGOV RLNS	INFORMATION & MANAGEMENT DIVISION	11	14
OA	ASSOC ADMR FOR CONGRESS&INTERGOV RLNS	OFFICE OF CONGRESSIONAL AFFAIRS	8	13
OA	ASSOC ADMR FOR CONGRESS&INTERGOV RLNS	OFFICE OF INTERGOVERNMENTAL RELATIONS	16	15
OA	ASSOC ADMR FOR OFFICE OF POLICY	Immediate Office	20	26
OA	ASSOC ADMR FOR OFFICE OF POLICY	NATL CENTER FOR ENVIRO ECONOMICS	31	33
OA	ASSOC ADMR FOR OFFICE OF POLICY	OFC OF REGULATORY POLICY & MANAGEMENT	31	35
OA	ASSOC ADMR FOR OFFICE OF POLICY	OFC OF STRATEGIC ENVIRO MANAGEMENT	26	

ED_004145_00010027-00044

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OA	ASSOC ADMR FOR OFFICE OF POLICY	OFFICE OF SUSTAINABLE COMMUNITIES	27	18
OA	OFC OF CHILDREN'S HEALTH PROTECTION	Immediate Office	3	1
OA	OFC OF CHILDREN'S HEALTH PROTECTION	PROG IMPLEMENTATION&COORDI NATION DIV	6	7
OA	OFC OF CHILDREN'S HEALTH PROTECTION	REGULATORY SUPPORT&SCIENCE POLICY DIV	6	6
OA	OFC OF PUBLIC ENGAGMNT &ENVRNMNTL EDUC			2
OA	OFFICE OF ADMIN & EXECUTIVE SERVICES	ADMINISTRATIVE/MANAGE MENT STAFF	10	7
OA	OFFICE OF ADMIN & EXECUTIVE SERVICES	Immediate Office	2	2
OA	OFFICE OF ADMIN & EXECUTIVE SERVICES	RESOURCES MANAGEMENT STAFF	7	8
OA	OFFICE OF CIVIL RIGHTS	AFF EMPLOY ANALYS & ACCOUNT STAFF	5	4
OA	OFFICE OF CIVIL RIGHTS	EMPLOYMENT COMPLAINTS RESOLUTION STF	12	9
OA	OFFICE OF CIVIL RIGHTS	EXTERNAL COMPLIANCE STAFF	1	
OA	OFFICE OF CIVIL RIGHTS	Immediate Office	5	4
OA	OFFICE OF ENVIRONMENTAL EDUCATION		8	17
OA	OFFICE OF EXECUTIVE SECRETARIAT		16	15
OA	OFFICE OF HOMELAND SECURITY		10	9
OA	OFFICE OF PUBLIC AFFAIRS	Immediate Office	5	12
OA	OFFICE OF PUBLIC AFFAIRS	OFFICE OF INTERNAL COMMUNICATIONS	3	3
OA	OFFICE OF PUBLIC AFFAIRS	OFFICE OF MEDIA RELATIONS	6	4
OA	OFFICE OF PUBLIC AFFAIRS	OFFICE OF MULTIMEDIA	10	8
OA	OFFICE OF PUBLIC AFFAIRS	OFFICE OF PRESS SECRETARY		1
OA	OFFICE OF PUBLIC AFFAIRS	OFFICE OF WEB COMMUNICATIONS	11	9

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OA	OFFICE OF PUBLIC ENGAGEMENT		5	5
OA	OFFICE OF SCIENCE ADVISORY BOARD		396	311
OA	OFFICE OF SMALL BUSINESS PROGRAMS		13	11
OA	OFFICE OF THE ADMINISTRATOR	Immediate Office	15	32
OA	OFFICE OF ENVIRONMENTAL JUSTICE			21
OA Total			727	682
OAR	ASST ADMR FOR AIR & RADIATION	Immediate Office	17	22
OAR	OFC OF AIR POLICY & PROGRAM SUPPORT	Immediate Office	2	2
OAR	OFC OF AIR POLICY & PROGRAM SUPPORT	POLICY GROUP	5	5
OAR	OFC OF AIR POLICY & PROGRAM SUPPORT	PROGRAM SUPPORT	10	10
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	AIR QUALITY ASSESSMENT DIV	79	76
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	AIR QUALITY POLICY DIVISION	52	51
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	CENTRAL OPERATIONS & RESOURCES OFFICE	23	21
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	HEALTH & ENVIRONMENTAL IMPACTS DIV	54	50
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	Immediate Office	5	5
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	OUTREACH & INFORMATION DIV	45	43
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	POLICY ANALYSIS & COMMUNICATIONS STF	11	11
OAR	OFC OF AIR QUALITY PLANNING&STANDARDS	SECTOR POLICIES & PROGRAMS DIV	90	77
OAR	OFFICE OF ATMOSPHERIC PROGRAMS	CLEAN AIR MARKETS DIVISION	57	49
OAR	OFFICE OF ATMOSPHERIC PROGRAMS	CLIMATE CHANGE DIVISION	60	55
OAR	OFFICE OF ATMOSPHERIC PROGRAMS	CLIMATE PROTECTION PARTNERSHIPS DIV	78	70

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OAR	OFFICE OF ATMOSPHERIC PROGRAMS	Immediate Office	5	4
OAR	OFFICE OF ATMOSPHERIC PROGRAMS	PROGRAM MANAGEMENT STAFF	18	13
OAR	OFFICE OF ATMOSPHERIC PROGRAMS	STRATOSPHERIC PROTECTION DIV	18	18
OAR	OFFICE OF PROGRAM MGMT OPERATIONS	ACQUISITION POLICY	5	3
OAR	OFFICE OF PROGRAM MGMT OPERATIONS	BUDGET EXECUTION	3	2
OAR	OFFICE OF PROGRAM MGMT OPERATIONS	BUDGET FORMULATION	5	3
OAR	OFFICE OF PROGRAM MGMT OPERATIONS	Immediate Office	4	3
OAR	OFFICE OF PROGRAM MGMT OPERATIONS	INFORMATION MANAGEMENT	1	4
OAR	OFFICE OF PROGRAM MGMT OPERATIONS	PROGRAM MANAGEMENT	1	
OAR	OFFICE OF RADIATION & INDOOR AIR	Immediate Office	4	5
OAR	OFFICE OF RADIATION & INDOOR AIR	INDOOR ENVIRONMENTS DIV	31	32
OAR	OFFICE OF RADIATION & INDOOR AIR	NATL ANALYTICAL RADIATION ENVIRO LAB	38	39
OAR	OFFICE OF RADIATION & INDOOR AIR	NATL CENTER FOR RADIATION FIELD OPS	23	20
OAR	OFFICE OF RADIATION & INDOOR AIR	PROGRAM MANAGEMENT OFFICE	8	6
OAR	OFFICE OF RADIATION & INDOOR AIR	RADIATION PROTECTION DIV	39	39
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	ASSESSMENT & STANDARDS DIV	80	73
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	CENTRALIZED SERVICES CENTER	15	11
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	CHIEF OF STAFF ANN ARBOR	12	10
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	CHIEF OF STAFF WASHINGTON	7	9

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	COMPLIANCE DIVISION	78	74
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	Immediate Office	7	6
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	POLICY, PLANNING & BUDGET STAFF	4	3
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	TESTING AND ADVANCED TECHNOLOGY DIV	93	84
OAR	OFFICE OF TRANSPORTATION & AIR QUALITY	TRANSPORTATION AND CLIMATE DIV	74	69
OAR Total			1,161	1,077
OARM	ASST ADMR FOR ADMIN & RESOURCES MGMT	Immediate Office	6	7
OARM	ENVIRONMENTAL APPEALS BOARD	Immediate Office	14	14
OARM	OFC OF ADMINISTRATIVE LAW JUDGES		12	11
OARM	OFC OF HUMAN RESOURCES	DIVERSITY, RECRUITMENT &EMPL SRVCS DIV	18	14
OARM	OFC OF HUMAN RESOURCES	EXECUTIVE RESOURCES DIV	8	6
OARM	OFC OF HUMAN RESOURCES	Immediate Office	8	5
OARM	OFC OF HUMAN RESOURCES	INFORMATION TECHNOLOGY DIV	12	12
OARM	OFC OF HUMAN RESOURCES	LABOR & EMPLOYEE RELATIONS DIVISION	12	11
OARM	OFC OF HUMAN RESOURCES	POLICY, PLANNING & TRAINING DIVISION	29	25
OARM	OFC OF HUMAN RESOURCES	PROGRAM MANAGEMENT STAFF	4	4
OARM	OFC OF MGMT & ADMINISTRATION-CINC		5	5
OARM	OFC OF MGMT & ADMINISTRATION-CINC	FACILITIES MGMT & SERVICES DIV	12	12
OARM	OFC OF MGMT & ADMINISTRATION-CINC	HUMAN RESOURCES MANAGEMENT DIV	33	27

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OARM	OFC OF MGMT & ADMINISTRATION-CINC	HUMAN RESOURCES MANAGEMENT DIV - LV	22	13
OARM	OFC OF MGMT & ADMINISTRATION-CINC	INFORMATION RESOURCES MGMT DIV	14	11
OARM	OFC OF MGMT & ADMINISTRATION-CINC	SAFETY, HEALTH & SECURITY STAFF	3	3
OARM	OFC OF MGMT & ADMINISTRATION-RTP		3	5
OARM	OFC OF MGMT & ADMINISTRATION-RTP	FACILITIES MANAGEMENT & SUPPORT DIV	19	17
OARM	OFC OF MGMT & ADMINISTRATION-RTP	HUMAN RESOURCES MGMT DIV - RTP	63	53
OARM	OFC OF MGMT & ADMINISTRATION-RTP	INFORMATION RESOURCES MANAGEMENT DIV	10	9
OARM	OFC OF RESOURCES, OPERATIONS & MGMT	ADMINISTRATIVE OPER & STEWARDSHIP DIV	9	9
OARM	OFC OF RESOURCES, OPERATIONS & MGMT	FEDERAL ADVISORY COMMITTEE MGMT DIV	11	9
OARM	OFC OF RESOURCES, OPERATIONS & MGMT	Immediate Office	3	4
OARM	OFC OF RESOURCES, OPERATIONS & MGMT	RESOURCES, ANALYSIS AND PLANNING DIV	8	7
OARM	OFC OF THE CHIEF SUSTAINABILITY OFFICER		1	1
OARM	OFFICE OF ACQUISITION MANAGEMENT	CINCINNATI PROCUREMENT OPERATIONS DIV	36	35
OARM	OFFICE OF ACQUISITION MANAGEMENT	HEADQUARTERS PROCUREMENT OPS DIV	46	41
OARM	OFFICE OF ACQUISITION MANAGEMENT	Immediate Office	22	23
OARM	OFFICE OF ACQUISITION MANAGEMENT	POLICY TRAINING & OVERSIGHT DIV	36	31
OARM	OFFICE OF ACQUISITION MANAGEMENT	RTP PROCUREMENT OPERATIONS DIV	33	32
OARM	OFFICE OF ACQUISITION MANAGEMENT	SUPERFUND/RCRA/RGNL PROC OPS DIV	29	18
OARM	OFFICE OF ADMINISTRATION	FACILITIES MANAGEMENT & SERVICES DIV	27	25
OARM	OFFICE OF ADMINISTRATION	Immediate Office	7	6
OARM	OFFICE OF ADMINISTRATION	REAL PROPERTY SERVICES STAFF	13	13

ED_004145_00010027-00049

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OARM	OFFICE OF ADMINISTRATION	RESOURCE MANAGEMENT STAFF	9	8
OARM	OFFICE OF ADMINISTRATION	SAFETY & SUSTAINABILITY DIVISION	22	22
OARM	OFFICE OF ADMINISTRATION	SECURITY MANAGEMENT DIV	23	19
OARM	OFFICE OF GRANTS & DEBARMENT	GRANTS&INTERAGENCY AGRMNTS MGMT DIV	20	19
OARM	OFFICE OF GRANTS & DEBARMENT	Immediate Office	10	12
OARM	OFFICE OF GRANTS & DEBARMENT	NATL POLICY,TRAINING&COMPLIANCE DIV	11	10
OARM	OFFICE OF GRANTS & DEBARMENT	RESOURCE MANAGEMENT STAFF	11	10
OARM	OFFICE OF GRANTS & DEBARMENT	SUSPENSION & DEBARMENT DIVISION	12	9
OARM Total			706	627
OCFO	OFC OF E-ENTERPRISE FOR THE ENVIRONMENT		6	8
OCFO	OFC OF PLANNING,ANLS&ACCOUNTABILITY	ANALYSIS DIVISION	10	9
OCFO	OFC OF PLANNING,ANLS&ACCOUNTABILITY	Immediate Office	7	5
OCFO	OFC OF PLANNING,ANLS&ACCOUNTABILITY	PLANNING DIVISION	9	8
OCFO	OFC OF RESOURCE & INFORMATION MGMT		13	14
OCFO	OFC OF TECHNOLOGY SOLUTIONS	APPLICATIONS MANAGEMENT DIVISION	12	11
OCFO	OFC OF TECHNOLOGY SOLUTIONS	BUSINESS SUPPORT DIVISION	7	10
OCFO	OFC OF TECHNOLOGY SOLUTIONS	Immediate Office	6	7
OCFO	OFC OF TECHNOLOGY SOLUTIONS	INFORMATION MGMT&SECURITY DIVISION	9	12
OCFO	OFC OF TECHNOLOGY SOLUTIONS	PLANNING AND EVALUATION DIVISION	10	11

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OCFO	OFC OF TECHNOLOGY SOLUTIONS	SYSTEMS RESEARCH & DEVELOPMENT DIVISI	11	10
OCFO	OFFICE OF BUDGET	BUDGET FORMULATION AND CONTROL STAFF	8	9
OCFO	OFFICE OF BUDGET	Immediate Office	8	8
OCFO	OFFICE OF BUDGET	MULTI-MEDIA ANALYSIS STAFF	8	6
OCFO	OFFICE OF BUDGET	RESOURCE PLANNING & REGIONAL OPS STF	8	6
OCFO	OFFICE OF BUDGET	TRUST FUNDS & ADMIN ANALYSIS STF	8	5
OCFO	OFFICE OF THE CHIEF FINANCIAL OFFICER	Immediate Office	5	7
OCFO	OFFICE OF THE CONTROLLER	ACCOUNTING & COST ANALYSIS DIVISION	21	20
OCFO	OFFICE OF THE CONTROLLER	BUSINESS PLANNING & OPS DIVISION	18	17
OCFO	OFFICE OF THE CONTROLLER	FINANCIAL SERVICES DIVISION	108	94
OCFO	OFFICE OF THE CONTROLLER	Immediate Office	8	5
OCFO	OFFICE OF THE CONTROLLER	POLICY,TRAINING&ACCOUNTABILITY DIV	16	14
OCFO	POLICY & COMMUNICATIONS STAFF		3	1
OCFO Total			319	297
OCSPP	ASST ADMR FOR CHEM SAFETY&PLTN PREV	Immediate Office	10	11
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	CHEMICAL CONTROL DIV	45	47
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	CHEMISTRY,ECONOMIC&SUSTNBLE STRG DIV	63	55
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	ENVIRONMENTAL ASSISTANCE DIV	36	37
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	Immediate Office	7	9
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	INFORMATION MANAGEMENT DIV	43	33
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	NATIONAL PROGRAM CHEMICALS DIV	29	24

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	RISK ASSESSMENT DIVISION	76	69
OCSPP	OFC OF POLLUTION PREVENTION & TOXICS	TOXIC RELEASE INVENTORY PROGRAM DIV	26	23
OCSPP	OFC OF PROGRAM MANAGEMENT OPERATIONS		10	11
OCSPP	OFC OF PROGRAM MANAGEMENT OPERATIONS	RESOURCE MANAGEMENT STAFF	6	4
OCSPP	OFC OF SCIENCE COORDINATION & POLICY	EXPOSURE ASSMT COORDINATION&POL DIV	8	7
OCSPP	OFC OF SCIENCE COORDINATION & POLICY	HAZARD ASSMT COORDINATION&POL DIV	5	5
OCSPP	OFC OF SCIENCE COORDINATION & POLICY	Immediate Office	124	148
OCSPP	OFFICE OF PESTICIDES PROGRAMS	ANTIMICROBIALS DIVISION	77	71
OCSPP	OFFICE OF PESTICIDES PROGRAMS	BIOLOGICAL & ECONOMIC ANALYSIS DIV	58	54
OCSPP	OFFICE OF PESTICIDES PROGRAMS	BIOPESTICIDES&POLLUTION PREV DIV	55	55
OCSPP	OFFICE OF PESTICIDES PROGRAMS	ENVIRONMENTAL FATE & EFFECTS DIV	94	82
OCSPP	OFFICE OF PESTICIDES PROGRAMS	FIELD & EXTERNAL AFFAIRS DIV	39	32
OCSPP	OFFICE OF PESTICIDES PROGRAMS	HEALTH EFFECTS DIVISION	100	89
OCSPP	OFFICE OF PESTICIDES PROGRAMS	Immediate Office	11	12
OCSPP	OFFICE OF PESTICIDES PROGRAMS	IT & RESOURCES MGMT DIV	85	80
OCSPP	OFFICE OF PESTICIDES PROGRAMS	PESTICIDE RE-EVALUATION DIV	48	48
OCSPP	OFFICE OF PESTICIDES PROGRAMS	REGISTRATION DIVISION	98	81
OCSPP	REGULATORY COORDINATION STAFF		7	6
OCSPP Total			1,160	1,093
OECA	ASST ADMR FOR ENF&COMPL ASSURANCE	Immediate Office	9	8

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	CRIMINAL INVESTIGATION DIV	184	182
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	Immediate Office	11	5
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	LEGAL COUNSEL DIVISION	13	13
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	OFC OF NATL ENF INVESTIGATIONS CENTER	72	66
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	PLANNING,ANALYSIS&COMMUNICATIONS STF	3	1
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	PROF INTEGRITY&QUALITY ASSURANCE STF	8	5
OECA	OFC OF CRIMINAL ENF,FORENSICS&TRNG	RESOURCE MANAGEMENT STAFF	7	7
OECA	OFC OF FEDERAL FACILITIES ENF OFC	Immediate Office	2	3
OECA	OFC OF FEDERAL FACILITIES ENF OFC	PLANNING, PREVENTION & COMPLIANCE STF	2	
OECA	OFC OF FEDERAL FACILITIES ENF OFC	SITE REMEDIATION & ENFORCEMENT STAFF	11	9
OECA	OFC OF SITE REMEDIATION ENFORCEMENT	Immediate Office	5	5
OECA	OFC OF SITE REMEDIATION ENFORCEMENT	POLICY & PROGRAM EVALUATION DIV	26	24
OECA	OFC OF SITE REMEDIATION ENFORCEMENT	PROGRAM SUPPORT OFFICE	9	9
OECA	OFC OF SITE REMEDIATION ENFORCEMENT	REGIONAL SUPPORT DIVISION	32	27
OECA	OFFICE OF ADMINISTRATION AND POLICY	ADMINISTRATIVE MANAGEMENT DIVISION	9	8
OECA	OFFICE OF ADMINISTRATION AND POLICY	BUDGET AND FINANCIAL MANAGEMENT DIV	5	6
OECA	OFFICE OF ADMINISTRATION AND POLICY	Immediate Office	8	8
OECA	OFFICE OF ADMINISTRATION AND POLICY	INFORMATION TECHNOLOGY DIVISION	8	6
OECA	OFFICE OF ADMINISTRATION AND POLICY	POLICY & LEGISLATIVE COORDINATION DIV	6	6

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OECA	OFFICE OF CIVIL ENFORCEMENT	AIR ENFORCEMENT DIVISION	45	40
OECA	OFFICE OF CIVIL ENFORCEMENT	CROSS-CUTTING POLICY STAFF	8	7
OECA	OFFICE OF CIVIL ENFORCEMENT	Immediate Office	5	3
OECA	OFFICE OF CIVIL ENFORCEMENT	RESOURCE MANAGEMENT BRANCH	7	5
OECA	OFFICE OF CIVIL ENFORCEMENT	WASTE & CHEMICAL ENFORCEMENT DIV	33	34
OECA	OFFICE OF CIVIL ENFORCEMENT	WATER ENFORCEMENT DIVISION	36	31
OECA	OFFICE OF COMPLIANCE	ENF PLANNING, TARGETING & DATA DIV	49	43
OECA	OFFICE OF COMPLIANCE	Immediate Office	10	7
OECA	OFFICE OF COMPLIANCE	MONITORING,ASSISTANCE& MEDIA PROGS DIV	45	40
OECA	OFFICE OF COMPLIANCE	NATIONAL ENF TRAINING INSTITUTE	4	4
OECA	OFFICE OF COMPLIANCE	PLANNING, MEASURES & OVERSIGHT DIV	14	14
OECA	OFFICE OF COMPLIANCE	RESOURCE MANAGEMENT STAFF	6	5
OECA	OFFICE OF ENVIRONMENTAL JUSTICE		23	
OECA	OFFICE OF FEDERAL ACTIVITIES	Immediate Office	4	
OECA	OFFICE OF FEDERAL ACTIVITIES	INTL COMPLIANCE ASSURANCE DIV	7	
OECA	OFFICE OF FEDERAL ACTIVITIES	NEPA COMPLIANCE DIVISION	13	
OECA Total			739	631
OEI	OFC OF CUST ADVO, POL & PORTFOLIO MGT	CUSTOMER ADVOCACY & COMMUNICATION DIV	15	15
OEI	OFC OF CUST ADVO, POL & PORTFOLIO MGT	Immediate Office	4	5
OEI	OFC OF CUST ADVO, POL & PORTFOLIO MGT	POLICY, PLANNING & EVALUATION DIV	7	5
OEI	OFC OF CUST ADVO, POL & PORTFOLIO MGT	PORTFOLIO MANAGEMENT DIV	6	8

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OEI	OFC OF DIGITAL SERVICES & TECH ARCH	DIGITAL SERVICES DIV	10	8
OEI	OFC OF DIGITAL SERVICES & TECH ARCH	Immediate Office	7	6
OEI	OFC OF DIGITAL SERVICES & TECH ARCH	TECHNICAL ARCHITECTURE & PLANNING DIV	9	7
OEI	OFC OF INFORMATION MANAGEMENT	DATA MANAGEMENT SERVICES DIV	15	13
OEI	OFC OF INFORMATION MANAGEMENT	Immediate Office	5	6
OEI	OFC OF INFORMATION MANAGEMENT	INFO ACCESS & ANALYTICAL SERVICES DIV	13	11
OEI	OFC OF INFORMATION MANAGEMENT	INFORMATION EXCHANGE SERVICES DIV	22	20
OEI	OFC OF INFORMATION MANAGEMENT	WEB CONTENT SERVICES DIV	11	9
OEI	OFC OF INFORMATION SECURITY & PRIVACY		21	18
OEI	OFC OF INFORMATION TECHNOLOGY OPS	DESKTOP SUPPORT SERVICES DIV	9	8
OEI	OFC OF INFORMATION TECHNOLOGY OPS	ENDPOINT & COLLAB SOLUTIONS DIV	12	12
OEI	OFC OF INFORMATION TECHNOLOGY OPS	ENTERPRISE HOSTING DIV	19	20
OEI	OFC OF INFORMATION TECHNOLOGY OPS	Immediate Office	8	6
OEI	OFC OF INFORMATION TECHNOLOGY OPS	NETWORK & SECURITY OPERATION DIV	18	21
OEI	OFC OF INFORMATION TECHNOLOGY OPS	SERVICE & BUSINESS MANAGEMENT DIV	25	24
OEI	OFC OF INFORMATION TECHNOLOGY OPS	WASHINGTON D.C. OPERATIONS DIV	10	9
OEI	OFFICE OF BUSINESS OPERATIONS & SERVICES	HR&ADMINISTRATION DIV	9	7
OEI	OFFICE OF BUSINESS OPERATIONS & SERVICES	Immediate Office	7	5
OEI	OFFICE OF BUSINESS OPERATIONS & SERVICES	INFORMATION AND SECURITY PROGRAM DIV	9	10
OEI	OFFICE OF BUSINESS OPERATIONS & SERVICES	RESOURCE & PROGRAM MANAGEMENT DIV	9	9

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	EDISCOVERY DIV	8	6
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	ENTERPRISE QUALITY MANAGEMENT DIV	9	7
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	ENTERPRISE RECORDS MANAGEMENT DIV	7	7
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	ERULEMAKING & FOIAONLINE DIV	6	7
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	FOIA, LIBRARIES & ACCESSIBILITY DIV	10	6
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	Immediate Office	6	4
OEI	OFFICE OF ENTERPRISE INFO PROGRAMS	REGULATORY SUPPORT DIV	3	6
OEI	OFFICE OF ENVIRONMENTAL INFORMATION	Immediate Office	11	8
OEI Total			340	313
OGC	AIR & RADIATION LAW OFFICE		48	45
OGC	ALTERNATIVE DISPUTE RES LAW OFC		7	6
OGC	CIVIL RIGHTS & FINANCE LAW OFFICE		25	22
OGC	CROSS-CUTTING ISSUES LAW OFFICE		21	19
OGC	ETHICS OFFICE		3	4
OGC	FOIA EXPERT ASSISTANCE TEAM		3	12
OGC	GENERAL LAW OFFICE		29	26
OGC	OFFICE OF EXTERNAL COMPLIANCE		9	12
OGC	OFFICE OF GENERAL COUNSEL	Immediate Office	14	10
OGC	PESTICIDES & TOXIC SUBSTANCES LAW OFC		23	22
OGC	RESOURCE MANAGEMENT OFFICE		14	13
OGC	SOLID WASTE & EMER RESPONSE LAW OFC		15	15
OGC	WATER LAW OFFICE		19	19

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OGC Total			230	225
OIG	OFC PF CNSL&CONGRESSIONAL&PUB AFFAIRS	CONGRESSIONAL & PUB AFFAIRS DIRECTORATE	8	9
OIG	OFC PF CNSL&CONGRESSIONAL&PUB AFFAIRS	Immediate Office	3	2
OIG	OFC PF CNSL&CONGRESSIONAL&PUB AFFAIRS	LEGAL AFFAIRS DIRECTORATE	8	8
OIG	OFFICE OF AUDITS	CONT&ASTNC AGREEMENT ADTS DIRECTORATE	14	11
OIG	OFFICE OF AUDITS	EFFICIENCY AUDITS DIRECTORATE	13	13
OIG	OFFICE OF AUDITS	FINANCIAL AUDITS DIRECTORATE	25	26
OIG	OFFICE OF AUDITS	FORENSIC AUDITS DIRECTORATE	12	12
OIG	OFFICE OF AUDITS	Immediate Office	3	7
OIG	OFFICE OF AUDITS	INFO RSRCS MGMT AUDITS DIRECTORATE	16	15
OIG	OFFICE OF AUDITS	AIR DIRECTORATE		13
OIG	OFFICE OF AUDITS	LAND CLEANUP & WASTE MGMT DIRECTORATE		14
OIG	OFFICE OF AUDITS	WATER DIRECTORATE		13
OIG	OFFICE OF AUDITS	TOX CHEM MGMT & POL PREVNTN DIRECTORA		14
OIG	OFFICE OF AUDITS	SPECIAL PROGRAMS DIRECTORATE		4
OIG	OFFICE OF AUDITS	ENVIRONMENTAL RESEARCH DIRECTORATE		11
OIG	OFFICE OF INSPECTOR GENERAL	Immediate Office	3	3
OIG	OFFICE OF INVESTIGATIONS	ATLANTA FIELD OFFICE	8	6
OIG	OFFICE OF INVESTIGATIONS	CHICAGO FIELD OFFICE	7	8
OIG	OFFICE OF INVESTIGATIONS	ELECTRONIC CRIMES DIVISION	4	5
OIG	OFFICE OF INVESTIGATIONS	Immediate Office	4	3

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OIG	OFFICE OF INVESTIGATIONS	OFFICE OF PROFESSIONAL RESPONSIBILITY	7	7
OIG	OFFICE OF INVESTIGATIONS	OPERATIONS SUPPORT DIVISION	6	6
OIG	OFFICE OF INVESTIGATIONS	SAN FRANCISCO FIELD OFFICE	7	8
OIG	OFFICE OF INVESTIGATIONS	WASHINGTON FIELD OFFICE	11	9
OIG	OFFICE OF MANAGEMENT	BUDGET, ANALYSIS &RESULTS DIRECTORATE	7	10
OIG	OFFICE OF MANAGEMENT	HUMAN CAPITAL & SOLUTIONS DIRECTORATE	4	8
OIG	OFFICE OF MANAGEMENT	Immediate Office		4
OIG	OFFICE OF MANAGEMENT	IT SOLUTIONS AND SERVICES DIRECTORATE	22	20
OIG	OFFICE OF PROGRAM EVALUATION		74	
OIG Total			266	269
OITA	AMERICAN INDIAN ENVIRONMENTAL OFFICE		16	13
OITA	ASST ADMR FOR INTL&TRIBAL AFFAIRS	Immediate Office	5	4
OITA	OFC OF MGMT & INTERNATIONAL SERVICES		13	12
OITA	OFC OF REGIONAL AND BILATERAL AFFAIRS		23	20
OITA	OFFICE OF GLOBAL AFFAIRS AND POLICY		21	18
OITA Total			78	67
OLEM	ASST ADMR OFC OF LAND & EMER MGMT	Immediate Office	7	10
OLEM	CENTER FOR PROGRAM ANALYSIS		15	13
OLEM	FED FACILITIES RESTORATION&REUSE OFC		13	13
OLEM	OFC OF BROWNFIELDS&LAND REV		19	16
OLEM	OFC OF RESOURCE CONSERVATION&RECOVERY	Immediate Office	5	5

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OLEM	OFC OF RESOURCE CONSERVATION&RECOVERY	MATERIALS RECOVERY & WASTE MGMT DIV	41	41
OLEM	OFC OF RESOURCE CONSERVATION&RECOVERY	OFC OF PROG MGMT,COMMS&ANALYSIS	31	30
OLEM	OFC OF RESOURCE CONSERVATION&RECOVERY	PROGRAM IMPLEMENTATION & INFO DIV	59	56
OLEM	OFC OF RESOURCE CONSERVATION&RECOVERY	RSRC CONSERVATION&SUSTAINABILITY DIV	32	28
OLEM	OFC OF SUPERFUND REMTION&TECH INNOV	ASSESSMENT & REMEDIATION DIV	48	43
OLEM	OFC OF SUPERFUND REMTION&TECH INNOV	Immediate Office	3	4
OLEM	OFC OF SUPERFUND REMTION&TECH INNOV	OFC OF TECH INNOVATION&FIELD SERVICES	56	57
OLEM	OFC OF SUPERFUND REMTION&TECH INNOV	RESOURCES MANAGEMENT DIV	39	35
OLEM	OFFICE OF EMERGENCY MANAGEMENT	CBRN CONSEQUENCE MGMT ADVISORY DIV	17	17
OLEM	OFFICE OF EMERGENCY MANAGEMENT	Immediate Office	3	3
OLEM	OFFICE OF EMERGENCY MANAGEMENT	PREPAREDNESS &RESPONSE OPERATIONS DIV	19	19
OLEM	OFFICE OF EMERGENCY MANAGEMENT	REGULATIONS IMPLEMENTATION DIVISION	14	15
OLEM	OFFICE OF EMERGENCY MANAGEMENT	RESOURCES MANAGEMENT DIVISION	11	15
OLEM	OFFICE OF PROGRAM MANAGEMENT	ACQUISITION & RESOURCE MANAGEMENT STF	13	10
OLEM	OFFICE OF PROGRAM MANAGEMENT	Immediate Office	4	4
OLEM	OFFICE OF PROGRAM MANAGEMENT	INFORMATION MGMT & DATA QUALITY STF	6	6
OLEM	OFFICE OF PROGRAM MANAGEMENT	POLICY ANALYSIS & REGULATORY MGMT STF	7	7
OLEM	OFFICE OF UNDERGROUND STORAGE TANKS	CLEANUP AND REVITALIZATION DIVISION	6	6
OLEM	OFFICE OF UNDERGROUND STORAGE TANKS	Immediate Office	5	5

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OLEM	OFFICE OF UNDERGROUND STORAGE TANKS	MANAGEMENT AND COMMUNICATIONS DIV	8	7
OLEM	OFFICE OF UNDERGROUND STORAGE TANKS	RELEASE PREVENTION DIVISION	6	6
OLEM	ORGANIZATIONAL MGMT & INTEGRITY STF		9	9
OLEM Total			496	480
ORD	ASST ADMR FOR RESEARCH & DEVELOPMENT	Immediate Office	99	75
ORD	NATIONAL CENTER FOR ENVIRO RESEARCH	APPLIED SCIENCE & EDUCATION DIVISION	13	11
ORD	NATIONAL CENTER FOR ENVIRO RESEARCH	Immediate Office	12	7
ORD	NATIONAL CENTER FOR ENVIRO RESEARCH	POLICY, PLANNING, & REVIEW DIVISION	16	13
ORD	NATIONAL CENTER FOR ENVIRO RESEARCH	WATER, HEALTH, & INNOVATION DIVISION	15	10
ORD	NATL CENTER FOR ENVIRO ASSESSMENT	Immediate Office	18	11
ORD	NATL CENTER FOR ENVIRO ASSESSMENT	INTEGRATED RISK INFO SYSTEM DIV	37	30
ORD	NATL CENTER FOR ENVIRO ASSESSMENT	NCEA-CINCINNATI	27	27
ORD	NATL CENTER FOR ENVIRO ASSESSMENT	NCEA-RTP	38	36
ORD	NATL CENTER FOR ENVIRO ASSESSMENT	NCEA-WASHINGTON	44	39
ORD	NATL CENTER FOR ENVIRO ASSESSMENT	PROGRAM SUPPORT STAFF	8	9
ORD	NATL CTR FOR COMPUTATIONAL TOXICOLOGY		31	28
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	COMPUTATIONAL EXPOSURE DIVISION	72	63
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	EXPOSURE METHODS & MEASUREMENTS DIV	132	121
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	Immediate Office	14	11
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	PROGRAM OPERATIONS STAFF	3	7

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	RESEARCH PROG DEVELOP&INTEGRATION STF	8	7
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	SHEM & FACILITIES STAFF	8	9
ORD	NATL EXPOSURE RSCH LABORATORY - RTP	SYSTEMS EXPOSURE DIVISION	86	76
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	ATLANTIC ECOLOGY DIV - NARRAGANSETT	69	67
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	ENVIRONMENTAL PUBLIC HEALTH DIV	69	68
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	GULF ECOLOGY DIV - GULF BREEZE	54	46
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	Immediate Office	10	8
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	INTEGRATED SYSTM TOXICOLOGY DIV	58	49
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	MID-CONTINENT ECOLOGY DIV - DULUTH	63	57
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	PROGRAM OPERATIONS STAFF	10	12
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	RESEARCH CORES UNIT	16	16
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	RESEARCH PLANNING & COORDINATION STF	9	9
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	TOXICITY ASSESSMENT DIV	52	48
ORD	NATL HLTH&ENVIRO EFFECTS RSCH LAB-RTP	WESTERN ECOLOGY DIV - CORVALLIS	59	53
ORD	NATL HOMELAND SECURITY RESEARCH CTR	DECONTAMINATION&CONSEQUENCE MGMT DIV	14	11
ORD	NATL HOMELAND SECURITY RESEARCH CTR	Immediate Office	13	10
ORD	NATL HOMELAND SECURITY RESEARCH CTR	THREAT & CONSEQUENCE ASSESSMENT DIV	16	10
ORD	NATL HOMELAND SECURITY RESEARCH CTR	WATER INFRASTRUCTURE PROTECTION DIV	11	12
ORD	NATL RISK MGMT RSCH LAB - CINC	AIR AND ENERGY MANAGEMENT DIVISION	65	61
ORD	NATL RISK MGMT RSCH LAB - CINC	ENVIRO TECH ASSMT,VERIFS&OUTCOMES STF	5	

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
ORD	NATL RISK MGMT RSCH LAB - CINC	GROUNDWATER, WATERSHED & ECO RESTORATION DIV-ADA	42	38
ORD	NATL RISK MGMT RSCH LAB - CINC	Immediate Office	7	7
ORD	NATL RISK MGMT RSCH LAB - CINC	LABORATORY SUPPORT&ACCOUNTABILITY STF	11	9
ORD	NATL RISK MGMT RSCH LAB - CINC	LAND AND MATERIALS MANAGEMENT DIV		61
ORD	NATL RISK MGMT RSCH LAB - CINC	LAND REMEDIATION&PLTN CONTROL DIV	36	
ORD	NATL RISK MGMT RSCH LAB - CINC	PROGRAM OPERATIONS STAFF	6	7
ORD	NATL RISK MGMT RSCH LAB - CINC	RESEARCH PLANNING & COORDINATION STF		9
ORD	NATL RISK MGMT RSCH LAB - CINC	SUSTAINABLE TECHNOLOGY DIV	45	
ORD	NATL RISK MGMT RSCH LAB - CINC	TECHNICAL COMMUNICATION&OUTREACH STF	4	
ORD	NATL RISK MGMT RSCH LAB - CINC	WATER SYSTEMS DIVISION	67	75
ORD	OFC OF ADMINISTRATIVE&RSCH SUPPORT		7	7
ORD	OFC OF ADMINISTRATIVE&RSCH SUPPORT	BUDGET EXECUTION DIVISION	35	33
ORD	OFC OF ADMINISTRATIVE&RSCH SUPPORT	EXTRAMURAL MANAGEMENT DIV	39	34
ORD	OFC OF ADMINISTRATIVE&RSCH SUPPORT	HUMAN RESOURCES DIVISION	25	23
ORD	OFC OF ADMINISTRATIVE&RSCH SUPPORT	TRAVEL MANAGEMENT DIVISION	11	12
ORD	OFC OF PROG ACCOUNTABILITY&RSRCS MGMT	Immediate Office	3	6

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
ORD	OFC OF PROG ACCOUNTABILITY&RSRCS MGMT	PLANNING,BUDGET&PERFORMANCE ANLS BR	5	7
ORD	OFC OF PROG ACCOUNTABILITY&RSRCS MGMT	POLICY ADMIN & MGMT INTEGRITY DIV	11	9
ORD	OFC OF PROG ACCOUNTABILITY&RSRCS MGMT	RESOURCE AND SYSTEM ANALYSIS BRANCH	6	5
ORD	OFC OF PROG ACCOUNTABILITY&RSRCS MGMT	RSRCS,PLNG,PERFORMANCE &BUDGET POL DIV	4	3
ORD	OFFICE OF SCIENCE INFORMATION MGMT	APPLICATIONS SUPPORT DIVISION	9	9
ORD	OFFICE OF SCIENCE INFORMATION MGMT	CUSTOMER SUPPORT DIVISION	10	10
ORD	OFFICE OF SCIENCE INFORMATION MGMT	ENTERPRISE OPERATIONS DIVISION	4	4
ORD	OFFICE OF SCIENCE INFORMATION MGMT	Immediate Office	7	7
ORD	OFFICE OF SCIENCE INFORMATION MGMT	INFORMATION MANAGEMENT SUPPORT DIV	6	5
ORD	OFFICE OF SCIENCE INFORMATION MGMT	PROGRAM MANAGEMENT SERVICES DIVISION	6	6
ORD	OFFICE OF SCIENCE POLICY	CROSS PROGRAM STAFF	2	
ORD	OFFICE OF SCIENCE POLICY	Immediate Office	69	89
ORD	OFFICE OF SCIENCE POLICY	PROGRAM SUPPORT STAFF	13	10
ORD	OFFICE OF SCIENCE POLICY	REGIONAL, STATE, TRIBAL SCIENCE STAFF	13	15
ORD	OFFICE OF THE SCIENCE ADVISOR		29	21
ORD	SCIENCE COMMUNICATION STAFF		12	12
ORD Total			1,818	1,660
OW	ASST ADMR FOR WATER	Immediate Office	10	9
OW	COMMUNICATIONS STAFF		4	5
OW	MANAGEMENT & OPERATIONS STAFF	Immediate Office	6	8
OW	MANAGEMENT & OPERATIONS STAFF	ORGANIZATIONAL SUPPORT SERVICES	5	5

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OW	MANAGEMENT & OPERATIONS STAFF	PROJECT MANAGEMENT OFFICE	10	8
OW	OFC OF WETLANDS, OCEANS & WATERSHEDS	Immediate Office	5	8
OW	OFC OF WETLANDS, OCEANS & WATERSHEDS	OCEANS & COASTAL PRT DIV	22	
OW	OFC OF WETLANDS, OCEANS & WATERSHEDS	OCEANS, WETLANDS, & COMMUNITIES DIV	28	47
OW	OFC OF WETLANDS, OCEANS & WATERSHEDS	PLANNING, COMMS, & RSRC MGMT STAFF	13	10
OW	OFC OF WETLANDS, OCEANS & WATERSHEDS	URBAN WATERS STAFF	4	
OW	OFC OF WETLANDS, OCEANS & WATERSHEDS	WATERSHED RESTORATION, ASSESS & PROT DIV	41	43
OW	OFFICE OF GROUNDWATER&DRINKIN G WATER	DRINKING WATER PROTECTION DIV	64	58
OW	OFFICE OF GROUNDWATER&DRINKIN G WATER	Immediate Office	7	5
OW	OFFICE OF GROUNDWATER&DRINKIN G WATER	NATL DRINKING WATER ADVISORY COUNCIL	15	10
OW	OFFICE OF GROUNDWATER&DRINKIN G WATER	RESOURCES MANAGEMENT & EVALUATION STF	5	6
OW	OFFICE OF GROUNDWATER&DRINKIN G WATER	STANDARDS & RISK MANAGEMENT DIV	76	58
OW	OFFICE OF GROUNDWATER&DRINKIN G WATER	WATER SECURITY DIVISION	27	26
OW	OFFICE OF SCIENCE & TECHNOLOGY		5	4
OW	OFFICE OF SCIENCE & TECHNOLOGY	ENGINEERING & ANALYSIS DIV	29	26
OW	OFFICE OF SCIENCE & TECHNOLOGY	HEALTH & ECOLOGICAL CRITERIA DIVISION	41	33
OW	OFFICE OF SCIENCE & TECHNOLOGY	RESOURCES MGMT & INFORMATION STF	10	9

ED_004145_00010027-00064

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
OW	OFFICE OF SCIENCE & TECHNOLOGY	STANDARDS & HEALTH PROTECTION DIV	35	34
OW	OFFICE OF WASTEWATER		4	3
OW	OFFICE OF WASTEWATER	PLANNING INFO & RESOURCES MGMT STF	10	9
OW	OFFICE OF WASTEWATER	WATER INFRASTRUCTURE DIVISION	57	61
OW	OFFICE OF WASTEWATER	WATER PERMITS DIVISION	49	43
OW	RESOURCE MANAGEMENT STAFF		15	11
OW	WATER POLICY STAFF		11	9
OW Total			608	548
R01	CIVIL RIGHTS & URBAN AFFAIRS		4	3
R01	OFC OF ADMIN & RESOURCES MGMT	CONTRACTS AND PROCUREMENT	8	7
R01	OFC OF ADMIN & RESOURCES MGMT	CUSTOMER SERVICE AND FACILITIES	11	10
R01	OFC OF ADMIN & RESOURCES MGMT	GRANTS MANAGEMENT	9	7
R01	OFC OF ADMIN & RESOURCES MGMT	HUMAN RESOURCES	7	7
R01	OFC OF ADMIN & RESOURCES MGMT	Immediate Office	8	7
R01	OFC OF ADMIN & RESOURCES MGMT	INFORMATION SERVICES BR	24	21
R01	OFC OF ADMIN & RESOURCES MGMT	OFFICE OF THE COMPTROLLER	18	15
R01	OFC OF ENVIRO MEASUREMENT&EVALUATION	ECOSYSTEM ASSESSMENT	18	16
R01	OFC OF ENVIRO MEASUREMENT&EVALUATION	Immediate Office	9	9
R01	OFC OF ENVIRO MEASUREMENT&EVALUATION	INVESTIGATION & ANALYSIS	19	17
R01	OFC OF ENVIRO MEASUREMENT&EVALUATION	QUALITY ASSURANCE	10	10

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R01	OFC OF SITE REMEDIATION & RESTORATION	Immediate Office	4	4
R01	OFC OF SITE REMEDIATION & RESTORATION	OFC OF EMERGENCY PLANNING & RESPONSE	27	27
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF REMEDIATION & RESTORATION 1	2	1
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF REMEDIATION & RESTORATION 2	9	9
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF REMEDIATION & RESTORATION 3	26	26
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF REMEDIATION & RESTORATION 4	17	17
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF REMEDIATION & RESTORATION 5	10	9
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF REMEDIATION & RESTORATION 6	10	7
R01	OFC OF SITE REMEDIATION & RESTORATION	OFFICE OF TECHNICAL & SUPPORT	33	29
R01	OFFICE OF ECOSYSTEM PROTECTION	AIR PROGRAM BRANCH	29	23
R01	OFFICE OF ECOSYSTEM PROTECTION	DRINKING WATER BRANCH	19	30
R01	OFFICE OF ECOSYSTEM PROTECTION	GRANTS,TRIBAL,CMTY&MUNICIPAL ASTNC BR	14	1
R01	OFFICE OF ECOSYSTEM PROTECTION	IMMED OCF, WATER PERMITS BRANCH	30	28
R01	OFFICE OF ECOSYSTEM PROTECTION	Immediate Office	3	3
R01	OFFICE OF ECOSYSTEM PROTECTION	SURFACE WATER BRANCH	23	23
R01	OFFICE OF ECOSYSTEM PROTECTION	WATER QUALITY BRANCH	6	
R01	OFFICE OF ECOSYSTEM PROTECTION	WETLANDS & INFORMATION BR	11	15
R01	OFFICE OF ENVIRONMENTAL STEWARDSHIP		35	32
R01	OFFICE OF ENVIRONMENTAL STEWARDSHIP	Immediate Office	7	6

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R01	OFFICE OF ENVIRONMENTAL STEWARDSHIP	OFC OF ASSISTANCE&POLLUTION PREV	16	15
R01	OFFICE OF ENVIRONMENTAL STEWARDSHIP	OFFICE OF LEGAL ENFORCEMENT	5	6
R01	OFFICE OF ENVIRONMENTAL STEWARDSHIP	OFFICE OF TECHNICAL ENFORCEMENT	55	49
R01	OFFICE OF PUBLIC AFFAIRS		17	2
R01	OFFICE OF PUBLIC AFFAIRS	PUBLIC AFFAIRS SECTION		12
R01	OFFICE OF REGIONAL COUNSEL		16	15
R01	Office of the Regional Administrator		5	7
R01 Total			574	525
R02	CARIBBEAN ENVIRO PROTECTION DIV	Immediate Office	6	6
R02	CARIBBEAN ENVIRO PROTECTION DIV	MULTI-MEDIA PERMITS & COMPLIANCE BR	14	12
R02	CARIBBEAN ENVIRO PROTECTION DIV	MUNICIPAL WATER PROGRAM BRANCH	11	12
R02	CARIBBEAN ENVIRO PROTECTION DIV	RESPONSE & REMEDIATION BRANCH	14	14
R02	CLEAN AIR AND SUSTAINABILITY DIV	AIR PROGRAMS BRANCH	27	26
R02	CLEAN AIR AND SUSTAINABILITY DIV	HAZARDOUS WASTE PROGRAMS BR	19	23
R02	CLEAN AIR AND SUSTAINABILITY DIV	Immediate Office	5	5
R02	CLEAN AIR AND SUSTAINABILITY DIV	RADIATION AND INDOOR AIR BR	6	4
R02	CLEAN AIR AND SUSTAINABILITY DIV	SUSTAINABILITY&MULTIMEDIA PROGRAMS BR	24	22
R02	CLEAN WATER DIVISION	CLEAN WATER REGULATORY BR	19	20
R02	CLEAN WATER DIVISION	DRINKING WATER&MUNICIPAL INFRA BR	18	18
R02	CLEAN WATER DIVISION	Immediate Office	6	6
R02	CLEAN WATER DIVISION	WATERSHED MANAGEMENT BR	26	26

ED_004145_00010027-00067

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R02	DIV OF ENF & COMPLIANCE ASSISTANCE	AIR COMPLIANCE BRANCH	17	17
R02	DIV OF ENF & COMPLIANCE ASSISTANCE	COMPLIANCE ASSISTANCE&PROG SUPPORT BR	20	16
R02	DIV OF ENF & COMPLIANCE ASSISTANCE	Immediate Office	5	5
R02	DIV OF ENF & COMPLIANCE ASSISTANCE	PESTICIDES & TOXIC SUBSTANCES BR	22	19
R02	DIV OF ENF & COMPLIANCE ASSISTANCE	RCRA COMPLIANCE BRANCH	22	20
R02	DIV OF ENF & COMPLIANCE ASSISTANCE	WATER COMPLIANCE BRANCH	28	27
R02	DIVISION OF ENVIRO SCIENCE&ASSESSMENT	HAZARDOUS WASTE SUPPORT BR	18	19
R02	DIVISION OF ENVIRO SCIENCE&ASSESSMENT	Immediate Office	7	6
R02	DIVISION OF ENVIRO SCIENCE&ASSESSMENT	LABORATORY BRANCH	18	16
R02	DIVISION OF ENVIRO SCIENCE&ASSESSMENT	MONITORING & ASSESSMENT BR	21	21
R02	EMERGENCY & REMEDIAL RESPONSE DIV	Immediate Office	10	9
R02	EMERGENCY & REMEDIAL RESPONSE DIV	NEW JERSEY REMEDIATION BR	38	33
R02	EMERGENCY & REMEDIAL RESPONSE DIV	NEW YORK REMEDIATION BRANCH	30	28
R02	EMERGENCY & REMEDIAL RESPONSE DIV	PASSAIC/HACKENSACK/NEW ARK BAY REM BR	6	6
R02	EMERGENCY & REMEDIAL RESPONSE DIV	PROGRAM SUPPORT BRANCH	37	36
R02	EMERGENCY & REMEDIAL RESPONSE DIV	REMOVAL ACTION BRANCH	27	28
R02	EMERGENCY & REMEDIAL RESPONSE DIV	RESPONSE & PREVENTION BR	26	26
R02	EMERGENCY & REMEDIAL RESPONSE DIV	SPECIAL PROJECTS BRANCH	27	23
R02	OFFICE OF POLICY AND MANAGEMENT	CONTRACTS MANAGEMENT BR	9	7
R02	OFFICE OF POLICY AND MANAGEMENT	FACILITIES & ADMINISTRATIVE MGMT BR	11	10

ED_004145_00010027-00068

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R02	OFFICE OF POLICY AND MANAGEMENT	FINANCIAL MANAGEMENT BRANCH	23	23
R02	OFFICE OF POLICY AND MANAGEMENT	GRANTS AND AUDIT MANAGEMENT BR	13	13
R02	OFFICE OF POLICY AND MANAGEMENT	HUMAN RESOURCES BRANCH	7	7
R02	OFFICE OF POLICY AND MANAGEMENT	Immediate Office	6	6
R02	OFFICE OF POLICY AND MANAGEMENT	INFORMATION RESOURCES MANAGEMENT BR	21	22
R02	OFFICE OF REGIONAL COUNSEL	AIR BRANCH	9	7
R02	OFFICE OF REGIONAL COUNSEL	Immediate Office	14	14
R02	OFFICE OF REGIONAL COUNSEL	NEW JERSEY SUPERFUND BRANCH	23	22
R02	OFFICE OF REGIONAL COUNSEL	NEW YORK/CARIBBEAN SUPERFUND BR	22	19
R02	OFFICE OF REGIONAL COUNSEL	WASTE & TOXIC SUBSTANCES BRANCH	13	13
R02	OFFICE OF REGIONAL COUNSEL	WATER, GRANTS & GENERAL LAW BRANCH	13	13
R02	OFFICE OF STRATEGIC PROGRAMS	Immediate Office	4	5
R02	Office of the Regional Administrator		4	6
R02	PUBLIC AFFAIRS DIVISION	Immediate Office	2	2
R02	PUBLIC AFFAIRS DIVISION	INTERGOV&COMMUNITY AFFAIRS BR	10	10
R02	PUBLIC AFFAIRS DIVISION	PUBLIC OUTREACH BRANCH	9	8
R02 Total			787	756
R03	AIR PROTECTION DIVISION	Immediate Office	9	8
R03	AIR PROTECTION DIVISION	OFFICE OF AIR PROGRAM PLANNING	39	38
R03	AIR PROTECTION DIVISION	OFFICE OF PERMITS & STATE PROGRAMS	29	27
R03	ENVIRO ASSESSMENT & INNOVATION DIV	Immediate Office	9	6
R03	ENVIRO ASSESSMENT & INNOVATION DIV	OFC OF ANALYTICAL SVCS&QLTY ASSURANCE	25	20

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R03	ENVIRO ASSESSMENT & INNOVATION DIV	OFC OF ENVIRO INFORMATION & ANALYSIS	12	11
R03	ENVIRO ASSESSMENT & INNOVATION DIV	OFFICE OF ENVIRONMENTAL INNOVATION	5	4
R03	ENVIRO ASSESSMENT & INNOVATION DIV	OFFICE OF ENVIRONMENTAL PROGRAMS	19	19
R03	ENVIRO ASSESSMENT & INNOVATION DIV	OFFICE OF MONITORING AND ASSESSMENT	13	13
R03	HAZARDOUS SITE CLEANUP DIV	Immediate Office	7	6
R03	HAZARDOUS SITE CLEANUP DIV	OFC OF FED FAC REMTION&SITE ASSMT	23	21
R03	HAZARDOUS SITE CLEANUP DIV	OFC OF TECHNICAL&ADMINISTRATI VE SUPT	31	30
R03	HAZARDOUS SITE CLEANUP DIV	OFFICE OF BROWNFIELDS & OUTREACH	26	24
R03	HAZARDOUS SITE CLEANUP DIV	OFFICE OF ENFORCEMENT	30	29
R03	HAZARDOUS SITE CLEANUP DIV	OFFICE OF PREPAREDNESS & RESPONSE	39	36
R03	HAZARDOUS SITE CLEANUP DIV	OFFICE OF SUPERFUND SITE REMEDIATION	45	41
R03	LAND AND CHEMICALS DIVISION	Immediate Office	10	10
R03	LAND AND CHEMICALS DIVISION	OFC OF PENNSYLVANIA REMEDIATION	12	12
R03	LAND AND CHEMICALS DIVISION	OFFICE OF OFC TOXICS & PESTICIDES	22	20
R03	LAND AND CHEMICALS DIVISION	OFFICE OF RCRA PROGRAMS	28	26
R03	LAND AND CHEMICALS DIVISION	OFFICE OF REMEDIATION	13	10
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	COMPUTER SERVICES BRANCH	15	15
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	CONTRACTS BRANCH	10	12
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	FACILITIES MANAGEMENT & SERVICES BR	12	10
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	GRANTS & AUDIT MANAGEMENT BRANCH	12	11

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	HUMAN RESOURCES MANAGEMENT BRANCH	13	12
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	Immediate Office	5	5
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	INFORMATION SYSTEMS BRANCH	13	11
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	OFFICE OF THE REGIONAL COMPTROLLER	14	11
R03	OFC OF ASST REGL ADMR FOR POL & MGMT	PLANNING & ANALYSIS BRANCH	5	6
R03	OFC OF CHESAPEAKE BAY PROGRAM OFC	Immediate Office	4	1
R03	OFC OF CHESAPEAKE BAY PROGRAM OFC	OFC OF PARTNERSHIP AND ACCOUNTABILITY	9	9
R03	OFC OF CHESAPEAKE BAY PROGRAM OFC	OFC OF SCIENCE,ANLS&IMPLEMENTATION	8	8
R03	OFC OF COMMUNICATIONS&GOV'T RELATIONS		18	17
R03	OFC OF ENF,COMPL & ENVIRO JUSTICE	ENF & COMPLIANCE ASSISTANCE BR	11	11
R03	OFC OF ENF,COMPL & ENVIRO JUSTICE	Immediate Office	12	11
R03	OFFICE OF CIVIL RIGHTS		2	2
R03	OFFICE OF REGIONAL COUNSEL	AIR BRANCH	9	9
R03	OFFICE OF REGIONAL COUNSEL	Immediate Office	15	11
R03	OFFICE OF REGIONAL COUNSEL	MULTI-MEDIA & LEGAL SUPPORT BRANCH	6	6
R03	OFFICE OF REGIONAL COUNSEL	OFFICE OF SITE REMEDIATION	29	26
R03	OFFICE OF REGIONAL COUNSEL	UST ASBESTOS, LEAD & PESTICIDES BR	6	8
R03	OFFICE OF REGIONAL COUNSEL	WASTE & CHEMICAL BRANCH	6	5
R03	OFFICE OF REGIONAL COUNSEL	WATER BRANCH	13	11
R03	Office of the Regional Administrator		4	6

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R03	WATER PROTECTION DIVISION	Immediate Office	6	6
R03	WATER PROTECTION DIVISION	OFC OF DRINKING WATER&SRC WATER PRT	30	30
R03	WATER PROTECTION DIVISION	OFC OF STANDARDS, ASSESSMENT & TMDLS	14	12
R03	WATER PROTECTION DIVISION	OFC OF STATE & WATERSHED PARTNERSHIPS	18	16
R03	WATER PROTECTION DIVISION	OFFICE OF INFRASTRUCTURE & ASSISTANCE	16	13
R03	WATER PROTECTION DIVISION	OFFICE OF NPDES PERMITS & ENFORCEMENT	35	33
R03	WATER PROTECTION DIVISION	OFFICE OF PROGRAM SUPPORT	10	4
R03 Total			826	759
R04	AIR, PESTICIDES & TOXICS MGMT DIV	AIR ANALYSIS AND SUPPORT BRANCH	32	25
R04	AIR, PESTICIDES & TOXICS MGMT DIV	AIR ENFORCEMENT AND TOXICS BR	30	27
R04	AIR, PESTICIDES & TOXICS MGMT DIV	AIR PLANNING & IMPLEMENTATION BR	32	32
R04	AIR, PESTICIDES & TOXICS MGMT DIV	CHEMICAL SAFETY & ENFORCEMENT BR	34	33
R04	AIR, PESTICIDES & TOXICS MGMT DIV	Immediate Office	16	7
R04	AIR, PESTICIDES & TOXICS MGMT DIV	GRANTS MGMT & STRATEGIC PLANNING OFC		7
R04	GULF OF MEXICO PROGRAM		15	12
R04	OFC OF ENVIRO JUSTICE&SUSTAINABILITY		13	12
R04	OFFICE OF ARA FOR POLICY & MANAGEMENT	BUSINESS OPS & FINANCIAL MGMT BRANCH	27	29
R04	OFFICE OF ARA FOR POLICY & MANAGEMENT	FACILITIES, GRANTS & ACQUISTN MGMT BR	33	33
R04	OFFICE OF ARA FOR POLICY & MANAGEMENT	Immediate Office	9	10
R04	OFFICE OF ARA FOR POLICY & MANAGEMENT	INFORMATION SYSTEMS AND MGMT BRANCH	33	29
R04	OFFICE OF ARA FOR POLICY & MANAGEMENT	OFFICE OF CIVIL RIGHTS	3	2

ED_004145_00010027-00072

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R04	OFFICE OF ARA FOR POLICY & MANAGEMENT	OFFICE OF HUMAN CAPITAL MANAGEMENT	11	8
R04	OFFICE OF ENFORCEMENT COORDINATION		11	10
R04	OFFICE OF EXTERNAL AFFAIRS		8	6
R04	OFFICE OF GOVERNMENT RELATIONS		4	3
R04	Office of Regional Administrator		14	9
R04	OFFICE OF REGIONAL COUNSEL	Immediate Office	6	5
R04	OFFICE OF REGIONAL COUNSEL	OFC OF AIR,PESTIC&TOXICS LEGAL SUPT	13	13
R04	OFFICE OF REGIONAL COUNSEL	OFC OF CERCLA LEGAL SUPPORT	10	9
R04	OFFICE OF REGIONAL COUNSEL	OFC OF CERCLA/FED FAC LEGAL SUPPORT	12	11
R04	OFFICE OF REGIONAL COUNSEL	OFC OF GEN/CRIM LAW & CROSS-OFC SUPT	9	8
R04	OFFICE OF REGIONAL COUNSEL	OFC OF RCRA/CERCLA LEGAL SUPPORT	11	11
R04	OFFICE OF REGIONAL COUNSEL	OFC OF WATER LEGAL SUPPORT	13	12
R04	RESOURCE CONSERVATION&RESTORATION DIV	ENFORCEMENT & COMPLIANCE BR	27	28
R04	RESOURCE CONSERVATION&RESTORATION DIV	Immediate Office	9	8
R04	RESOURCE CONSERVATION&RESTORATION DIV	MATERIALS AND WASTE MANAGEMENT BR	21	20
R04	RESOURCE CONSERVATION&RESTORATION DIV	NATL ENVIRONMENTAL POLICY ACT (NEPA)	15	14
R04	RESOURCE CONSERVATION&RESTORATION DIV	RCRA CLEANUP AND BROWNFIELDS BR	31	26
R04	SCIENCE & ECOSYSTEM SUPPORT DIV	ANALYTICAL SERVICES BRANCH	24	23

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R04	SCIENCE & ECOSYSTEM SUPPORT DIV	FIELD SERVICES BRANCH	40	39
R04	SCIENCE & ECOSYSTEM SUPPORT DIV	Immediate Office	3	2
R04	SCIENCE & ECOSYSTEM SUPPORT DIV	QUALITY ASSURANCE& TECHNICAL SERV BR	19	20
R04	SUPERFUND DIVISION	EMERGENCY RESP., REMVL. & PREV. BR	37	35
R04	SUPERFUND DIVISION	ENFORCEMENT & COMM ENGMT BRANCH	32	32
R04	SUPERFUND DIVISION	Immediate Office	5	5
R04	SUPERFUND DIVISION	RESOURCE & SCIENTIFIC INTEGRITY BR	30	28
R04	SUPERFUND DIVISION	RESTORATION & SITE EVALUATION BR	32	30
R04	SUPERFUND DIVISION	RESTORATION & SUSTAINABILITY BR	29	28
R04	WATER PROTECTION DIV	GRANTS & DRINKING WATER PROT. BRANCH	40	37
R04	WATER PROTECTION DIV	Immediate Office	9	9
R04	WATER PROTECTION DIV	NPDES PERMITTING & ENFORCEMENT BRANCH	37	31
R04	WATER PROTECTION DIV	OWS PROTECTION BRANCH	22	24
R04	WATER PROTECTION DIV	SUSTAINABLE COMM. & WATERSHEDS BRANCH	26	23
R04	WATER PROTECTION DIV	WATER QUALITY PLANNING BR	38	33
R04 Total			925	858
R05	AIR & RADIATION DIVISION	AIR ENF & COMPLIANCE ASSURANCE BR	46	40
R05	AIR & RADIATION DIVISION	AIR PROGRAMS BRANCH	50	46
R05	AIR & RADIATION DIVISION	AIR TOXICS & ASSESSMENT BR	32	27
R05	AIR & RADIATION DIVISION	Immediate Office	5	4
R05	LAND & CHEMICALS DIVISION	CHEMICALS MANAGEMENT BRANCH	33	29
R05	LAND & CHEMICALS DIVISION	Immediate Office	5	5
R05	LAND & CHEMICALS DIVISION	MATERIALS MANAGEMENT BRANCH	13	11
R05	LAND & CHEMICALS DIVISION	PROGRAM SERVICES BRANCH	23	21

ED_004145_00010027-00074

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R05	LAND & CHEMICALS DIVISION	RCRA BRANCH	40	39
R05	LAND & CHEMICALS DIVISION	REMEDIATION AND REUSE BR	29	30
R05	OFC OF ENF & COMPLIANCE ASSURANCE	CLEVELAND SECTION	8	8
R05	OFC OF ENF & COMPLIANCE ASSURANCE	Immediate Office	12	12
R05	OFC OF ENF & COMPLIANCE ASSURANCE	NEPA IMPLEMENTATION SECTION	7	7
R05	OFC OF GREAT LAKES NATIONAL PROGRAM	FINANCIAL ASSIST, OVERSIGHT & MGMT BR	20	19
R05	OFC OF GREAT LAKES NATIONAL PROGRAM	GREAT LAKES REMED & RESTORATION BR	26	24
R05	OFC OF GREAT LAKES NATIONAL PROGRAM	Immediate Office	12	11
R05	OFFICE OF CIVIL RIGHTS		3	2
R05	OFFICE OF EXTERNAL COMMUNICATIONS	Immediate Office	1	1
R05	OFFICE OF EXTERNAL COMMUNICATIONS	MULTIMEDIA COMMUNICATIONS SECTION	8	8
R05	OFFICE OF EXTERNAL COMMUNICATIONS	NEWS MEDIA &INTERGVTMNTL RELATNS SCTN	9	9
R05	OFFICE OF REGIONAL COUNSEL	Immediate Office	10	8
R05	OFFICE OF REGIONAL COUNSEL	MULTI-MEDIA BRANCH I	51	46
R05	OFFICE OF REGIONAL COUNSEL	MULTI-MEDIA BRANCH II	54	47
R05	Office of the Regional Administrator		5	6
R05	PLANNING & QUALITY ASSURANCE GROUP		5	4
R05	RESOURCES MANAGEMENT DIV	ACQUISITION & ASSISTANCE BR	35	34
R05	RESOURCES MANAGEMENT DIV	COMPTROLLER BRANCH	27	24
R05	RESOURCES MANAGEMENT DIV	EMPLOYEE SERVICES BRANCH	19	19
R05	RESOURCES MANAGEMENT DIV	HUMAN CAPITAL BRANCH	15	13

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R05	RESOURCES MANAGEMENT DIV	Immediate Office	4	4
R05	RESOURCES MANAGEMENT DIV	INFORMATION MANAGEMENT BRANCH	30	32
R05	RESOURCES MANAGEMENT DIV	LAB QA CORE	23	21
R05	SUPERFUND DIVISION	EMERGENCY RESPONSE BR #1	41	36
R05	SUPERFUND DIVISION	EMERGENCY RESPONSE BR #2	37	31
R05	SUPERFUND DIVISION	Immediate Office	6	5
R05	SUPERFUND DIVISION	LAND REVITALIZATION BR	28	28
R05	SUPERFUND DIVISION	OPERATIONS MANAGEMENT BRANCH	44	41
R05	SUPERFUND DIVISION	REMEDIAL RESPONSE BRANCH #1	44	42
R05	SUPERFUND DIVISION	REMEDIAL RESPONSE BRANCH #2	45	41
R05	TRIBAL AND INTERNATIONAL AFFAIRS OFC		7	8
R05	WATER DIVISION	GROUND WATER AND DRINKING WATER BR	28	26
R05	WATER DIVISION	Immediate Office	7	5
R05	WATER DIVISION	NPDES PROGRAMS BRANCH	22	21
R05	WATER DIVISION	STATE AND TRIBAL PROGRAMS BRANCH	19	18
R05	WATER DIVISION	UNDERGROUND INJECTION CONTROL BRANCH	18	15
R05	WATER DIVISION	WATER ENF & COMPLIANCE ASSURANCE BR	31	30
R05	WATER DIVISION	WATER QUALITY BRANCH	24	20
R05	WATER DIVISION	WATERSHEDS AND WETLANDS BRANCH	28	25
R05 Total			1,089	1,003
R06	COMPLIANCE ASSURANCE & ENFRC DIV	AIR ENFORCEMENT BRANCH	35	34
R06	COMPLIANCE ASSURANCE & ENFRC DIV	Immediate Office	6	6
R06	COMPLIANCE ASSURANCE & ENFRC DIV	WASTE ENFORCEMENT BRANCH	32	28

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R06	COMPLIANCE ASSURANCE & ENFRC DIV	WATER ENFORCEMENT BRANCH	59	52
R06	MANAGEMENT DIVISION	ENTERPRISE OPERATIONS & SUPPORT BR	21	24
R06	MANAGEMENT DIVISION	ENVIRONMENTAL SERVICES BR	32	29
R06	MANAGEMENT DIVISION	HUMAN RESOURCES BRANCH	8	7
R06	MANAGEMENT DIVISION	Immediate Office	10	7
R06	MANAGEMENT DIVISION	OFFICE OF THE REGIONAL COMPTROLLER	32	33
R06	MULTIMEDIA DIVISION	AIR BRANCH	53	49
R06	MULTIMEDIA DIVISION	HAZARDOUS WASTE BRANCH	39	33
R06	MULTIMEDIA DIVISION	Immediate Office	6	6
R06	MULTIMEDIA DIVISION	PEST/TOXICS/UNDER STORAGE TANKS BR	38	34
R06	OFC ENVIRO JUSTICE,TRIBAL&INTL AFFAIR		21	20
R06	OFFICE OF EXTERNAL AFFAIRS	COMMUNICATION AND EDUCATION SECTION	13	11
R06	OFFICE OF EXTERNAL AFFAIRS	Immediate Office	5	3
R06	OFFICE OF REGIONAL COUNSEL	DEP RGNL CNSL/GEN LAW CNSLING BR	11	12
R06	OFFICE OF REGIONAL COUNSEL	DEPUTY REGIONAL COUNSEL FOR ENF	33	29
R06	OFFICE OF REGIONAL COUNSEL	Immediate Office	2	3
R06	OFFICE OF REGIONAL COUNSEL	MULTIMEDIA COUNSELING BRANCH	13	11
R06	OFFICE OF REGIONAL COUNSEL	SUPERFUND BRANCH	13	13
R06	Office of the Regional Administrator		4	6
R06	SUPERFUND DIVISION	EMERGENCY MANAGEMENT BRANCH	31	29
R06	SUPERFUND DIVISION	Immediate Office	5	5
R06	SUPERFUND DIVISION	REMEDIAL BRANCH	29	26
R06	SUPERFUND DIVISION	REVITALIZATION & RESOURCES BRANCH	36	28

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R06	SUPERFUND DIVISION	TECHNICAL & ENFORCEMENT BR	25	25
R06	WATER DIVISION	ASSISTANCE PROGRAMS BRANCH	31	29
R06	WATER DIVISION	ECOSYSTEMS PROTECTION BR	35	31
R06	WATER DIVISION	Immediate Office	13	10
R06	WATER DIVISION	NPDES PERMITS & TMDLS BR	34	32
R06	WATER DIVISION	SAFE DRINKING WATER BRANCH	29	26
R06 Total			754	691
R07	AIR & WASTE MANAGEMENT DIV	AIR PERMITTING & COMPLIANCE BR	22	18
R07	AIR & WASTE MANAGEMENT DIV	AIR PLANNING & DEVELOPMENT BR	19	19
R07	AIR & WASTE MANAGEMENT DIV	CHEMICAL & OIL RELEASE PREVENTION BR	17	15
R07	AIR & WASTE MANAGEMENT DIV	Immediate Office	5	6
R07	AIR & WASTE MANAGEMENT DIV	WASTE ENF & MATERIALS MGMT BR	23	16
R07	AIR & WASTE MANAGEMENT DIV	WASTE REMEDIATION AND PERMITTING BR	15	13
R07	ENFORCEMENT COORDINATION OFFICE		14	12
R07	ENVIRO SCIENCES & TECHNOLOGY DIV	ENVIRO DATA & ASSESSMENT BRANCH	13	11
R07	ENVIRO SCIENCES & TECHNOLOGY DIV	ENVIRONMENTAL FIELD COMPLIANCE BRANCH	15	14
R07	ENVIRO SCIENCES & TECHNOLOGY DIV	Immediate Office	14	12
R07	ENVIRO SCIENCES & TECHNOLOGY DIV	LABORATORY TECHNOLOGY & ANALYSIS BR	21	21
R07	ENVIRO SCIENCES & TECHNOLOGY DIV	MONITORING & ENVIRO SAMPLING BRANCH	16	13
R07	OFFICE OF POLICY & MANAGEMENT	ACQUISITION MANAGEMENT BR	13	11
R07	OFFICE OF POLICY & MANAGEMENT	HUMAN CAPITAL MANAGEMENT BR	6	5
R07	OFFICE OF POLICY & MANAGEMENT	Immediate Office	7	5

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R07	OFFICE OF POLICY & MANAGEMENT	INFORMATION TECHNOLOGY BR	6	7
R07	OFFICE OF POLICY & MANAGEMENT	PROGRAM OPERATIONS & INTEGRATION BR	12	9
R07	OFFICE OF POLICY & MANAGEMENT	RESOURCES & FINANCIAL MANAGEMENT BR	20	20
R07	OFFICE OF POLICY & MANAGEMENT	SECURITY, SAFETY, &FACILITIES MGMT BR	11	11
R07	OFFICE OF PUBLIC AFFAIRS		18	14
R07	OFFICE OF REGIONAL COUNSEL	AIR BRANCH	7	7
R07	OFFICE OF REGIONAL COUNSEL	CHEMICAL MANAGEMENT BRANCH	8	6
R07	OFFICE OF REGIONAL COUNSEL	Immediate Office	9	9
R07	OFFICE OF REGIONAL COUNSEL	SUPERFUND BRANCH	14	9
R07	OFFICE OF REGIONAL COUNSEL	WATER BRANCH	10	8
R07	Office of the Regional Administrator		4	3
R07	OFFICE OF TRIBAL AFFAIRS		4	3
R07	SUPERFUND DIVISION	ASSESSMENT, EMERGENCY RESP &REMOVAL	28	27
R07	SUPERFUND DIVISION	BROWNFIELDS & LAND REVITALIZATION BR	10	8
R07	SUPERFUND DIVISION	Immediate Office	9	9
R07	SUPERFUND DIVISION	LEAD, MINING AND SPECIAL EMPHASIS BR	13	13
R07	SUPERFUND DIVISION	PROGRAM SUPPORT AND MANAGEMENT SCTN	7	6
R07	SUPERFUND DIVISION	SITE REMEDIATION BRANCH	19	20
R07	WATER, WETLANDS & PESTICIDES DIV	DRINKING WATER MANAGEMENT BRANCH	15	14
R07	WATER, WETLANDS & PESTICIDES DIV	Immediate Office	9	7
R07	WATER, WETLANDS & PESTICIDES DIV	TOXICS AND PESTICIDES BR	15	13
R07	WATER, WETLANDS & PESTICIDES DIV	WASTE WATER & INFRASTRUCTURE MGMT BR	15	14

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R07	WATER, WETLANDS & PESTICIDES DIV	WATER ENFORCEMENT BRANCH	15	13
R07	WATER, WETLANDS & PESTICIDES DIV	WATER QUALITY MANAGEMENT BRANCH	8	5
R07	WATER, WETLANDS & PESTICIDES DIV	WATERSHED PLANNING&IMPLEMENTATI ON BR	20	11
R07 Total			526	457
R08	OFC OF COMMS&PUBLIC INVOLVEMENT	Immediate Office	10	8
R08	OFC OF COMMS&PUBLIC INVOLVEMENT	PUBLIC AFFAIRS AND INVOLVEMENT	8	8
R08	OFC OF ECO PROTECTION&REMEDIATIO N	ASSESSMENT AND REVITALIZATION PROGRAM	15	13
R08	OFC OF ECO PROTECTION&REMEDIATIO N	EMER RESPONSE & PREPAREDNESS PROGRAM	26	27
R08	OFC OF ECO PROTECTION&REMEDIATIO N	Immediate Office	6	5
R08	OFC OF ECO PROTECTION&REMEDIATIO N	NEPA COMPLIANCE AND REVIEW PROGRAM	12	11
R08	OFC OF ECO PROTECTION&REMEDIATIO N	SUPERFUND REM&FED FACILITIES PROG	43	41
R08	OFC OF ECO PROTECTION&REMEDIATIO N	SUPPORT PROGRAM	20	20
R08	OFC OF ENF,COMPLIANCE&ENVIRO JUSTICE	AIR & TOXICS TECHNICAL ENF PROGRAM	17	16
R08	OFC OF ENF,COMPLIANCE&ENVIRO JUSTICE	Immediate Office	4	4
R08	OFC OF ENF,COMPLIANCE&ENVIRO JUSTICE	LEGAL ENFORCEMENT PROGRAM	29	25
R08	OFC OF ENF,COMPLIANCE&ENVIRO JUSTICE	POLICY,INFO MGMT&ENVIRO JUSTICE PROG	10	9

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R08	OFC OF ENF,COMPLIANCE&ENVIRO JUSTICE	RCRA/CERCLA TECHNICAL ENF PROGRAM	11	10
R08	OFC OF ENF,COMPLIANCE&ENVIRO JUSTICE	WATER TECHNICAL PROGRAM	23	22
R08	OFC OF PARTNERSHIPS&REGULATORY ASTNC	AIR PROGRAM	36	33
R08	OFC OF PARTNERSHIPS&REGULATORY ASTNC	Immediate Office	4	4
R08	OFC OF PARTNERSHIPS&REGULATORY ASTNC	PARTNERSHIPS & ENVIRO STEWARD PROG	13	13
R08	OFC OF PARTNERSHIPS&REGULATORY ASTNC	RESOURCE CONSERVATION&RECOVERY PROG	16	16
R08	OFC OF PARTNERSHIPS&REGULATORY ASTNC	TRIBAL ASSISTANCE PROGRAM	8	6
R08	OFC OF TECHNICAL & MGMT SERVICES	FISCAL MANAGEMENT & PLANNING PROGRAM	21	22
R08	OFC OF TECHNICAL & MGMT SERVICES	GRANTS, AUDITS, PROCUREMENT PROGRAM	15	7
R08	OFC OF TECHNICAL & MGMT SERVICES	HUMAN RESOURCES PROGRAM	3	4
R08	OFC OF TECHNICAL & MGMT SERVICES	Immediate Office	8	7
R08	OFC OF TECHNICAL & MGMT SERVICES	INFORMATION MANAGEMENT PROGRAM	20	17
R08	OFC OF TECHNICAL & MGMT SERVICES	INFRASTRUCTURE PROGRAM	8	8
R08	OFC OF TECHNICAL & MGMT SERVICES	LABORATORY SERVICES PROGRAM	15	14
R08	OFC OF TECHNICAL & MGMT SERVICES	MONTANA OPERATIONS UNIT	4	3
R08	OFC OF TECHNICAL & MGMT SERVICES	QUALITY ASSURANCE PROGRAM	7	6
R08	OFFICE OF REGIONAL COUNSEL		19	19

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R08	Office of the Regional Administrator		8	7
R08	OFFICE OF WATER PROTECTION	AQUIFER & AQUATIC RESOURCES PROT UNIT	11	10
R08	OFFICE OF WATER PROTECTION	CLEAN WATER PROGRAM	29	30
R08	OFFICE OF WATER PROTECTION	Immediate Office	2	4
R08	OFFICE OF WATER PROTECTION	SAFE DRINKING WATER PROGRAM	27	30
R08	OFFICE OF WATER PROTECTION	TECHNICAL AND FINANCIAL SERVICES UNIT	11	11
R08 Total			519	490
R09	AIR DIVISION	AIR QUALITY ANALYSIS OFFICE	12	12
R09	AIR DIVISION	AIR TOXICS,RADIATION&COMPL ASSUR OFC	7	7
R09	AIR DIVISION	CLEAN ENERGY & CLIMATE CHANGE OFFICE	7	8
R09	AIR DIVISION	GRANTS & PROGRAM INTEGRATION OFFICE	9	7
R09	AIR DIVISION	Immediate Office	13	11
R09	AIR DIVISION	PERMITS OFFICE	10	10
R09	AIR DIVISION	PLANNING OFFICE	16	12
R09	AIR DIVISION	RULES OFFICE	8	9
R09	ENFORCEMENT DIVISION	AIR, WASTE, AND TOXICS BR	25	24
R09	ENFORCEMENT DIVISION	ENVIRONMENTAL REVIEW SECTION	18	16
R09	ENFORCEMENT DIVISION	Immediate Office	8	8
R09	ENFORCEMENT DIVISION	INFORMATION MANAGEMENT SECTION	9	9
R09	ENFORCEMENT DIVISION	STRATEGIC PLANNING BRANCH	4	3
R09	ENFORCEMENT DIVISION	WATER AND PESTICIDES BRANCH	32	30
R09	ENVIRONMENTAL MANAGEMENT DIVISION	FINANCIAL MANAGEMENT BRANCH	12	12
R09	ENVIRONMENTAL MANAGEMENT DIVISION	GRANTS & CONTRACTS BRANCH	25	24
R09	ENVIRONMENTAL MANAGEMENT DIVISION	HUMAN CAPITAL & PLANNING OFFICE	5	7

ED_004145_00010027-00082

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R09	ENVIRONMENTAL MANAGEMENT DIVISION	Immediate Office	8	5
R09	ENVIRONMENTAL MANAGEMENT DIVISION	INFRASTRUCTURE SERVICES BRANCH	29	28
R09	ENVIRONMENTAL MANAGEMENT DIVISION	SCIENCE SERVICES BRANCH	22	21
R09	LAND DIVISION	COMMUNITIES BRANCH	31	27
R09	LAND DIVISION	Immediate Office	5	5
R09	LAND DIVISION	PLANNING & STATE DEVELOPMENT SECTION	9	8
R09	LAND DIVISION	POLLUTION PREVENTION BRANCH	27	26
R09	LAND DIVISION	RCRA BRANCH	26	23
R09	OFFICE OF REGIONAL COUNSEL	AIR,TOXICS,WATER & GENERAL LAW BR	33	33
R09	OFFICE OF REGIONAL COUNSEL	HAZARDOUS WASTE BRANCH	30	26
R09	OFFICE OF REGIONAL COUNSEL	Immediate Office	15	11
R09	Office of the Regional Administrator		5	5
R09	PUBLIC AFFAIRS OFFICE	Immediate Office	1	1
R09	PUBLIC AFFAIRS OFFICE	PRESS & CONGRESSIONAL AFFAIRS OFFICE	7	7
R09	PUBLIC AFFAIRS OFFICE	WEB & INTERNAL COMMUNICATION OFFICE	9	8
R09	SUPERFUND DIVISION	CA SITE CLEANUP & ENFORCEMENT BRANCH	42	37
R09	SUPERFUND DIVISION	EMER RESP,PREPAREDNESS&PREVENTION BR	38	34
R09	SUPERFUND DIVISION	FED FACILITIES&SITE CLEANUP BR	25	24
R09	SUPERFUND DIVISION	Immediate Office	4	4
R09	SUPERFUND DIVISION	PARTNERSHIPS,LAND REV&CLEANUP BR	40	36
R09	SUPERFUND DIVISION	PROGRAM MANAGEMENT OFFICE	8	9
R09	WATER DIVISION	ECOSYSTEMS BRANCH	57	50
R09	WATER DIVISION	Immediate Office	10	8
R09	WATER DIVISION	TRIBAL & STATE ASSISTANCE BRANCH	48	46

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R09 Total			749	691
R10	ALASKA OPERATIONS OFFICE		9	7
R10	IDAHO OPERATIONS OFFICE		5	4
R10	OFC OF ECO PROTECTION&REMEDIATIO N	D ECOSYSTEMS PROTECTION PROGRAM	1	1
R10	OFC OF TECHNICAL & MGMT SERVICES	GRANTS, AUDITS, PROCUREMENT PROGRAM		6
R10	OFFICE OF AIR & WASTE	AIR PLANNING UNIT	14	14
R10	OFFICE OF AIR & WASTE	Immediate Office	7	6
R10	OFFICE OF AIR & WASTE	RCRA CORRECTIVE ACTN, PERM & PCB UNIT	11	10
R10	OFFICE OF AIR & WASTE	RCRA PRGM, MATERIALS & POLL PREV UNIT	14	11
R10	OFFICE OF AIR & WASTE	STATIONARY SOURCE UNIT	10	9
R10	OFFICE OF AIR & WASTE	TRIBAL PRGMS, DIESEL &INDOOR AIR UNIT	9	8
R10	OFFICE OF COMPLIANCE & ENFORCEMENT	AIR ENFORCEMENT & DATA MGMT UNIT	9	7
R10	OFFICE OF COMPLIANCE & ENFORCEMENT	GROUND WATER UNIT	14	11
R10	OFFICE OF COMPLIANCE & ENFORCEMENT	Immediate Office	8	7
R10	OFFICE OF COMPLIANCE & ENFORCEMENT	MULTIMEDIA INSPEC & RCRA ENFORC UNIT	14	13
R10	OFFICE OF COMPLIANCE & ENFORCEMENT	PESTICIDES & TOXICS UNIT	15	12
R10	OFFICE OF COMPLIANCE & ENFORCEMENT	WATER & WETLANDS ENFORCEMENT UNIT	17	16
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	AQUATIC RESOURCES UNIT	11	8
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	ENVIRONMENTAL CHARACTERIZATION UNIT	12	11
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	ENVIRONMENTAL REV &SEDIMENT MGMT UNIT	11	9
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	ENVIRONMENTAL SERVICES UNIT	10	8
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	Immediate Office	8	8

ED_004145_00010027-00084

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	MANCHESTER ENVIRONMENTAL LABORATORY	18	18
R10	OFFICE OF ENVIRON REVIEW & ASSESSMENT	RISK EVALUATION UNIT	14	15
R10	OFFICE OF ENVIRONMENTAL CLEANUP	ASSESSMENT & BROWNFIELDS UNIT	10	6
R10	OFFICE OF ENVIRONMENTAL CLEANUP	HANFORD PROJECT OFFICE	11	10
R10	OFFICE OF ENVIRONMENTAL CLEANUP	Immediate Office	6	6
R10	OFFICE OF ENVIRONMENTAL CLEANUP	OFC OF EMERGENCY MANAGEMENT PROGRAM	25	25
R10	OFFICE OF ENVIRONMENTAL CLEANUP	REMEDIAL CLEANUP PROGRAM	35	33
R10	OFFICE OF MANAGEMENT PROGRAMS	FISCAL MANAGEMENT & PLANNING UNIT	10	8
R10	OFFICE OF MANAGEMENT PROGRAMS	GRANTS UNIT	9	9
R10	OFFICE OF MANAGEMENT PROGRAMS	HUMAN RESOURCES & FACILITIES UNIT	10	9
R10	OFFICE OF MANAGEMENT PROGRAMS	Immediate Office	5	5
R10	OFFICE OF MANAGEMENT PROGRAMS	INFORMATION SERVICES UNIT	17	17
R10	OFFICE OF MANAGEMENT PROGRAMS	INTERAGENCY AGREEMENT UNIT	6	7
R10	OFFICE OF REGIONAL COUNSEL	Immediate Office	8	7
R10	OFFICE OF REGIONAL COUNSEL	MULTI-MEDIA UNIT 1	10	10
R10	OFFICE OF REGIONAL COUNSEL	MULTI-MEDIA UNIT 2	10	10
R10	OFFICE OF REGIONAL COUNSEL	MULTI-MEDIA UNIT 3	11	9
R10	Office of the Regional Administrator		5	4

EPA Onboards by Office and Division				
RPIO	**Office**	**Division**	**Jan. 15, 2017**	**June 18, 2018**
R10	OFFICE OF WATER & WATERSHEDS	DRINKING WATER UNIT	14	13
R10	OFFICE OF WATER & WATERSHEDS	Immediate Office	9	8
R10	OFFICE OF WATER & WATERSHEDS	NPDES PERMITS UNIT	19	18
R10	OFFICE OF WATER & WATERSHEDS	PUGET SOUND PROGRAM	11	7
R10	OFFICE OF WATER & WATERSHEDS	WATER QUALITY STANDARDS UNIT	7	8
R10	OFFICE OF WATER & WATERSHEDS	WATERSHED UNIT	12	10
R10	OREGON OPERATIONS OFFICE		4	4
R10	REGIONAL ADMINISTRATOR'S DIVISION	Immediate Office	8	6
R10	REGIONAL ADMINISTRATOR'S DIVISION	PUBLIC AFFAIRS & COMM ENGAGEMENT UNIT	15	14
R10	REGIONAL ADMINISTRATOR'S DIVISION	TRIBAL TRUST & ASSISTANCE UNIT	18	17
R10	WASHINGTON OPERATIONS OFFICE		3	4
R10 Total			549	503
Grand Total			**15,946**	**14,702**

Question. Please provide a comparison of FTE totals currently, and as of January 20, 2017, by general job category, such as scientist, environmental engineer, attorney-advisor, contracting officer, budget specialist, etc.

Answer. The table provided shows onboard employees by job category. It includes part-time and special government employees, i.e. Federal Advisory Committee Act (FACA) participants.

EPA's onboards by job category		
Occupational Series Description	**Jan. 2017**	**June 2018**
ACCOUNTING TECHNICIAN	5	4
ADMIN & OFFICE SUPPORT STUDENT TRAINEE	52	18
ADMINISTRATIVE LAW JUDGE	3	3
ADMINISTRATIVE OFFICER	60	51

ED_004145_00010027-00086

EPA's onboards by job category		
Occupational Series Description	**Jan. 2017**	**June 2018**
AEROSPACE ENGINEERING	1	
AGRICULTURAL ENGINEERING	8	6
AGRONOMY	5	7
ANIMAL SCIENCE	5	5
ARCHITECTURE	8	6
AUDIOVISUAL PRODUCTION	6	5
AUDITING	95	90
BIOENGINEERING & BIOMEDICAL ENGINEERING	1	2
BIOLOGICAL SCIENCE STUDENT TRAINEE	23	3
BIOLOGICAL SCIENCE TECHNICIAN	12	7
BOTANY	4	3
BUDGET ANALYSIS	113	100
BUDGET CLERICAL AND ASSISTANCE	1	1
BUILDING MANAGEMENT		8
CARTOGRAPHY	2	2
CHEMICAL ENGINEERING	106	97
CHEMISTRY	467	433
CIVIL ENGINEERING	16	13
COMMUNITY PLANNING	7	5
COMPUTER CLERK AND ASSISTANT	4	1
COMPUTER ENGINEERING	4	4
COMPUTER SCIENCE	16	13
CONTRACTING	265	243
CRIMINAL INVESTIGATING	215	207
ECOLOGY	133	123
ECONOMIST	177	150
EDITORIAL ASSISTANCE	1	
EDUCATION AND TRAINING TECHNICIAN	2	1
ELECTRICAL ENGINEERING	9	7
ELECTRONICS TECHNICAL	1	1
EMERGENCY MANAGEMENT SPECIALIST	3	4
ENGINEER AND ARCH STD TRAIN	31	6
ENGINEERING TECHNICAL	28	27
ENTOMOLOGY	21	16
ENVIRONMENTAL ENGINEERING	1,748	1,643
ENVIRONMENTAL PROTECTION ASSISTANT	16	12
ENVIRONMENTAL PROTECTION SPECIALIST	2,280	2,004
EQUAL EMPLOYMENT OPPORTUNITY	30	24
EQUAL OPPORTUNITY COMPLIANCE	2	3
EQUAL OPPORTUNITY INVESTIGATOR	1	1
EQUIPMENT OPERATOR	1	1
EQUIPMENT SERVICES	1	

ED_004145_00010027-00087

EPA's onboards by job category		
Occupational Series Description	**Jan. 2017**	**June 2018**
EQUIPMENT, FACILITIES, AND SERVICES	2	2
FACILITY OPERATIONS SERVICES	24	24
FINANCIAL ADMINISTRATION AND PROGRAM	132	136
FINANCIAL ANALYSIS	35	36
FINANCIAL CLERICAL AND ASSISTANCE	8	6
FINANCIAL MANAGEMENT	8	9
FINANCIAL MANAGEMENT STUDENT	5	4
FIRE PROTECTION ENGINEERING	2	3
FISH BIOLOGY	6	6
GENERAL ANTHROPOLOGY	2	2
GENERAL ARTS AND INFORMATION	21	25
GENERAL ATTORNEY	1,061	999
GENERAL BUSINESS AND INDUSTRY	30	34
GENERAL ENGINEERING	47	50
GENERAL HEALTH SCIENCE	149	129
GENERAL INSP INVES AND COMP	24	19
GENERAL INVESTIGATING	18	15
GENERAL LEGAL AND KINDRED ADMIN	1	1
GENERAL MATHEMATICS AND STATISTICS	1	3
GENERAL NATURAL RESOURCES MANAGEMENT	1,246	1,199
GENERAL PHYSICAL SCIENCE	2,186	2,088
GENERAL STUDENT TRAINEE	25	15
GENERAL SUPPLY	4	4
GENETICS	2	1
GEOGRAPHY	11	9
GEOLOGY	64	53
GEOPHYSICS	1	
GOVERNMENT INFORMATION SPECIALIST	66	68
GRANTS MANAGEMENT	133	117
HEALTH PHYSICS	28	24
HORTICULTURE		1
HUMAN RESOURCES ASSISTANT	15	5
HUMAN RESOURCES MANAGEMENT	206	192
HYDROLOGIC TECHNICIAN	2	2
HYDROLOGY	36	31
INDUSTRIAL HYGIENE	25	26
INDUSTRIAL PROPERTY MANAGEMENT	1	1
INFORMATION AND ARTS STUDENT TRAINEE	1	1
INFORMATION RECEPTIONIST	1	
INFORMATION TECHNOLOGY MANAGEMENT	617	577
INFORMATION TECHNOLOGY STU. TRAINEE	4	5
INFORMATION MANAGEMENT SERIES	29	31

ED_004145_00010027-00088

EPA's onboards by job category		
Occupational Series Description	**Jan. 2017**	**June 2018**
INSTRUCTIONAL SYSTEMS	3	3
INTELLIGENCE	2	3
INVENTORY MANAGEMENT	1	2
LABORING	1	1
LAW CLERK	9	
LEGAL ASSISTANCE	5	4
LEGAL INSTRUMENTS EXAMINING	1	1
LEGAL OCCUPATIONS STUDENT TRAINEE	3	1
LIBRARIAN	3	3
MAIL AND FILE	1	1
MANAGEMENT AND PROGRAM ANALYSIS	1,403	1,313
MATHEMATICAL STATISTICS	20	14
MATHEMATICS	3	3
MECHANICAL ENGINEERING	87	80
MEDICAL OFFICER	5	3
METEOROLOGY	6	6
MGMNT & PROGRAM CLERICAL & ASSISTANCE	25	14
MICROBIOLOGY	76	65
MISCELLANEOUS ADMIN & PROGRAM	535	530
MISCELLANEOUS CLERK AND ASSISTANT	100	84
MODEL MAKING	1	1
MOTOR VEHICLE OPERATING	2	2
NUCLEAR ENGINEERING	3	2
NURSE	2	2
OCEANOGRAPHY	4	4
OFFICE AUTOMATION CLERICAL & ASSIST	17	15
OPERATIONS RESEARCH	3	3
PARALEGAL SPECIALIST	37	30
PATENT ATTORNEY	1	1
PERSONNEL MANAGEMENT STUDENT TRAINEE	2	1
PETROLEUM ENGINEERING	3	1
PHARMACOLOGY	19	19
PHOTOGRAPHY	2	2
PHYSICAL SCIENCE STUDENT TRAINEE	23	6
PHYSICAL SCIENCE TECHNICIAN	15	13
PHYSICOLOGY	8	8
PHYSICS	4	4
PLANT PATHOLOGY	4	3
PLANT PHYSIOLOGY	2	2
PRINTING CLERICAL	1	1
PRINTING SERVICES	2	2
PROCUREMENT CLERICAL AND TECHNICIAN	3	2

ED_004145_00010027-00089

EPA's onboards by job category		
Occupational Series Description	**Jan. 2017**	**June 2018**
PROGRAM MANAGEMENT	233	233
PSYCHOLOGY	5	4
PUBLIC AFFAIRS	204	192
PUBLIC HEALTH PROGRAM SPECIALIST	2	1
QUALITY ASSURANCE	1	1
REALTY	1	1
SAFETY & OCCUPATIONAL HEALTH MNGMT	20	19
SAFETY ENGINEERING	1	2
SANITARIAN	1	
SECRETARY	158	128
SECURITY ADMINISTRATION	32	28
SOCIAL SCIENCE	11	17
SOCIOLOGY	3	2
SOIL CONSERVATION	1	1
SOIL SCIENCE	5	5
STATISTICIAN	55	45
SUPPLY CLERICAL AND TECHNICIAN	2	2
SUPPORT SERVICES ADMINISTRATION	36	28
TECHNICAL INFORMATION SERVICES	4	4
TECHNICAL WRITING AND EDITING	1	1
TELECOMMUNICATIONS	8	7
TOXICOLOGY	228	221
TRAINING INSTRUCTION	1	1
TRANSPORTATION SPECIALIST	1	2
VETERINARY MEDICAL SCIENCE	9	9
VISUAL INFORMATION	6	5
WILDLIFE BIOLOGY	5	5
WRITING AND EDITING	10	10
ZOOLOGY	7	5
UNASSIGNED	38	25
Grand Total	**15,946**	**14,702**

The April 17, 2017 memorandum from Acting Deputy Director Michael Flynn stated that EPA was retaining an external hiring freeze.

Question. Does EPA dispute that the external hiring freeze is still in place?

Answer. EPA does not have a hiring freeze in place. Programs and regions are working toward achieving the FY 2018 FTE Targets by the end of the year.

Question. If so, please provide the formal document or communication to managers lifting the freeze.

Answer. EPA does not have a hiring freeze in place. Programs and regions are working toward achieving the FY 2018 onboard employee targets by the end of the year.

ED_004145_00010027-00090

Question. If not, what is the justification for continuing the freeze at this time?

Answer. EPA does not have a hiring freeze in place. Programs and regions are working toward achieving the FY 2018 onboard employee targets by the end of the year.

Please describe the process to obtain exceptions to the external hiring freeze.

Question. Who reviews exception requests?

Answer. When the freeze was in place, exceptions were reviewed by OCFO, OARM, and the Acting Deputy Administrator. Exceptions to the past freeze were determined by the Acting Deputy Administrator.

Question. Who approves exception requests?

Answer. When the freeze was in place, the Acting Deputy Administrator approved requests.

Question. How many exceptions have been granted since January 20, 2017?

Answer. From January 20, 2017 through April 12, 2017 when the Administration lifted the hiring freeze, no exceptions were granted.

Question. Please list each of the exceptions that have been granted since January 20, 2017, by office (down to the division level) and job type.

Answer. During the timeframe referenced, no exceptions were granted.

Please provide any analysis that EPA has prepared to evaluate EPA's ability to carry out its statutory responsibilities given the current number of FTEs, and with a smaller number of FTEs.

Question. Please provide a list of each statutory and regulatory deadline that EPA is currently failing to meet. Please include on the list each category of actions such as FOIA responses, permit issuances, SIP approvals, inspections, etc. where EPA commonly misses the deadlines for individual actions.

Answer. EPA is working to meet statutory deadlines and has focused attention on each area as outlined in the Agency's strategic plan, https://www.epa.gov/sites/production/files/2018-02/documents/fy-2018-2022-epa-strategic-plan.pdf.

Question. Would additional personnel help EPA meet each of these deadlines, or at least reduce the delays? If not, please provide a detailed explanation of why not for each deadline.

Answer. FY 2018 staffing targets reflect the objectives outlined in the strategic plan. In addition, process improvements have been implemented or are planned to assist in reducing impediments to meeting deadlines.

The April 17, 2017 memo also required Senior Resource Official approval for internal reassignments across NPMs or regions.

Question. Is this requirement still in place?

Answer. In the event EPA internally recruits and selects someone from the certified list, in accordance with the Merit System Principals guide on recruitment we do not need Senior Resource Official approval. In the event EPA utilizes internal mechanisms for a range of career development

opportunities such as part-time projects, full-time details, and/ or a lateral reassignment, we would require Senior Resource Official approval.

Question. Who was required to approve internal reassignments prior to the adoption of this policy?

Answer. This was a new requirement, providing organizations the internal control structure to manage overall staffing levels.

You have suggested that EPA will continue to be effective, despite a continually shrinking workforce, due in part to improvements identified through your institution of the LEAN management system.

Question. How do the Workforce Reduction Plan, any other directives or policies aimed at reducing the EPA workforce, and the hiring freeze each relate to the LEAN management system?

Answer. The EPA Lean Management System (ELMS) is not being used to reassign personnel or identify targets for shrinking or expanding workforces for individual offices within the agency. As part of ELMS, each EPA national program office and regional office submits a monthly "bowling chart" that includes measures tracking their performance on relevant Strategic Plan measures and measures representative of the work of the office. One of those measures does track the number of employees currently on board in each office compared to their allocations in order to assist the Agency in prudently managing its workforce levels.

Question. Is the LEAN process being used to reassign personnel or identify targets for shrinking or expanding workforces for individual offices within the agency? If so, please explain and provide examples.

Answer. The EPA Lean Management System (ELMS) is not being used to reassign personnel or identify targets for shrinking or expanding workforces for individual offices within the agency. As part of ELMS, each EPA national program office and regional office submits a monthly "bowling chart" that includes measures tracking their performance on relevant Strategic Plan measures and measures representative of the work of the office. One of those measures does track the number of employees currently on board in each office compared to their allocations in order to assist the Agency in prudently managing its workforce levels.

Question. How much funding remained unspent and was subject to rescissions in FY16 and FY17 due to workforce reductions? If EPA continues the hiring freeze throughout the remainder of FY18, roughly how much additional funding would be expected to remain unspent due to workforce reductions by the end of FY18? What is EPA's rationale for maintaining a hiring freeze that prevents EPA from expending substantial portions of the amounts that this Committee appropriated for workforce salaries?

Answer. EPA is not currently under a hiring freeze. Each organization is managing to its targets and needed critical hires. Over half of the organizations are actively working to increase overall staffing to meet the targets. That said, the federal recruitment process takes time. The allocations planned for a certain level of new staffing in June. We are actively monitoring staffing levels and will review payroll needs in the fourth quarter.

ED_004145_00010027-00092

FOIA PROCESS

Recent reports indicate that EPA political appointees have instructed career staff to provide for an "awareness review" by senior EPA staff before releasing documents through the FOIA process, and that employees have been chastised for releasing documents without a senior management review.

Question. How are FOIAs selected for a senior management "awareness review"?

Answer. The answer to this question and subsequent questions can be found in the attached letter to ranking member, Committee on Oversight and Government Reform, The Honorable Elijah Cummings, dated July 15, 2018.

Question. What is the purpose of this review? Is there a standardized review process? If so, please provide documentation.

Answer. The answer to this question and subsequent questions can be found in the attached letter to ranking member, Committee on Oversight and Government Reform, The Honorable Elijah Cummings, dated July 15, 2018.

Question. Which EPA political appointees are involved in the awareness review?

Answer. The answer to this question and subsequent questions can be found in the attached letter to ranking member, Committee on Oversight and Government Reform, The Honorable Elijah Cummings, dated July 15, 2018.

Question. How long does the awareness review process typically take?

Answer. The answer to this question and subsequent questions can be found in the attached letter to ranking member, Committee on Oversight and Government Reform, The Honorable Elijah Cummings, dated July 15, 2018.

Question. How many FOIA requests have been completed and are ready for release pending the senior management awareness review? Please provide a list of these requests.

Answer. The answer to this question and subsequent questions can be found in the attached letter to ranking member, Committee on Oversight and Government Reform, The Honorable Elijah Cummings, dated July 15, 2018.

Question. How many FOIA requests have gone through the senior management awareness review process to date?

Answer. The answer to this question and subsequent questions can be found in the attached letter to ranking member, Committee on Oversight and Government Reform, The Honorable Elijah Cummings, dated July 15, 2018.

ED_004145_00010027-00093

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

OFFICE OF
GENERAL COUNSEL

July 15, 2018

The Honorable Elijah E. Cummings
Ranking Member
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Ranking Member Cummings:

In a letter from you in your capacity as the Ranking Member of the Committee on Oversight and Government Reform (Committee) to the Honorable Trey Gowdy, Chairman of the Committee, you raised questions regarding the Environmental Protection Agency's (EPA's) process for responding to Freedom of Information Act (FOIA) requests. The letter highlighted the role of EPA's FOIA Expert Assistance Team (FEAT) in that process. I write to provide information as to the origin and role of the FEAT, and to offer to brief Committee staff on the same.

In 2013, EPA's FOIA program was routinely the subject of litigation, public criticism, and Congressional oversight (including oversight by this Committee). Then-Acting Administrator of EPA Robert Perciasepe turned to me and my counterpart in the Office of Environmental Information and gave us the following task: make the FOIA process at EPA better. In response, the FOIA Expert Assistance Team, affectionately known as the FEAT, was created. The purpose of the FEAT was to provide strategic direction and project management assistance on the most challenging or complex FOIA requests. Here is how the FEAT was described in its original Functional Statement:

> Under the supervision of the Senior Counsel, this unit provides legal counsel on all issues pertaining to selected FOIA requests that have been determined to be [the] most complex and/or potentially sensitive requests received across the Agency. Utilizing an extraordinary breadth of FOIA knowledge and experience, together with in-depth organizational and external awareness, the team provides advice and guidance to the highest echelons of management within the Agency.

Throughout its history, there have been three ways a FOIA request became a "FEAT FOIA": a request from the lead office, a request from the Office of the Administrator, and an

independent decision by the FEAT Director. The FEAT would engage on approximately 3% of EPA's FOIA requests each year, with the level of engagement on each request adjusting to the specific needs presented by that request. Among the first FEAT "deployments" – where DC-based experts travel to locations across the agency to help lead a response to a FOIA request – was the Team's engagement with EPA's Region 10 in response to requests related to Bristol Bay, Alaska. Other major "FEAT FOIAs" include requests related to the spill of polluted water from Gold King Mine, EPA's response to Volkswagen's use of defeat devices, and drinking water contamination in Flint, Michigan.

In addition to work on specific FOIA requests, the FEAT also helped keep senior leaders informed of new requests that the agency received each week, coordinated inter-agency review with the Executive Office of the President (EOP) where the EOP had equities in the responsive documents, and made senior leaders aware of impending FOIA productions. There are multiple benefits to making senior leaders – political and career – aware of productions before they are actually produced: the Office of Congressional and Intergovernmental Affairs can determine if the documents are also responsive to a Congressional request for information and, if so, ensure Congress receives the documents at the same time or slightly before the requestor; the Office of Public Affairs can prepare any communications materials deemed necessary based on the documents to be produced; when the documents are from or about a particular employee, keeping that employee informed throughout the process when appropriate, including at the response stage, can significantly increase their confidence in and respect for the FOIA Program into the future; and, while not meant as a quality control tool, to the extent a mistake is identified, it can be corrected. This "awareness review" process does not itself violate FOIA and can be completed without causing undue delay.

In early 2017, the FEAT began to take on a new responsibility: providing programmatic training and support to an office that was struggling to meet its FOIA responsibilities. FEAT members were "embedded" with OGC's External Civil Rights Compliance Office and OGC's Ethics Office to help those offices gain experience and confidence in their FOIA abilities. Based in part on that experience, EPA Chief of Staff Ryan Jackson asked the FEAT to assist the Administrator's Office (AO) in improving its FOIA program. The AO had seen a 415% increase in the number of incoming FOIA requests compared to 2016 and the volume had overwhelmed the small staff that was designated to respond to such requests. The AO Centralization Pilot Project was designed to see if the FEAT could "deploy" to an office within EPA, assess the strengths and weaknesses of the office's current FOIA program, and build a consolidated cadre of employees who would be focused exclusively on FOIA and other information requests. The expectation was that by centralizing and prioritizing the responsibility for FOIA requests, the office would produce more timely responses with fewer errors that necessitated less resources.

ED_004145_00010027-00095

After multiple lean events and prototype exercises, the FEAT and representatives from the AO Immediate Office (OEX), the Office of Public Affairs (OPA), the Office of Policy (OP) and the Office of Congressional and Intergovernmental Relations (OCIR) (collectively referred to as AO4) began to implement the AO FOIA Centralization Pilot Project on April 31, 2018. With the support of the Chief of Staff, the FEAT hired three new employees to support this effort, and AO4 offices recruited new information experts as well. Currently, the FEAT is coordinating the centralized FOIA efforts for the 1,453 FOIA requests pending with the AO4 offices (as of June 18, 2018).

Through the Pilot Project, the FEAT and the AO4 Offices have built a foundation for a dramatically improved FOIA program. The team painstakingly categorized 1,442 requests and assigned a project lead for each. There was no existing categorization scheme for the team to turn to, so as they reviewed the requests they developed a unique taxonomy for classifying all existing and incoming requests. They also began the practice of stamping each document processed as part of the pilot with a unique identifier so that every document can be tracked at all stages of the response process.

These behind the scenes efforts enabled two key advancements that generated tangible results for requestors. First, on June 6, 2018, every one of the 1,163 requestors with a request pending in the AO4 received an update on their specific request that included a tracking number, where the request currently stood in the que of pending requests, and an estimated response date. Many of those dates were months into the future, and so the letters offered the assistance of EPA's FOIA Public Liaison and the Office of Government Information Services, and committed to providing interim releases, if possible. That commitment is meaningful, because the second advancement is that release to one requestor now means release to all. The agency often receives multiple requests for the same information. Because the team has now identified every pending request as relating to one or more standardized subject areas, and because when the team reviews a document it also identifies that document as relating to one or more of the same standardized subject areas, the team can instantly identify all pending requests to which a document is responsive and send the production to each of those requestors as well. That innovation alone has incredible potential to reduce the time it takes the AO to respond to requests. While much more progress must be made, since implementation, the team has completed its response to 100 requests and provided interim responses to 341 additional requests.

EPA's FOIA program is far from perfect. The number of requests that are pending for more than the statutory or agreed upon time for responding has increased. As a result, EPA now faces over 70 lawsuits under FOIA – a 500% increase over the pre-2017 high. Ultimately, the head of an agency sets the tone and the commitment of EPA's senior leaders will be essential for the program to improve. The work of the FEAT and the AO4 Team, however, has laid a foundation from which EPA's FOIA program could be a model of what a FOIA program should be, not an example of what a FOIA program should not be. I invite you, other members of the Committee, and Committee staff to visit our offices to see first-

ED_004145_00010027-00096

hand the effort that is being made and the work that has been done to put the agency on the cusp of that future. If you have further questions or would like to schedule a briefing, you may contact me at minoli.kevin@epa.gov or (202) 564-8064, or your staff may contact Neil Bigioni, Acting Director, National FOIA Office, at bigioni.neil@epa.gov or (202) 564-2281, or Kristien Knapp, Office of Congressional and Intergovernmental Relations at knapp.kristien@epa.gov or (202) 564-3277.

Sincerely,

Kevin S. Minoli
Principal Deputy General Counsel &
Designated Agency Ethics Official

cc: The Honorable Trey Gowdy
Chairman, Committee on Oversight and Government Reform

SUPERFUND

Question. Please produce all documents related to how the EPA developed the "immediate, intense action" list of Superfund sites to the Committee.

Answer. In developing the "immediate, intense action" list, senior career Superfund staff at EPA headquarters and in each region were consulted and identified potential sites that may be worthy of special attention now or in the future to advance those sites through the cleanup process. The recommended sites represent EPA regions' best professional judgment where the Administrator's involvement would facilitate site progress. The Administrator reviewed the recommendations and personally selected the sites for inclusion. The list includes sites that require timely resolution of specific issues to expedite cleanup and redevelopment efforts. The specific issue or milestone that may benefit from the Administrator's attention is noted for each site on the list, which can be found on EPA's website at: https://www.epa.gov/superfund/superfund-sites-targeted-immediate-intense-action.

The list is designed to spur action at sites where opportunities exist to act quickly and decisively. The Administrator will receive regular updates on each of these sites. Further, the list is intended to be dynamic and sites will move on and off the list as appropriate. At times, there may be more or fewer sites based on where the Administrator's attention and focus is most needed.

Please see the August 3, 2018, press release at https://www.epa.gov/newsreleases/acting-administrator-wheeler-updates-administrators-superfund-emphasis-list which should prove helpful.

PRESS AVAILABILITY

Previous EPA Administrators and political appointees publicly released their full, detailed schedules. In fact, your other Cabinet-level colleagues, including Interior Secretary Zinke and Agriculture Secretary Perdue, all release detailed schedules. Even the very general schedules, based on your Outlook calendar, that you do release have been found to have hidden certain details – most recently we learned that documents intentionally deleted that you dined with a Cardinal accused of child abuse—and often differ significantly from actual events.

Question. What prevents you from following the standards set by previous administrators and by your Trump Administration counterparts?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Why can't you post a detailed schedule?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. There are often discrepancies between Outlook calendars released to the public under FOIA and news reports detailing your activities on those dates. Who maintains your daily schedule (the schedule that you personally receive each day or the night before with a complete list of events, activities, and meetings on it)?

ED_004145_00010027-00098

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. What prevents you from doing the public's business in public, like your fellow Cabinet members?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Will you commit to open all of your official events to the press?

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer. As of July 7, 2018, Acting Administrator Wheeler's calendar is posted online.

LEGAL DEFENSE FUND

Please reply to the letter sent on May 21, 2018 by myself and Senators Van Hollen, Carper and Whitehouse. Please respond within two weeks.

Although the EPA is not responsible for administering this legal defense fund, the fund's purpose relates to the operation of the agency and has the potential, at minimum, to generate the appearance of financial conflicts of interest between the Administrator and the fund's donors. As such, please direct your personal attorney, Cleta Mitchell, to provide the following information to the Committee:

Question. Provide the name of the Fund and describe its operating structure;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. As requested in our letter of May 21, provide a copy of the Fund's organizing documents;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Provide the names of Fund Managers, Members and/ or Authorized Persons, the Registered Agent, and any trustees;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Describe the purpose of the Fund, including the specific legal issues it covers and the names of beneficiaries (ie: was it formed to provide assistance just to Pruitt, or to other people in addition to Pruitt);

ED_004145_00010027-00099

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Describe authorized costs under the Fund;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Describe any restrictions on distributions under the Fund;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Describe your process for soliciting donations to the Fund;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Describe any prohibited donors to the Fund;

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

Question. Describe the process for publicly disclosing donations and disbursements, including where this information will be published.

Answer. Effective July 6, 2018, former Administrator Pruitt resigned from his position as Administrator of the EPA and is no longer an employee of the Agency. Therefore, EPA is not able to discuss your question with Mr. Pruitt to provide you with an answer.

CLEAN WATER RULE

Question. Who at EPA directed staff to change the economic assessment of the 2015 Clean Water Rule, which led to the agency failing to quantify the benefits associated with wetlands protection? Do you have any basis to believe that this approach, which has the practical effect of valuing wetlands' benefits as zero, was more accurate than the prior assessment?

Answer. The Department of the Army and the EPA intend to follow relevant guidance on the development of economic analyses for the proposed rules regarding "Waters of the United States", which will be made available for public comments.

Question. Did EPA conduct any analysis of the water quality impact of repealing the Clean Water Rule compared with implementing the Rule? If so, please provide that to the Committee.

Answer. As part of the rulemaking process, the Department of the Army and the EPA are developing technical support information and an economic analysis which will be made available for public comments when the proposed rule is published. That information is anticipated to

ED_004145_00010027-00100

include information on the potential impacts of implementing a revised definition of "waters of the United States."

Question. What legal authority does EPA plan to use to define "waters of the United States" based on a judicial opinion expressly rejected by a majority of the justices of the Supreme Court?

Answer. The Department of the Army and the EPA intend to provide a legal basis for the proposed rule consistent with the Constitution, the Clean Water Act, and relevant Supreme Court rulings.

Question. Will you commit to ensure that your replacement rule will ensure the Clean Water Act's pollution prevention and cleanup programs apply to those categories of water bodies the science shows to have significant impacts on downstream water quality?

Answer. The Department of the Army and the EPA intend that the proposed rule provided for public comments will be fully consistent with the Clean Water Act's objective to restore and maintain water quality.

Question. Will you commit that your replacement rule will not increase water pollution compared with the Clean Water Rule?

Answer. The Department of the Army and the EPA intend that the proposed rule provided for public comments will be fully consistent with the Clean Water Act's objective to restore and maintain water quality.

Question. According to the most recent Unified Agenda of Regulatory and Deregulatory Actions, EPA expects to propose its replacement definition of "waters of the United States" in August 2018 and finalize it in September 2019. But, in our hearing, you indicated that it would be proposed in May or June and finalized by the end of 2018. When EPA and the Army Corps proposed to repeal the 2015 Clean Water Rule, the agencies said, "[t]he scope of CWA jurisdiction is an issue of great national importance and therefore the agencies will allow for robust deliberations on the ultimate regulation." Your statement during our hearing is completely inconsistent with the notion of "robust deliberations." Will you commit to conducting at least as much outreach to diverse stakeholders as the agency did during the Clean Water Rule rulemaking and to providing at least as much time to receive public input on any proposal as the agency did during the Clean Water Rule process?

Answer. The Department of the Army and the EPA intend to continue our extensive outreach to states, tribes, and other stakeholders following publication of the proposed rule.

BIOMASS CARBON POLICY

EPA's recently announced policy to treat all biomass from managed forests as carbon neutral disregards important science-based distinctions made by the Scientific Advisory Board.

Question. On what scientific studies are you basing this decision? Why is your office ignoring the best available science when it comes to biomass energy?

Answer. EPA's statement on the treatment of biogenic CO_2 from stationary sources that use forest biomass from energy production is not a scientific determination and does not revise or amend any scientific determinations that EPA has previously made. Further, EPA will continue to work through these complex issues alongside information from our science advisors.

ED_004145_00010027-00101

Question. Can you please provide a timeline for further regulatory action that will utilize the conclusions of the memo dated 4.23.18 and titled "EPA's Treatment of Biogenic Carbon Dioxide (CO_2) Emissions from Stationary Sources that Use Forest Biomass for Energy Production"?

Answer. EPA is currently considering how this policy may be implemented in the relevant regulatory contexts; while there is currently no firm timeframe for any forthcoming actions, the Agency will keep the committee apprised of its progress.

PFAS AND PFOA

Question. You said you were "not aware that there has been some holding back of the [ATSDR PFAS] report. I think it's important to have all information in the marketplace." Since you agree it's important to have all information available, please immediately provide the unaltered original report to the Committee and post it on EPA's website.

Answer. The Agency is committed to continuing to participate in and contribute to a coordinated approach on per- and polyfluoroalkyl substances (PFAS) across the federal government. ATSDR released the report on June 20, 2018, after coordinating with the Environmental Protection Agency (EPA) and several other federal agencies. The report contains ATSDR toxicological profiles (or Tox Profiles) on four PFAS. EPA looks forward to continuing to collaborate with ATSDR and all our federal partners as we work together to protect public health. The report is currently available at: https://www.atsdr.cdc.gov/toxprofiles/tp.asp?id=1117&tid=237. A link to ATSDR's key messages and other information on the PFAS assessments, is available on EPA's website at: https://www.epa.gov/pfas.

Question. You told the Committee "we haven't taken action, with respect to 107 under CERCLA, where it would be a hazardous substance, that would allow us to go in and require cleanup by responsible parties." Please confirm for the Committee that you will take immediate action to designate PFAS as a hazardous substance, so cleanup can be assured under section 107 of CERCLA.

Answer. On May 22nd, Administrator Pruitt opened the National Leadership Summit on per- and polyfluoroalkyl substances (PFAS) by announcing four steps the Agency plans to take following the Summit. This included beginning the process to determine whether to propose designating PFOA and PFOS as "hazardous substances" through one of the available statutory mechanisms, including potentially CERCLA Section 102. Clean Water Act Section 307(a) and Section 311 are two of the other statutory mechanisms that the Agency is evaluating, but has not yet made a final decision on which mechanism is most appropriate.

In addition, after the meeting, the agency assembled a cross-agency workgroup to consider current tools for identifying certain PFAS substances as hazardous substances including eligibility for liability under CERCLA Section 107. The workgroup will consider which tools are most effective and will prepare options/recommendations to EPA's senior leaders.

Question. You shared with the Committee your concern about environmental contamination by PFASs and suggested the need for EPA to help states address the problem. Can you commit to promptly designating PFAS as a toxic pollutant under Clean Water Act section

ED_004145_00010027-00102

307(a) and as a hazardous substance under section 311 of that Act to ensure that water discharges and spills of PFAS are controlled or prevented?

Answer. On May 22, 2018, Administrator Pruitt opened the National Leadership Summit on per- and polyfluoroalkyl substances (PFAS) by announcing four steps the Agency plans to take following the Summit. This included beginning the process to propose designating PFOA and PFOS as "hazardous substances" through one of the available statutory mechanisms, including potentially CERCLA Section 102. Clean Water Act Section 307(a) and Section 311 are two of the other statutory mechanisms that the Agency is evaluating, but has not yet made a final decision on which mechanism is most appropriate.

Question. States have requested that EPA develop and validate analytical methods to detect in water and soil the full array of the numerous PFASs commonly used in commerce. Will you commit to making swift development and validation of such methods a top priority for the agency?

Answer. Yes, EPA is committed to swift development and validation of such methods. For instance, the EPA's Office of Research and Development is currently working to establish methods for PFAS testing, detection, identification, and validation.

EPA is committed to continuing to work with our stakeholders to identify new PFAS chemicals of concern and to develop analytical methods where possible.

Question. Harvard researchers, using EPA's Unregulated Contaminant Monitoring data, estimated that more than 6 million Americans have PFAS in their drinking water at levels in excess of EPA's safety recommendation, based on data from 2013-2015. Will you commit to expanded drinking water monitoring of a fuller array of PFAS beyond the six tested for earlier under the Unregulated Contaminant Monitoring Regulation?

Answer. In accordance with Section 1445 of the Safe Drinking Water Act, every five years the agency collects drinking water occurrence data for up to 30 unregulated contaminants under the Unregulated Contaminant Monitoring Rule (UCMR). The agency collected occurrence data on PFOA, PFOS and an additional four PFAs under the third UCMR from 2013 to 2015. EPA is currently working to develop a new and/or modified drinking water method to enable laboratories across the country to measure multiple short-chain PFAS, including GenX. We anticipate that the new method will be completed in early 2019. Once complete EPA will consider incorporating monitoring requirements for these analytical methods in a future UCMR.

Question. We need to learn the lesson from the 1970s about PCBs that when highly persistent toxic pollutants are widely spread into the environment, they cause widespread harm and are extremely expensive and difficult to clean up. PFAS chemicals could be entering our homes and our environment via imported products and neither EPA nor the public has any way of knowing about those uses and exposures. Will you agree to issue a Significant New Use Rule to ensure EPA is aware of all new uses of PFAs, including use in articles containing them?

Answer. On January 21, 2015, EPA proposed a Significant New Use Rule under TSCA to require manufacturers (including importers) of PFOA and PFOA-related chemicals, including as part of articles, to notify EPA at least 90 days before starting or resuming new uses of these chemicals. As a result of changes made to section 5(a) of TSCA when TSCA was amended in June 2016, EPA is now developing a supplemental proposed SNUR for the import of certain long-chain perfluoroalkyl carboxylate (LCPFAC) chemical substances as part of categories of certain articles.

ED_004145_00010027-00103

Question. How many PFAS are currently on the TSCA Inventory or in use in commerce within the United States and in what amounts?

Answer. The TSCA Inventory includes 1,223 PFAS substances, and 553 are currently designated as "active" (Active Inventory reporting does not conclude until October 2018). Current production volume is not known for many of these chemicals as they do not reach the volume trigger for reporting under Chemical Data Reporting.

Question. How many PFAS have been cleared through the New Chemicals Program under TSCA?

Answer. Of the 1,223 PFAS substances on the TSCA Inventory, 549 were added via the New Chemicals Program. More than 1,000 additional PFAS substances were reviewed under the New Chemical Program but 1) manufacturing never commenced (EPA did not receive a Notice of Commencement (NOC)) or 2) were submitted in exemption notices (e.g., Low Volume) and were not added to the TSCA inventory, consistent with procedures for such exemptions. A smaller number of these also may have been withdrawn from review by the submitter.

Question. Will you commit to not allowing new PFASs on the market under the TSCA New Chemicals Program?

Answer. With amended TSCA, Congress established a process requiring EPA to thoroughly review and make affirmative determinations on new chemical notices, including new PFAS chemicals. The goal of EPA's New Chemicals Review program is to ensure that new chemicals do not present unreasonable risks to human health or the environment under their conditions of use before they are allowed to enter the market, while providing a review process that is timely and facilitates technological innovation and safer chemical manufacturing. In reviewing a new chemical notice, EPA uses scientific information, technical procedures, methods, protocols and approaches consistent with best available science to assesses the chemical "under the conditions of use," which TSCA defines as the circumstances under which a chemical is "intended, known or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of." If EPA determines that a new PFAS chemical substance "presents an unreasonable risk," "may present an unreasonable risk," or has "insufficient information" under TSCA section 5(a)(3), then EPA will issue an order to prohibit or limit the manufacture, processing, distribution in commerce, use, or disposal of the chemical substance to the extent necessary to protect against an unreasonable risk of injury to health or the environment. EPA individually reviews each new chemical notice it receives to make the determination required under section 5(a)(3).

Question. Of the PFAS in commerce, for how many does EPA have animal studies examining reproductive toxicity, immunotoxicity, or carcinogenicity?

Answer. EPA is currently receiving reporting data on TSCA chemicals that have been in commerce for the past 10 years. This reporting is required under the Active/Inactive Inventory Reporting rule finalized in June 2017. The reporting period is almost final and to date, 553 PFAS chemicals have been reported as active.

One of EPA's databases, the Chemical Assessment Portal (CAP), has testing information on 406 PFAS chemicals. We do not know yet how many of these chemicals will be reported as "active" under the new reporting requirement. However, of these 406 chemicals, 124 have information on genotoxicity, 1 has information on carcinogenicity, 8 have reproductive toxicity

ED_004145_00010027-00104

data, and 7 have information on developmental toxicity. CAP is just one of several databases and other sources of possible information on PFAS chemicals. EPA supports the need for more analyses on PFAS chemicals in commerce. We are working diligently to review other databases to understand which PFAS chemicals have environmental, health, and safety information. At the same time, EPA is engaged in scientific research and partnering with others to acquire more information about PFAS in commerce and in the environment.

CENSORED SCIENCE

The recently proposed "Strengthening Transparency in Regulatory Science" rule has been on the wish-list of industry for a long time as it could lead to weaker, less-scientifically based regulations to the detriment of public health. In the EPA Press Release announcing the Proposed Rule, EPA implies this proposal is consistent with recommendations on data transparency from major scientific journals including *Science, Nature*, the *Proceedings of the National Academy of Sciences*. However, a joint statement signed by the Editors-in-Chief of these publications in response to the Proposed Rule said: "It does not strengthen policies based on scientific evidence to limit the scientific evidence that can inform them; rather, it is paramount that the full suite of relevant science vetted through peer review, which includes ever more rigorous features, inform the landscape of decision making. Excluding relevant studies simply because they do not meet rigid transparency standards will adversely affect decision-making processes."

Question. Did you consult with the leaders of the journals you cited in your press release prior to release of the Proposed Rule?

Answer. EPA accepted public comment on the proposed rule "Strengthening Transparency in Regulatory Science" through August 16, 2018 and will not respond to comments and questions outside of this formal process. The Agency values this public input and looks forward to considering these comments in the rulemaking process.

For more information on the draft rule, visit: https://www.epa.gov/osa/strengthening-transparency-regulatory-science and https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science.

Question. Please provide a list of all scientists, science-based organizations and associations, lobbyists, industry trade associations, and industry representatives you consulted in developing the Proposed Rule.

Answer. EPA accepted public comment on the proposed rule "Strengthening Transparency in Regulatory Science" through August 16, 2018 and will not respond to comments and questions outside of this formal process. The Agency values this public input and looks forward to considering these comments in the rulemaking process.

For more information on the draft rule, visit: https://www.epa.gov/osa/strengthening-transparency-regulatory-science and https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science.

It has been reported that EPA staff analysis of a similar policy (HONEST Act) that governs which scientific analyses can be used by the Agency in regulatory proceedings found the costs to

ED_004145_00010027-00105

EPA of implementing such policy would be enormous – "$250 million a year for the next few years." This seems to undermine your goal of making EPA "lean."

Question. Why did EPA opt to not release this staff analysis of implementing a policy like the HONEST Act? Or why did EPA fail to complete a new analysis of the costs of implementing the Proposed Rule?

Answer. EPA accepted public comment on the proposed rule "Strengthening Transparency in Regulatory Science" through August 16, 2018 and will not respond to comments and questions outside of this formal process. The Agency values this public input and looks forward to considering these comments in the rulemaking process.

For more information on the draft rule, visit: https://www.epa.gov/osa/strengthening-transparency-regulatory-science and https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science.

Question. Will you commit to providing a quantitative assessment of the estimated costs to EPA of implementing the Proposed Rule?

Answer. EPA accepted public comment on the proposed rule "Strengthening Transparency in Regulatory Science" through August 16, 2018 and will not respond to comments and questions outside of this formal process. The Agency values this public input and looks forward to considering these comments in the rulemaking process.

For more information on the draft rule, visit: https://www.epa.gov/osa/strengthening-transparency-regulatory-science and https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science.

Numerous organizations and scientific experts have been highlighting consequential human health studies that could be excluded from consideration by EPA under the Proposed Rule. A study that looked at the high level of neurotoxic mercury found in newborns in the Great Lakes area, for example, would be excluded if the Proposed Rule is finalized.

Question. Given the sensitivity of the unborn to pollution, in particular, will EPA commit to allowing all peer-reviewed, scientific studies that show harmful impacts to the unborn from various forms of pollution to continue to be used in regulatory decision-making, as appropriate, regardless of whether they meet the so-called "transparency" guidelines you are trying to establish under the Proposed Rule? Why or why not?

Answer. EPA accepted public comment on the proposed rule "Strengthening Transparency in Regulatory Science" through August 16, 2018 and will not respond to comments and questions outside of this formal process. The Agency values this public input and looks forward to considering these comments in the rulemaking process.

For more information on the draft rule, visit: https://www.epa.gov/osa/strengthening-transparency-regulatory-science and https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science.

ED_004145_00010027-00106

Question. Have you prepared a list of all scientific analyses that EPA has used in regulatory decision making that would be excluded under the requirements of the Proposed Rule? Will you commit to release that for public review?

Answer. EPA accepted public comment on the proposed rule "Strengthening Transparency in Regulatory Science" through August 16, 2018 and will not respond to comments and questions outside of this formal process. The Agency values this public input and looks forward to considering these comments in the rulemaking process.

For more information on the draft rule, visit: https://www.epa.gov/osa/strengthening-transparency-regulatory-science and https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science.

COST BENEFIT ANALYSIS

In your regulatory impact analysis (RIA) for the proposed rule to repeal the Clean Power Plan, the EPA offers alternative analyses to highlight "important uncertainties" about the relationship between exposure to fine particles (PM2.5) and the risk of premature death at lower concentrations. For one alternative, the EPA assumes that the risk of premature death falls to zero at PM2.5 levels used in key epidemiological studies. For the second alternative, the EPA assumes that the risk of death falls to zero below the NAAQS for annual average concentrations of PM2.5. The World Health Organization, in contrast, concludes the following about exposure to fine particles: "There is no evidence of a safe level of exposure or a threshold below which no adverse health effects occur."

Question. Which scientific studies are you using to justify your assumptions about the lack of health effects from exposure to PM2.5 below certain levels?

Answer. Methodologies used in the regulatory impact analysis (RIA) for the proposed review of the Clean Power Plan follow well-established practices. The alternative approaches to examining forgone PM benefits presented in the RIA were designed to increase transparency about the distribution of the estimated forgone benefits. Illustrating the impacts on the total net benefits at various PM2.5 cut points also provide information useful to the public in understanding the uncertainty of benefits at lower ambient PM2.5 levels.

In general, EPA is more confident in the size of the risks estimated from simulated $PM_{2.5}$ concentrations that coincide with the bulk of the observed PM concentrations in the epidemiological studies that are used to estimate the benefits. Likewise, EPA is less confident in the risk EPA estimates from simulated $PM_{2.5}$ concentrations that fall below the bulk of the observed data in these studies.[1] Furthermore, when setting the 2012 PM NAAQS, the Administrator also acknowledged greater uncertainty in specifying the "magnitude and significance" of PM-related health risks at PM concentrations below the NAAQS. As noted in the preamble to the 2012 PM NAAQS final rule, "EPA concludes that it is not appropriate to place as much confidence in the magnitude and significance of the associations over the lower percentiles of the distribution in each study as at and around the long-term mean concentration." (78 FR 3154, 15 January 2013). In general, we are more confident in the size of the risks we estimate from simulated $PM_{2.5}$ concentrations that coincide with the bulk of the observed PM concentrations in

ED_004145_00010027-00107

the epidemiological studies that are used to estimate the benefits. Likewise, we are less confident in the risk we estimate from simulated PM2.5 concentrations that fall below the bulk of the observed data in these studies.

This greater confidence does not necessarily imply a concentration threshold below which there are no effects. These alternative analyses are designed to increase transparency rather than imply a specific lower bound on the size of the health co-benefits. EPA sought and received public comment on a variety of methodological issues in the RIA, including: how best to treat analytically the underlying uncertainties; how best to use empirical data to quantitatively characterize uncertainty in PM2.5 co-benefits that accrue to populations who live in areas with lower ambient concentrations; and the approach to estimating and reporting PM-related foregone benefits.

As noted in the RIA as well as EPA's air quality trends resources, the U.S. has experienced dramatic improvements in fine particulate matter trends, which the Agency expects to continue through the period of analysis. In this RIA, EPA continued to rely on the same epidemiological studies related to estimating PM2.5 mortality effects, and the transparent cut points were derived from the 2012 annual fine particulate matter NAAQS, set at a level requisite to protect public health with an adequate margin of safety, and the Lowest Measured Level (LML) of the Krewski *et al.* (2009) study. We fully expect that fewer people would be exposed to high PM2.5 concentrations (U.S. EPA, 2011a; Fann *et al.* 2017). Indeed, we have projected that by 2025 most of the U.S. will attain the 2012 PM2.5 NAAQS due to existing federal measures and a large fraction of the U.S. population is projected to live in locations where annual mean PM2.5 concentrations are below the Annual PM NAAQS and above the LML of the Krewski *et al.* (2009) long-term mortality study (12 μg/m3 and 5.8 μg/m3, respectively).

Question. Who funded those studies?

Answer. EPA's analyses related to PM2.5 were based on the Krewski *et al.* (2009) and Lepeule *et al.* (2012) long-term epidemiological studies. Krewski *et al.* (2009) was a research report from the Health Effects Institute (HEI) in which project funding support was provided by: HEI; the National Institute of Environmental Health Sciences (NIEHS); the California Air Resources Board; and the U.S. EPA. Lepeule *et al.* (2012) was supported by grants from U.S. EPA and NIEHS.

Question. OMB Circular A-4 directs agencies to consider any important ancillary benefits in their cost-benefit analyses of rulemakings. In the agency's press release for the proposed Clean Power Plan repeal, you asserted that the Obama administration "relied heavily on reductions in other pollutants emitted by power plants, essentially hiding the true net cost of the CPP by claiming benefits from reducing pollutants that had nothing to do with the rule's stated purpose." On what legal basis are you asserting that the agency should not consider co-benefits when doing a regulatory cost-benefit analysis?

Answer. EPA continues to consider costs and benefits, including ancillary co-benefits, in a manner consistent with the Clean Air Act, relevant executive orders, and OMB circulars. As noted

ED_004145_00010027-00108

in the previous response, EPA has also transparently incorporated important sensitivity analyses and uncertainties in its regulatory impact analyses.

Question. In April 2018, EPA submitted a draft proposal titled "Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process" to OMB for review.

Please provide a list of the non-agency stakeholders with whom EPA consulted to develop this draft proposal.

Answer. EPA regularly receives public comments regarding the consideration of costs and benefits in agency decision-making. For example, on April 13, 2017, EPA issued a broad request for comment on regulations appropriate for repeal, replacement, or modification per Executive Order 13777. In response, many stakeholders commented on how EPA considers costs in developing regulations. On June 13, 2018, EPA published an Advanced Notice of Proposed Rulemaking seeking more information relating to the consideration of costs and benefits. EPA has received multiple public comments in response to that notice, and continues to review and assess this feedback as this proposed rule develops. Input from stakeholders is available in the docket for this Notice, which is available at EPA-HQ-OA-2018-0107.

FreedomWorks and Rep. Bill Posey are urging OMB to waive a requirement for the EPA to complete a RIA for the pending glider vehicle rulemaking. They argue that a RIA isn't necessary because this is a "deregulatory" action.

Question. Do you believe than a RIA is necessary for the glider vehicle rulemaking? Why or why not?

Answer. EPA is developing a glider rule consistent with all applicable administrative requirements, such as OMB circular A-4.

Question. Do you believe that Executive Order 12866 should apply to deregulatory rulemakings? Why or why not?

Answer. Executive Order 12866 applies to any action that OMB designates a "significant regulatory action" as defined in that Order. Accordingly, if an EPA action is designated significant under this Executive Order, EPA will follow the requirements of the Order.

RENEWABLE FUEL STANDARD

You recently confirmed to the House Energy & Commerce Committee that in 2017 you received 25 "hardship exemption" petitions that would excuse refineries from compliance with the RFS for the compliance year of 2016 and you have received upwards of 30 in 2018 for compliance year 2017.

Question. Have more petitions been submitted since then, and how many of these exemptions have you granted to date?

Answer. EPA received a total of 20 small refinery hardship exemption petitions for the 2016 RFS compliance year, and granted 19. To date, EPA has received a total of 33 petitions for the 2017 compliance year, and has granted 29.

ED_004145_00010027-00109

Question. By how many gallons do they reduce the amount of ethanol or biodiesel blending that would need to occur to meet the original RVO for 2016 and 2017?

Answer. For the 2016 compliance year, the total exempted renewable fuel volume obligation was 790 million RINs. For the 2017 compliance year, the total exempted renewable fuel volume obligation was 1.46 billion RINs.

Last fiscal year, this Committee specifically directed you to either follow the Department of Energy's recommendations on small refinery exemptions or to submit a report in writing to both the Appropriations Committee and the Secretary of Energy 10 days before issuing an exemption explaining the Agency's position.

Question. Has DOE made any recommendations to you to grant specific exemptions over the last year?

Answer. Yes, DOE made recommendations that EPA grant exemptions to specific small refineries for the 2016 and 2017 compliance year.

Question. If not, why did you not submit these statutory required reports to this Committee prior to granting any exemptions?

Answer. EPA's decisions to grant (either partial or in full) have been consistent with DOE recommendations; therefore, EPA did not submit any explanatory reports because the Agency did not believe a report was warranted based on the criteria established by the pertinent language.

EPA recently claimed to the press that it did not change the criteria for granting exemptions from past years.

Question. If this is the case, how has this EPA been able to grant twice as many exemptions as in the past?

Answer. This question is the subject of ongoing litigation filed in the Court of Appeals for the D.C. Circuit. *See Advanced Biofuels Association v. EPA*, No. 18-1115 (D.C. Cir.) (May 1, 2018). EPA does not comment on topics that are the subject of ongoing litigation.

Question. Were changes made to EPA's threshold for determining "disproportionate economic hardship"?

Answer. This question is the subject of ongoing litigation filed in the Court of Appeals for the D.C. Circuit. *See Advanced Biofuels Association v. EPA*, No. 18-1115 (D.C. Cir.) (May 1, 2018). EPA does not comment on topics that are the subject of ongoing litigation.

STAFF DISPARAGING OTHER CABINET SECRETARIES

Question. During the hearing, you stated that you took immediate actions internally to investigate whether staff in your communications office was shopping negative stories about other cabinet officials, namely Secretary Zinke.

Answer. EPA's Chief of Staff inquired into this matter, including speaking with EPA personnel and Department of Interior leadership to ensure this was not done and that there are no impediments to EPA's and Department of Interior's relationship.

ED_004145_00010027-00110

Question. Please provide all documents and emails that pertain to that investigation as well as all relevant documents, emails and information related to your staff and Secretary Zinke.

Answer. EPA is in the process of searching, collecting, and reviewing documents related to this event. If this search uncovers any information, the Agency will deliver the documents to you once available.

EPA EMPLOYEES GRANTED PERMISSION TO WORK PART-TIME

Question. Since the beginning of the Trump Administration, how many non-career employees of EPA have been granted permission or implicitly allowed – whether through waivers or other means – to perform work for compensation outside the federal government and/or to work part-time for EPA?

Answer. Two non-career appointees have sought and been approved for compensated outside activity. Agency records indicate there are no non-career appointees that are on part-time status.

In addition, please provide:

Question. The names and positions of all such individuals, their start dates at EPA, and the date ranges during which they were or are authorized to work part-time for EPA and/or to perform work for compensation outside the federal government.

Answer. (1) Patrick Davis, Special Assistant, Office of the Administrator, started 01/20/17. Outside activity granted on 02/03/17. Confirmation of continuing approval, given change in official duties, granted on 6/28/18. (2) John Konkus, Deputy Associate Administrator for Public Affairs, started 01/23/17. Outside activity granted on 08/01/17. As it happens, Mr. Konkus did not receive any compensation or engage in any outside activity in CY 2017, and on 04/20/18, confirmed that he was rescinding his request and approval.

Question. The documented (in government paperwork, emails, memos or other records) reasons for allowing each such individual the opportunity to work outside EPA.

Answer. See attached.

Question. Copies of all documents, including waivers, letters, and emails, related to such waivers/permission.

Answer. See attached.

Question. Copies of all documents placing any restrictions upon such individuals' outside work, including any terms that address identifying, reporting or avoiding conflicts-of-interest.

Answer. See attached.

Question. Copies of any guidance provided by or to such individuals describing the scope or nature of their non-government responsibilities, including any limitations on the scope and amount of their compensation.

Answer: See attached.

ED_004145_00010027-00111

Question. For each such individual, with respect to outside work performed during the period of the individual's employment by EPA and to the extent this information is available to EPA (e.g., information disclosed on annual financial disclosure forms), the amount of compensation received for such work (within ranges, if reported as such), the time spent on such work, whether the work is performed for clients with actual or potential business before EPA, and if so, the name of each such client or industry."

Answer. Both of these employees are obliged to complete public financial disclosure reports. As required by the Ethics In Government Act (EIGA), filers must report income "from whatever source derived, including but not limited to … compensation for services." 5 U.S.C. app. § 109 (7). To obtain a copy of the individuals' financial disclosure reports, which are releasable to the public under EIGA, requestors must submit an OGE-201 to ethics@epa.gov. Copies of the form can be obtained at www.oge.gov.

ED_004145_00010027-00112

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

FEB 03 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh
Alternate Designated Agency Ethics Official

TO: Patrick Davis Special
Assistant
Office of the Administrator

I have received your request of January 31, 2017, to engage in outside activity for compensation as the sales director of Telephone Town Hall Meeting (TTHM). You wish to continue to set up meetings for demonstration purposes and solicit prospective clients for TTHM on your own time and not using any EPA resources. In exchange for your services, you anticipate reimbursement of $1500 per month for expenses.

You are currently a Schedule C appointee at EPA, which means that you are a "covered noncareer employee" subject to the outside earned income limitations set forth at 5 CFR § 2635.804. Under this provision, you cannot receive compensation for, among other things, practicing a profession that involves a fiduciary relationship or affiliating with or being employed by a firm that provides professional services involving a fiduciary relationship. Your service as sales director does not involve any fiduciary duty. Please note, however, that you are still subject to the outside earned income limit, which is currently $27,765per annum. Based on the information you provided and the fact that you are currently serving in a 120-day limited term appointment, I do not expect your income from this outside compensated entity to exceed the cap.

I am therefore approving your request for outside activity and set forth below a reminder about several ethics principles:

Financial Conflicts of Interest

- Because you will be compensated by TTHM, you have a financial conflict of interest pursuant to 18 USC§ 208. You cannot participate in your EPA duties in

any matter that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve TTHM as a specific party nor can you work on particular matters of general applicability (e.g., how the Administrator can reach a broader audience by using telephone technology services).

- You will need to report the income from this outside activity on Schedule A of your financial disclosure statement, and the outside position on Schedule D.

Representation back to the United States

- Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. *See* 18 USC §

  203. You cannot represent TTHM as agent or attorney in connection with any matter in which the United States is a party or has a direct and substantial interest.

Misuse of Position Misuse of Position

- Because you will be compensated, you cannot ever use any EPA equipment, including phones, workspace, computer and time. The Agency' s Limited Personal Use of Equipment policy, found at

  http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf, states that there is no *de minimis* use of EPA equipment to further any compensated outside activity.

- You cannot use your EPA position, title or affiliation in connection with your outside activity. *See* 5 CFR § 2635. 807(b). You also cannot use your federal position to further any outside fundraising eff ort s. In addition, there are some restrictions when engaged in fundraising (even on personal time). *See* 5 CFR § 2635.808. For example, you cannot personally solicit funds from a subordinate nor from any person who is an Agency prohibited source. We define "prohibited source" as any entity or person who is doing business with the Agency, seeks to do business with the Agency or is regulated by the Agency.

*****

As always, if you have any questions, please feel free to contact me at 564-1786.

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

AUG 1 - 2017

O FFICE OF
G ENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh
Alternate Designated Agency Ethics Official

TO: John Konkus
Deputy Associate Administrator
Office of Public Affairs

I have received your request to engage in outside activity for compensation. You wish to take on clients to advise about strategy, mail and media production. You have two likely clients now (Jamestown Associates and a Florida State Representative), and anticipate getting more clients in the next six months.

You are a Schedule C appointee and, as such, are subject to an outside earned income limitation set forth at 5 CFR 2635.804. This restriction does apply to Schedule C appointees, as explained at 5 CFR 2636. 301(a)(3). For 2017, you cannot earn more than $27,765 in your outside activity. The restriction also prevents you from accepting compensation for "practicing a profession which involves a fiduciary relationship; affiliating with or being employed by a firm or other entity which provides professional services involving a fiduciary relationship; serving as an officer or member of the board of any association, corporation or other entity; or teaching without prior approval." 5 CFR 2635.804(b) . We have determined that providing consultative media advice is not a fiduciary role, and you will be providing those services directly as opposed to through any corporation.

Based on the information you have provided, I am approving your request as consistent with 5 C.F.R. Part 2635, Subpart H. Please note that, generally, an approval for outside employment remains valid for five years, though you must request a new approval should there be a change in the nature or scope of your duties. As your consulting duties will remain the same, just inform me of any new clients so that I can advise you about any additional conflicts issues if they arise.

I have set forth below a reminder about several ethics principle s:

Financial Conflicts of Interest

Because you will be compensated by the client s, you have a financial conflict of interest with both of them. You cannot participate in your EPA duties in any matter that will have a direct and predictable financial effect upon your outside clients. You cannot work on particular matters that involve your clients as a specific party nor can you work on particular matters of general applicability.

You will need to report the consulting work and gross income on your next financial disclosure report in Part 2.

Representation

Don't forget, you are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. *See* 18 U.S. C. §§ 203 and 205. You cannot contact the US government on behalf of Saint Luke Solutions LLC or any of your clients.

*****

As always, if you have any questions, please feel free to contact me at 564-1786.

ED_004145_00010027-00116

From: Fugh, Justina
To: Konkus, John
Subject: confirmation of conversation late last week
Date: Tuesday, August 01, 2017 9:57:00 AM

Hi John,

This note confirms our discussion last week. You are interested in "moonlighting" with your former employer, Jamestown Associates, and possibly others. You expect to be compensated for this work, and I advised you that, as a Schedule C appointee, you are not subject to any cap on how much you can earn in an outside position.

I advised you, though, that you must seek prior approval of this outside activity by sending an email through your immediate supervisor to me as your Deputy Ethics Official. I will provide the actual determination, but I will want to see that your supervisor concurs. Your note should address the following:

- name, title and grade;

- the nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected;

- the name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next six months);

- the estimated time to be devoted to the activity;

- whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required);

- a statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment;

- the basis for compensation (e.g., fee, per diem, per annum, etc.)

- a statement that you have read, are familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities) and Section 6401.103 (EPA's Supplemental Regulations); and

- an identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided.

You will not be permitted to use any nonpublic information in connection with this work, nor can you use the EPA seal. You must conduct all of the outside work off government premises at all times and can never use EPA equipment, time or resources to further the outside activity. Avoid making any reference to your EPA position, title or affiliation, but if you must include EPA in your bio, then it must be as part of several other significant biographical details with EPA not having any undue prominence.

You will have to report the outside position and any gross income on your next financial disclosure report. And you will have a financial conflict of interest with Jamestown Associates as your new employer, as well as with any clients for whom you provide services.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

ED_004145_00010027-00118

From: Fugh, Justina
To: Konkus, John
Subject: confirmation of our conversation earlier today
Date: Friday, April 20, 2018 11:09:00 AM

Hi John,
This note confirms our conversation earlier today. As always, I appreciate your taking the initiative to consult with me about any possible ethical issues in advance and sharing your relevant details. You're a good client!

FINANCIAL DISCLOSURE REPORT
You indicated that you intend to file your incumbent report this week, and I told you that I would review it as soon as possible. Your report will not include any income from any outside clients because, as we discussed today, you never did engage in any outside activity for any clients in CY 2017. As you will recall, you had sought approval in advance of any possible activity, as required by 5 CFR 2635.803 and 5 CFR 6401.103(a). I approved you for the possibility of outside activity, but given the demands of your EPA duties, you never took on any clients at all. What you will be reporting in your OGE 278 is that fact that you never had any clients after all, so have nothing to enter as additional income or outside positions on your financial disclosure report.

OUTSIDE ACTIVITY
You informed me that you simply do not have any time or inclination to consider any outside activity in the future. Thus, this note confirms that you no longer need the prior approval of outside activity. We will consider that approval to be rescinded since it's unnecessary.

As always, thanks for stopping by!
Cheers,
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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

OFFICE OF GENERAL COUNSEL

JUN 28 2018

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh
Alternate Designated Agency Ethics Official

TO: Patrick Davis
Senior Advisor for Public Engagement Region 8

This memorandum confirms in writing that you continue to be approved to engage in compensated outside activity as sales director for Telephone Town Hall Meeting (TTHM). The company pays your salary through your consulting firm, Patrick Davis Consulting, LLC, which is otherwise inactive and has no other client s. You were formally approved for such outside activity on February 3, 2017, when you were a Schedule C appointee in the Office of the Administrator.

Last year, however, you converted to an Administratively Determined (AD) position and also changed positions. You are now in Region 8, serving as the Senior Advisor for Public Engagement for the Regional Administrator. In October 2017, you sought approval from me as your Deputy Ethics Official to continue your compensated activity. Given that your change in assigned EPA duties had no material effect upon my determination regarding your compensated outside activity, I approved in principle, but am belatedly providing you with the written confirmation of that approval.

Please note that, because you are now an AD appointee, you not subject to any outside earned income cap. That said, you most recently indicated that you expect to be compensated in the amount of $1, 500 monthly. If that amount changes going forward, or you anticipate it to do so, then please notify me.

I have set forth below reminders about several ethics principles that you must follow:

Financial Conflicts of Interest

Because you will be compensated by TTHM, you have a financial conflict of interest pursuant to 18 U.S. C. § 208. You cannot participate in your EPA duties in any matter

that will have a direct and predictable financial effect upon your outside employer. You cannot work on particular matters that involve TTHM as a specific party nor can you work on particular matters of general applicability (e. g., how the Regional Administrator can reach a broader audience by using telephone technology services).

You will need to continue to report this outside position and the income on your financial disclosure report.

Representation back to the United States

You are generally prohibited by a criminal law from representing another entity back to the federal government in any matter in which the United States is a party or has a direct and substantial interest. See 18 U.S.C.§ 203. You cannot represent TTHM as agent or attorney in connection with any matter in which the United States is a party or has a direct and substantial interest.

Misuse of Position Misuse of Position

Because you will be compensated, you cannot ever use any EPA equipment, including phones, workspace, computer and time. The Agency's Limited Personal Use of Equipment policy states that there is no *de minimis* use of EPA equipment to further any compensated outside activity. See http://intranet.epa.gov/oei/imitpolicy/qic/ciopolicy/2101-0.pdf.

You cannot use your EPA position, title or affiliation in connection with your outside activity. See 5 C.F.R. § 2635.807(b). You also cannot use your federal position to further any outside fundraising effort s. In addition, there are some restrictions when engaged in fundraising (even on personal time). See 5 C.F.R. § 2635.808. For example, you cannot personally solicit funds from a subordinate nor from any person who is an Agency prohibited source. We define "prohibited source" as any entity or person who is doing business with the Agency, seeks to do business with the Agency or is regulated by the Agency.

*****

As always, if you have any questions, please feel free to contact me at 564-1786.

cc: Michael Gleason, Regional Ethics Counsel Region 8

ED_004145_00010027-00121