Message

From: Kohler, Amanda [Kohler.Amanda@epa.gov]
Sent: 2/22/2018 12:49:02 PM
To: Gerhard, Sasha [Gerhard.Sasha@epa.gov]; Gaines, Jeff [Gaines.Jeff@epa.gov]
Subject: RE: Final Disposition, Appeal EPA-HQ-2018-003477 - regarding revised request from Mr. Lustgarten

Yes – I was thinking about this too. I think we should respond back to Abrahm on these issues. Jeff, let's talk at your general Monday.

Amanda Kohler
703-347-8975

From: Gerhard, Sasha
Sent: Thursday, February 22, 2018 5:25 AM
To: Gaines, Jeff <Gaines.Jeff@epa.gov>
Cc: Kohler, Amanda <Kohler.Amanda@epa.gov>
Subject: RE: Final Disposition, Appeal EPA-HQ-2018-003477 - regarding revised request from Mr. Lustgarten

Deliberative Process / Ex. 5

Sasha Gerhard
USEPA, Office of Resource Conservation & Recovery
Program Implementation & Information Division, 5303P
703-879-8501

From: Gaines, Jeff
Sent: Wednesday, February 21, 2018 1:18 PM
To: Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>
Cc: Kohler, Amanda <Kohler.Amanda@epa.gov>
Subject: FW: Final Disposition, Appeal EPA-HQ-2018-003477 - regarding revised request from Mr. Lustgarten

Ken, Mike, Sasha, and Terri,

Just an FYI of what we may be looking at in terms of the FOIA records search.

Thanks!

Jeff Gaines
Phone: 703-308-8655

*"The most exciting phrase to hear in science, the one that heralds the most discoveries, is not "Eureka!" (I found it!) but '**That's funny.**'" — Isaac Asimov*

"Dulce et Decorum Est Desipere in Loco" — Josiah S. Carberry

From: Shapiro, Melissa
Sent: Wednesday, February 21, 2018 12:51 PM
To: Gaines, Jeff <Gaines.Jeff@epa.gov>
Cc: Kohler, Amanda <Kohler.Amanda@epa.gov>; Ward, Valerie <Ward.Valerie@epa.gov>
Subject: RE: Final Disposition, Appeal EPA-HQ-2018-003477 - regarding revised request from Mr. Lustgarten

Hi Jeff,

Deliberative Process / Ex. 5

Thanks,

Melissa Shapiro
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
shapiro.melissa@epa.gov
202-564-2890

From: Gaines, Jeff
Sent: Wednesday, February 21, 2018 10:26 AM
To: Shapiro, Melissa <shapiro.melissa@epa.gov>; Williams, LaShawn <williams.lashawn@epa.gov>
Cc: Kohler, Amanda <Kohler.Amanda@epa.gov>; Ward, Valerie <Ward.Valerie@epa.gov>
Subject: FW: Final Disposition, Appeal EPA-HQ-2018-003477 - regarding revised request from Mr. Lustgarten

LaShawn and Melissa,

Deliberative Process / Ex. 5

Thanks!

Jeff Gaines
Permits Branch (5303P)
Program Implementation & Information Division (PIID)
Office of Resource Conservation & Recovery (ORCR)
S-6222
South Potomac Yard
Phone: 703-308-8655

*"The most exciting phrase to hear in science, the one that heralds the most discoveries, is not "Eureka!" (I found it!) but '**That's funny.**'" — Isaac Asimov*

From: Kohler, Amanda
Sent: Wednesday, February 21, 2018 10:01 AM
To: Galbraith, Michael <Galbraith.Michael@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Gaines, Jeff <Gaines.Jeff@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>
Subject: FW: Final Disposition, Appeal EPA-HQ-2018-003477

FYI, here's the latest on the Abrahm FOIA. Jeff is going to follow-up with OGC and Val on next steps.

Amanda Kohler
703-347-8975

From: Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]
Sent: Monday, February 12, 2018 5:20 PM
To: Kohler, Amanda <Kohler.Amanda@epa.gov>
Subject: FW: Final Disposition, Appeal EPA-HQ-2018-003477

Amanda,

Regarding the below-mentioned (and attached) FOIA request for information about open burn and detonation, I'd like to offer clarification which I hope make a response to my request more manageable. I appreciate the re-opening of this FOIA request following my appeal, and your efforts to take another look. I apologize if we miscommunicated previously.

I'd like to alter the language of the original request so as to ask for all emails (and any attachments) to or from the following people: Ken Shuster, Mike Galbraith , Terri Crosby-Vega, Amanda Kohler, Sasha Gerhard, and Jeffrey Gaines, containing any of the following keywords: "OBOD"; "OB/OD; "open burn" or "open detonation," during the same timeframe originally requested, since Jan. 1, 2010 to the present.

I hope that helps narrow the request sufficiently, and limits it to a computerized scan of old email.

Thank you,
Abrahm Lustgarten
Senior Reporter, ProPublica
917-589-1262

From: "Williams.Lashawn@epa.gov" <Williams.Lashawn@epa.gov>
Date: Thursday, February 8, 2018 at 11:58 AM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Subject: Final Disposition, Appeal EPA-HQ-2018-003477

Dear Mr. Lustgarten:

Please see the attached appeal determination for the above-referenced appeal. As explained in the determination, your request has been remanded back to the appropriate office, but will *not* be reprocessed in its current form, as it is not a proper request. You must contact Amanda Kohler at kohler.amanda@epa.gov or 703-347-8975 within **10 business days** of today's today to clarify your request. If you do not contact EPA by February 23, 2018, EPA will administrative close your request.

If you have any questions concerning this determination, please contact Melissa Shapiro, at 202-564-2890 or at Shapiro.Melissa@epa.gov.

Thank you.