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

January 10, 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Onis "Trey" Glenn, III
Regional Administrator
Region 4

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

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

I have consulted with OGC/Ethics and been advised that I do not currently have any significant financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, **Blue Ridge Consulting, Inc.** and **STRADA Professional Services, LLC**, or any former client to whom I provided services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties.

RECUSAL LIST In effect until August 27, 2019	
FORMER EMPLOYERS: Blue Ridge Consulting, Inc. STRADA Professional Services, LLC	
FORMER CLIENTS:	
Balch & Bingham, LLP Big Sky Environmental Black Mesa Energy Blue Ridge Partners, LLC Business Council of Alabama Conservatives with Courage Drummond Company	MAP Development, LLC Matrix, LLC Maynard, Cooper & Gale, PC Regional Environmental Solutions STRADA-AECOM Joint Venture Stream Restoration Services Windom-Galliher

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines "former employer" to exclude state or local government entities,[1] and the Office of Government Ethics has determined that the same exclusion applies to the definition of "former client."[2] But as an executive branch

[1] *See* Exec. Order 13770, Section 2(j), which provides that "'former employer' does not include … State or local government."

[2] *See* Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, "[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE's prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders," and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that "based on discussions with the White House Counsel's office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer."

employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client who is a state or local government. Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which **the Birmingham Jefferson County Transit Authority (BJCTA)** or **the City of Birmingham, Alabama** is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to the city of Birmingham and BJCTA on March 8, 2018 and August 29, 2018 respectively. I will consult with OGC/Ethics should a situation arise in which I seek an impartiality determination to authorize my participation in a specific party matter involving the Birmingham Jefferson County Transit Authority or the City of Birmingham.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Blake Ashbee, Region 4 Chief of Staff, to assist in screening EPA matters directed to my attention that involve these entities. All inquiries and comments involving the entities on my recusal list should be directed to Blake Ashbee without my knowledge or involvement until after my recusal period ends.

If Blake Ashbee determines that a particular matter will directly involve any of the entities listed on my "specific party" recusal list, then he/she will refer it for action or assignment to another, without my knowledge or involvement. In the event that he/she is unsure whether an issue is a particular matter from which I am recused, then he/she will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC, including OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
V. Anne Heard, Deputy Regional Administrator, Region 4
Blake Ashbee, Chief of Staff, Region 4
Suzanne Rubini, Acting Regional Counsel, Region 4
Leif Palmer, Acting Deputy Regional Counsel, Region 4
John Sheesly, Regional Ethics Counsel, Region 4
Justina Fugh, Senior Counsel for Ethics