Message

From: Calvino, Maria Soledad [Calvino.Maria@epa.gov]
Sent: 10/4/2019 12:27:48 AM
To: Glenn, William [Glenn.William@epa.gov]
Subject: Fwd: New KQED Request

FYI

Begin forwarded message:

From: "Abboud, Michael" <abboud.michael@epa.gov>
Date: October 3, 2019 at 4:59:45 PM PDT
To: Peter Jon Shuler <PShuler@kqed.org>
Cc: "Labbe, Ken" <Labbe.Ken@epa.gov>, "Jones, Enesta" <Jones.Enesta@epa.gov>, Press <Press@epa.gov>, "Calvino, Maria Soledad" <Calvino.Maria@epa.gov>
Subject: Re: New KQED Request

"EPA's actions are not political. Carrying out our mission of protecting the environment and human health is not a political issue and we will continue to work toward fulfilling that mission."

Sent from my iPhone

On Oct 3, 2019, at 7:55 PM, Peter Jon Shuler <PShuler@kqed.org> wrote:

Resending this more generally.... WH referred me back to you....

Ken,
Just got your response....now I need another, to this request for IG probe. Specifically, are the EPA's actions politically motivated as alleged here? ASAP.
Thanks,
Peter

Peter Jon Shuler
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For Immediate Release
October 3, 2019

Contact: Adam Russell (Feinstein), 202-224
Meaghan Lynch (Harris), 202-228

Feinstein, Harris to Inspector General: Investigate Whit House Role in EPA Attacks on California

Washington—Senators Dianne Feinstein and Kamala D. Harris (both D-Calif.) today called on tl Environmental Protection Agency's inspector general to investigate whether the White House pressured agency to abuse its law enforcement authority to single out California and the city of San Francisco.

Last week, EPA Administrator Wheeler sent a letter to Governor Newsom alleging state water q violations that contradict the agency's own findings. The letter was sent after President Trump inaccurat claimed that waste and needles from San Francisco's homeless were flowing into the ocean from storm sewers and the city would soon be given a notice of violation. On Wednesday, the agency issued a form notice of violation to San Francisco.

"We ask you to investigate why EPA abruptly reversed course in Administrator Wheeler's letter and alleged water quality violations that are contradicted by the agency's own reasoned finc in recent permit approvals for San Francisco," the senators wrote.

The senators also asked for an investigation into **"Whether there was any communication bet EPA personnel and the White House on the letter, or a concerted effort to bring actions against California."**

Full text of the letter follows:

October 3, 2019

The Honorable Charles Sheehan
Acting Inspector General
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Acting Inspector General Sheehan,

We write to bring to your attention EPA Administrator Wheeler's September 26 letter to Govern Newsom alleging water quality violations by California. Prior to the September 26 letter, EPA had been working closely with California on these issues, and had expressed support for the September 11, 2019 issued to San Francisco's Oceanside treatment plant by the Regional Water Quality Board. (See attache Francisco Water Power and Sewer October 1 letter to EPA Administrator Wheeler at page 3.) We ask y investigate why EPA abruptly reversed course in Administrator Wheeler's letter and alleged water quali violations that are contradicted by the agency's own reasoned findings in recent permit approvals for Sa Francisco. (See Attachment 1 for allegations in the September 26 letter contradicted by EPA's own find

EPA's Clean Water Act enforcement is traditionally characterized by close coordination with the States and careful negotiation with state and local authorities to grant or deny permits for discharge plan specific contaminants like bacteria. (See Attachment 2 on EPA Guidance for Water Quality Enforcemer contrast, based on San Francisco's conversations with staff at EPA Region 9, the EPA regional staff apparently did not have advance notice or involvement in the September 26 letter from Administrator Wheeler to Governor Newsom.

Administrator Wheeler's letter was sent just a week after President Trump's comments that wast from the homeless, including used needles, were flowing into the ocean from San Francisco's storm sew Reportedly, the President stated that "we're going to be giving San Francisco, they're in total violation, going to be giving them a notice very soon."

We ask you to investigate:

- Whether EPA consulted with any of the staff at EPA Region 9 who were familiar with the agenc recent permit approvals for San Francisco's discharges in EPA's evaluation of any allegation of compliance with the Clean Water Act;

- Whether there was any communication between EPA personnel and the White House on the lett a concerted effort to bring actions against California; and

- Whether any other states have water quality issues similar to those described in the letter, but are facing any similar enforcement action by EPA. As stated in EPA's Interim Guidance to Strength Performance in the NPDES Program (June 22, 2010), the agency's goal is "to establish a minima national consistency by taking actions across the country so that no one state is singled out."

We thank you for considering this request and helping to ensure that EPA's important task of enforcing our nation's water quality laws is properly conducted.

Sincerely,

Dianne Feinstein
United States Senator

Kamala D. Harris
United States Senator

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From: Labbe, Ken <Labbe.Ken@epa.gov>
Sent: Thursday, October 3, 2019 12:31 PM
To: Peter Jon Shuler <PShuler@KQED.org>; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>; Calvino, Maria Soledad <Calvino.Maria@epa.gov>
Subject: RE: KQED Request

Hello Peter,

A note of receipt for your inquiry. I'll work on this for you.

Kenneth T. Labbe
United States Environmental Protection Agency
Office of Public Affairs
1200 Pennsylvania Avenue, NW

Washington, D.C. 20460
Office: 202-564-1486
Cell: 202-740-3770

From: Peter Jon Shuler <PShuler@KQED.org>
Sent: Thursday, October 03, 2019 3:28 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>; Calvino, Maria Soledad <Calvino.Maria@epa.gov>
Subject: RE: KQED Request

Good afternoon,

Now that the Notice of Violation to San Francisco has gone, what are the next steps in the process? How does this play out?

Please let me know today.

Thank you,
Peter

Peter Jon Shuler
Reporter
KQED News
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From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Thursday, September 19, 2019 11:25 AM
To: Peter Jon Shuler <PShuler@KQED.org>
Cc: Press <Press@epa.gov>; Calvino, Maria Soledad <Calvino.Maria@epa.gov>
Subject: Fwd: KQED Request

Hi Peter,

Please see our response below.

"EPA does not comment on potential enforcement actions." – EPA spokesperson

From: "Calvino, Maria Soledad" <Calvino.Maria@epa.gov>
Date: September 19, 2019 at 2:10:24 PM EDT
To: Peter Jon Shuler <PShuler@KQED.org>
Cc: Press <Press@epa.gov>
Subject: RE: KQED Request

Hi Peter,
Yes, I'm Cc'ing our HQ office here on this email. They will reply to your request.

Thank you,

Soledad Calvino
Press Officer | Office of Public Affairs
U.S. Environmental Protection Agency | Region 9
calvino.maria@epa.gov
Office 415.972.3512 | Mobile 415.697.6289

From: Peter Jon Shuler <PShuler@KQED.org>
Sent: Thursday, September 19, 2019 11:04 AM
To: Calvino, Maria Soledad <Calvino.Maria@epa.gov>
Subject: KQED Request

Hi Soledad,

I am trying to arrange an interview or get a statement regarding President Trump's remarks that the EPA will be "putting out a notice" of violations in San Francisco related to the city's homeless problem. He said that a tremendous amount of waste, including needles, goes through storm drains into the ocean:

https://www.sfchronicle.com/bayarea/article/Trump-threatens-to-cite-San-Francisco-says-city-14451275.php

https://www.nytimes.com/2019/09/18/us/politics/trump-san-francisco-homeless.html?action=click&module=Top%20Stories&pgtype=Homepage

I'm not looking for a typical reaction story, but trying to dig into the facts of the matter. Is there any evidence of needles and other hazardous waste flowing into the Bay and Ocean to back up his statements? If the EPA has evidence or data to back this up, that would be significant news and we would be happy to report it. I believe it's only ethically appropriate to give the EPA an opportunity to provide substance to the President's comments.

But I am interested in reporting facts, not opinions.

Can you help?

Is there someone at the main EPA press office I should be reaching out to?

Please let me know.

Thanks,
Peter

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The content image001.jpg of type has been blocked.