Message

From: Robinson, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=83DC5D04C5644DDF8DB465A1BE23240B-MARTINEZ, BRITTANY]
Sent: 7/23/2018 11:50:00 AM
To: Prescott-Tate, Delanie D [delanie.d.prescott-tate@hawaii.gov]
Subject: RE: Interview Questions

Ok, thanks.

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Friday, July 20, 2018 4:16 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: Interview Questions

Working on it now – hopefully by Monday (7/23) – Tuesday (7/24) at the latest. You never know what crisis will arise at any moment!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Tobacco Enforcement Unit
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1203

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Friday, July 20, 2018 9:51 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: Interview Questions

Hi Delanie- Do you have an idea of when you will be able to share the sample draft?

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Thursday, July 19, 2018 10:12 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: Interview Questions

Hi Brittany,

Sorry for taking so long to get back to you. I had Victoria update the info on SB 3095, which was signed into law on June 13, 2018 with an effective date of July 1, 2018.

We are now scrambling to fix the proposed rule amendments to accommodate the new law.

Victoria's answers are attached. Ann is still MIA but I'm hoping Victoria, as the case developer, can shed light on the process. If you have any Kauai specific enforcement questions we might be able to get some feedback from Ann.

The proposed draft agreement is unacceptable to the Chairperson. I will send you a sample of something I think he may sign- off on.

Nothing is ever easy!!!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Tobacco Enforcement Unit
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1203

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Tuesday, July 17, 2018 8:05 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: Interview Questions

Hi Delanie,

I hope you are doing well. Thank you for the update. I am checking in on whether you heard anything back from Ann. If not, is there anyone besides Ann who would be able to share information with EPA? I would like to schedule the interview(s) soon. I will be out of the office for the remainder of the afternoon, but will be back in tomorrow.

Thank you for your help.

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Thursday, July 5, 2018 8:22 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: Interview Questions

Hi Brittany,

I have gotten Victoria's back but not Ann's. Ann kind of feels like the Chairperson in that the Kauai and Molokai complainants are not truthful and are using the complaint to EPA as a publicity tool to further their agenda.

I'll give Ann one more try and see if she will answer the questions.

FYI – I have transferred to the Tobacco Enforcement Unit but I'm keeping this Complaint – since I've already invested so much time in it :)

I'll see what I can get going by the 12th.

Thanks for the update!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Tobacco Enforcement Unit
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1203

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Thursday, July 05, 2018 8:26 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: Interview Questions

Hi Delanie-

I hope you are doing well. I just wanted to check in to see if you had heard anything back from Victoria or Ann in preparation for the interviews. I will be out of the office next week from the 9th-11th, but will be back on the 12th. Please let me know when you have a chance. Thanks!

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Tuesday, June 19, 2018 2:41 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>
Subject: RE: Interview Questions

Will do! Thx!

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Tuesday, June 19, 2018 3:48 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>
Subject: RE: Interview Questions

Hi Delanie-

We cannot think of any other specific individual (role) that we would need to speak to. Please keep us posted once you hear back from Victoria and Ann.

Thank you for your assistance!

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Friday, June 15, 2018 2:59 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>
Subject: RE: Interview Questions

Got your draft, thank you so much!! I will review and get back to you. I don't know if they qualify as "experts" but they are the ones doing the work. Victoria Matsumura is the case developer who works out of the Honolulu office and Ann Kam is the Inspector on Kauai. Victoria has been writing out her responses to the questions. Ann is out on the road most days and I haven't heard back from her yet. Victoria and Ann can give you an idea of what happens in the "trenches." Anyone else you would like to hear from?

Have a great week-end!!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Friday, June 15, 2018 7:35 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>
Subject: RE: Interview Questions

Hi Delanie-

Please see the sample draft informal resolution agreement. After you have had a chance to review, let us know if you have any questions. In addition, lets touch base early next week to see if you have identified the HDOA experts who we should speak with concerning the identified subject areas.

Thank you again for your help.

Brittany Robinson
U.S. Environmental Protection Agency
Office of General Counsel
External Civil Rights Compliance Office
(202) 564-0727

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Wednesday, June 6, 2018 8:01 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: Interview Questions

Got it – enjoy your time away from the office!!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Wednesday, June 06, 2018 11:19 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>
Subject: Interview Questions

Hi Delanie-

I hope you are doing well. Apologies for the delay in getting back to you with the types of questions that we would like to discuss with the identified HDOA representatives. As previously discussed, the purpose of the interviews will be to better inform and to provide background for the development of a draft resolution agreement. Please take a look and let us know who may be the appropriate folks within HDOA to discuss some of these items.

As an aside, we should be able to send you the sample informal resolution agreement within the upcoming week. Note that this sample will of course look different than a post interview(s) draft agreement.

I will be out of the office starting tomorrow, but will return on Tuesday, the 12th. Let me know if you have any questions. Thank you!

Brittany Robinson
U.S. Environmental Protection Agency
Office of General Counsel
External Civil Rights Compliance Office
(202) 564-0727

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Thursday, May 24, 2018 2:39 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: 5/1/2018 Conference Call Agenda & Discussion One-Pager

Awesome – I really appreciate your efforts!!!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Thursday, May 24, 2018 8:02 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: 5/1/2018 Conference Call Agenda & Discussion One-Pager

Hi Delanie-

As an update, we are currently working on the interview questions and putting together a draft informal resolution agreement (Agreement) for DOA. We should be able to get the questions to you by next week. I am pushing to get a draft Agreement to you by the week of the June 4th.

Let me know if you have any questions as I understand that you are planning to speak with your Director soon. Thank you.

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Monday, May 21, 2018 2:56 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Cc: Goff, Andrew D <andrew.d.goff@hawaii.gov>
Subject: RE: 5/1/2018 Conference Call Agenda & Discussion One-Pager

Got it – talk to you tomorrow!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Monday, May 21, 2018 6:43 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Cc: Goff, Andrew D <andrew.d.goff@hawaii.gov>
Subject: RE: 5/1/2018 Conference Call Agenda & Discussion One-Pager

Hi Delanie & Andrew-

I hope you are both doing well. For tomorrow's call, please use the following conference call information:

Ex. 6 Conference Code

As previously discussed, the purpose of the call is to continue our conversation regarding potential informal resolution and to discuss HDOA's written feedback in response to EPA's one-pager.

I expect a smaller group to participate on tomorrow's call. Let me know if you have any questions.

Thanks!

Brittany Robinson
U.S. Environmental Protection Agency

Office of General Counsel
External Civil Rights Compliance Office
(202) 564-0727

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Wednesday, April 25, 2018 10:44 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>; Goff, Andrew D <andrew.d.goff@hawaii.gov>
Subject: RE: 5/1/2018 Conference Call Agenda & Discussion One-Pager

And, yes 11:15 A.M. is fine with me!!

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Wednesday, April 25, 2018 9:36 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>; Goff, Andrew D <andrew.d.goff@hawaii.gov>
Subject: 5/1/2018 Conference Call Agenda & Discussion One-Pager

Hi Delanie & Andrew,

Please see the attached agenda and discussion one-pager that we will use for our upcoming call. I have also attached the Kauai Agricultural Good Neighbor Program evaluation report as a reference. (I know you most likely are already familiar with this document).

As an aside, is it possible to push the call back 15 minutes? Some participants will be coming back from another meeting that ends right before our call. So, it would begin at 11:15am Hawaii time. Please let me know if that is okay.

If you have any questions or concerns prior to our call, please call or send me an email. Thanks!

Brittany Robinson
U.S. Environmental Protection Agency
Office of General Counsel
External Civil Rights Compliance Office
(202) 564-0727

From: Robinson, Brittany
Sent: Tuesday, April 24, 2018 8:56 AM
To: 'Prescott-Tate, Delanie D' <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: Conference call

Hi Delanie,

Yes, sorry I should have told you my email changed. The May 1st date works for us and I will be sending an agenda and discussion concepts to you and Andrew shortly.

From: Prescott-Tate, Delanie D [mailto:delanie.d.prescott-tate@hawaii.gov]
Sent: Monday, April 23, 2018 7:14 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: FW: Conference call

Email bounced back as undeliverable. Hope this is correct.

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Prescott-Tate, Delanie D
Sent: Monday, April 23, 2018 1:11 PM
To: 'Martinez, Brittany' <Martinez.Brittany@epa.gov>
Cc: Goff, Andrew D <andrew.d.goff@hawaii.gov>
Subject: Conference call

Hi Brittany,

Andrew and I are both available to talk on Tuesday, May 1, 2018 at 11:00 A.M. Are you still OK with that date and time?

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
Commerce & Economic Development Division
425 Queen Street
Honolulu, Hawaii 96813
(808) 586-1180

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited by the *Electronic Communications Privacy Act*, 18 U.S.C. sections 2510-2521. If you are not the intended recipient, please

contact the sender by reply e-mail and destroy all copies of the original message.