Message

From: Robinson, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=83DC5D04C5644DDF8DB465A1BE23240B-MARTINEZ, BRITTANY]
Sent: 1/31/2019 1:42:52 PM
To: Covington, Jeryl [Covington.Jeryl@epa.gov]
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Oh I see.

From: Covington, Jeryl
Sent: Thursday, January 31, 2019 8:40 AM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

When I turned on the viewing pane mode, I saw the track changes that I reviewed on Monday. I believe that the version submitted with the update had them turned off and changes were accepted.

From: Robinson, Brittany
Sent: Thursday, January 31, 2019 8:31 AM
To: Covington, Jeryl <Covington.Jeryl@epa.gov>
Subject: FW: I hope this is the FINAL FINAL informal resolution agreement

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From: Robinson, Brittany
Sent: Thursday, December 27, 2018 7:20 PM
To: 'Prescott-Tate, Delanie D' <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Hi Delanie- Here is the updated draft with comments. I will send you an invite to talk tomorrow. Thanks!

From: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Sent: Thursday, December 27, 2018 12:44 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

I'll be around all day tomorrow so whatever works for you!!

Delanie

Deputy Attorney General Delanie D. Prescott-Tate
Department of the Attorney General
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From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Thursday, December 27, 2018 3:30 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Hi Delanie-

Let's schedule a call for tomorrow (Friday) to discuss the comments. Just let me know what time works for you. I will send you a draft today so you will be able to take a look beforehand. Thanks!

From: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Sent: Thursday, December 20, 2018 5:24 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Hi Brittany,

I will be around next week. How about Thursday, 12/27 or Friday, 12/28?

Delanie

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From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Wednesday, December 19, 2018 5:23 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Hi Delanie-

We have for the most part completed our review of the draft, but there are a couple of comments that still remain or that we would like highlight for further discussion. In light of those comments I think it would be easier for us to just

discuss over the phone. I am in the office tomorrow and then back next Thursday. Do you have plans to be around any day next week?

Looking forward to speaking with you soon!

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

From: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Sent: Friday, November 30, 2018 5:02 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Oh our Andrew – I did mention to him that HDOA was close to wrapping this thing up and he was aware that he should get moving on the ADC portion – I will give him another reminder and see if that helps!!

Delanie

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From: Robinson, Brittany [mailto:Robinson.Brittany@epa.gov]
Sent: Friday, November 30, 2018 11:45 AM
To: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Subject: RE: I hope this is the FINAL FINAL informal resolution agreement

Thank you Delanie! We will take a look at this draft and your comments and get back to you asap.

As an aside, have you received any updates from Andrew Goff? I will try to reach out to him again on Monday.

My holiday was nice and I hope you enjoyed your Thanksgiving as well. I agree that time is flying. Once November hits it is full speed ahead.

Will be back in touch soon.

From: Prescott-Tate, Delanie D <delanie.d.prescott-tate@hawaii.gov>
Sent: Thursday, November 29, 2018 9:43 PM
To: Robinson, Brittany <Robinson.Brittany@epa.gov>
Subject: I hope this is the FINAL FINAL informal resolution agreement

Thank you for being so patient. Attached is what I hope will be the very LAST DRAFT.

One thing – I removed references to 40 CFR Part 5 – Not that we have any objection to adhering to Title IX, it's just that throughout this entire process Title IX was never specifically mentioned in any of the documents, and all allegations and responses have been directed to Title VI, so it seems unfair at this point in time to drag Title IX into the resolution agreement. I think the statement in paragraph I. F. about HDOA's commitment to carry out its non-discrimination responsibilities according to the requirements of "Title VI, and any other federal and state non-discrimination laws" should suffice. I hope you agree. The statement could be changed to "non-discrimination laws, rules, and regulations" if needed to be all inclusive.

I also updated the citations to Act 045 – the session laws were published but still no actual updated statute numbers have been assigned (well, they may have been assigned, just not published).

To briefly answer your questions: I am pretty much "okay" with the "rewrites" and have incorporated language that addresses the issues raised where I could. Let's keep the backlog stuff where it is – moving it to the background section doesn't really work since the background section starts with the complaint in 2016 and HDOA started tackling the backlog in 2015.

Regarding the way HDOA reconcile the RUP purchases against the applicator usage/storage, we don't use a waste manifest per se, but the RUP applicators are asked to account for "theft, transfer, spillage, etc." of any RUP under their control.

Act 045 doesn't specify how the public information is to be made public, but it will be on the HDOA website. In situations where it is advisable to notify the public, other than being posted on the HDOA website, HDOA issues press releases.

HDOA is in the process of translating the anti-discrimination policy and complaint procedures into 14 different languages.

I think that about covers it all. Let me know what you think!

Hope you enjoyed your Thanksgiving holiday!! Can you believe Christmas is just around the corner!?!

Delanie

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Tobacco Enforcement Unit
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