From: Mia, Marcia

Sent: Thursday, February 08, 2018 09:20 PM

To: Messina, Edward

Subject: FW: Anadarko Petroleum Corporation FOIA Exempt Information RE: FOIA 2018-001886

Attachments: FOIA.DOJ.exemption4_0.pdf


Marcia B Mia, Acting Chief

Air Branch

Office of Compliance

2227A WJCS

U.S. Environmental Protection Agency

202-564-7042


From: Engels, Alan

Sent: Thursday, February 08, 2018 4:14 PM

To: Mia, Marcia <Mia.Marcia@epa.gov>; Kaminer, Joan <Kaminer.Joan@epa.gov>

Cc: Dolph, Becky <Dolph.Becky@epa.gov>

Subject: FW: Anadarko Petroleum Corporation FOIA Exempt Information RE: FOIA 2018-001886

Marcia / Joan:

Please see the types of responses I have been receiving from companies that we contacted regarding this issue.

**Ex. 5 Deliberative Process (DP)**

We would appreciate your assistance in crafting this messaging, not only for Region 8 but, for all offices that have been asked to send this messaging on a National FOIA.


Alan Engels

Regional FOIA Officer

US EPA, Region 8

1595 Wynkoop Street

Attn: 8TMS-IMP-CMU (FOIA)

Denver, Colorado 80202

Engels.Alan@epa.gov

(303) 312-6306

From: Jones, Julia [mailto:Julia.Jones@anadarko.com]

Sent: Thursday, February 8, 2018 12:03 PM

To: Engels, Alan <engels.alan@epa.gov>

Subject: Anadarko Petroleum Corporation FOIA Exempt Information RE: FOIA 2018-001886

Alan,

In addition to the claims specified in my email of yesterday (below), Anadarko has identified information contained in 40 CFR Part 60 Subpart OOOOa Annual Reports and Semi-annual LDAR Monitoring Reports that Anadarko asserts is subject to the FOIA exemptions under 5 U.S.C. 552(b)(4) and (9). Such information is commercial information and geological or geophysical information concerning wells.

reports includes, but is not necessarily limited to:

Names of company persons certifying reports, submitting reports, performing monitoring or otherwise identified in the reports- all commercial information.

Brand or make identification of equipment (i.e. FLIR) - commercial information.

In Well Completion information - flowback, recovery and combustion information is commercial and geophysical information.

In Well Log Event information - latitude and longitude information and "event descriptions" - are geophysical and commercial information.

In LDAR reports - inspector's name, leak description, equipment counts, # of total equipment monitored, process unit identification and number, and tag numbers are all commercial information.

Details about deviations identified in the reports - commercial information.

We would be happy to provide redacted documents that reflect these assertions.

Thank you for your time and consideration of these points. I am available at your convenience to discuss this matter further.

Best Regards,

Julia A. Jones, J.D./M.S.E.S.

Counsel

Anadarko Petroleum Corporation

1099 18th Street, Suite 1800

Denver, CO 80202

Direct: (720) 929-6850

Fax: (720) 929-7850

Mobile: (720) 445-0910

julia.jones@anadarko.com

From: Jones, Julia

Sent: Wednesday, February 07, 2018 10:59 AM

To: Engels, Alan <engels.alan@epa.gov>

Subject: Anadarko Petroleum Corporation CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa) RE: FOIA 2018-001886

Importance: High

Alan,

Anadarko Petroleum Corporation, and all of its affiliates and subsidiaries including but not limited to Kerr-McGee Oil & Gas Onshore LP, Anadarko E&P Onshore LLC, Delaware Basin Midstream, LLC, WGR Asset Holding Company, LLC, are asserting CBI (and FOIA exemption under 5 U.S.C. 552(b)(4) and (9)) for all reports, in whole or in part, that have been submitted to EPA pursuant one or more of the provisions §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b). However, we are not able to provide you with a privilege log and redacted documents by this Friday. We therefore are asserting this broad claim as stated herein now within the 3 days allotted window, and then request that EPA allow for Anadarko to provide to you more information next week pertaining to exact documents and exact sections.

I would greatly appreciate a response for purposes of record and moving forward with more detailed information.

Thank you.

Best Regards,

Julia A. Jones, J.D./M.S.E.S.

Counsel

Anadarko Petroleum Corporation

1099 18th Street, Suite 1800

Denver, CO 80202

Direct: (720) 929-6850

Fax: (720) 929-7850

Mobile: (720) 445-0910

julia.jones@anadarko.com

From: Engels, Alan [mailto:engels.alan@epa.gov]

Sent: Wednesday, February 07, 2018 6:55 AM

To: Jones, Julia <Julia.Jones@anadarko.com>

Subject: RE: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa)? RE: FOIA 2018-001886

You can view the request at:

https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28171d08c

Alan Engels

Regional FOIA Officer

US EPA, Region 8

1595 Wynkoop Street

Attn: 8TMS-IMP-CMU (FOIA)

Denver, Colorado 80202

Engels.Alan@epa.gov

(303) 312-6306

From: Jones, Julia [mailto:Julia.Jones@anadarko.com]

Sent: Tuesday, February 6, 2018 4:43 PM

To: Engels, Alan <engels.alan@epa.gov>

Cc: Rivera, Adrienne <Rivera.Adrienne@epa.gov>; Schlichtemeier, Chad <Chad.Schlichtemeier@anadarko.com>

Subject: FW: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa)? RE: FOIA 2018-001886

Alan,

We are in receipt of the below email which indicates an attachment was to be provided. However, an attachment was not found with the email sent by EPA on February 6, 2018 at 12:27 PM MST.

We are respectfully requesting you resend the email with inclusion of the attachment so we may respond appropriately.

Thank you.

Regards,

Julia A. Jones, J.D./M.S.E.S.

Counsel

Anadarko Petroleum Corporation

1099 18th Street, Suite 1800

Denver, CO 80202

Direct: (720) 929-6850

Fax: (720) 929-7850

Mobile: (720) 445-0910

julia.jones@anadarko.com

From: Ohlhausen, Natalie

Sent: Tuesday, February 06, 2018 12:30 PM

To: Schlichtemeier, Chad <Chad.Schlichtemeier@anadarko.com>

Subject: FW: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa)? RE: FOIA 2018-001886

Importance: High

Natalie Ohlhausen

Direct: 720-929-6498

Mobile: 281-785-8929

From: Rivera, Adrienne [mailto:Rivera.Adrienne@epa.gov]

Sent: Tuesday, February 06, 2018 12:27 PM

To: Rivera, Adrienne <Rivera.Adrienne@epa.gov>

Cc: Engels, Alan <engels.alan@epa.gov>

Subject: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa)? RE: FOIA 2018-001886

Importance: High

The U.S. Environmental Protection Agency has received a request under the Freedom of Information Act (FOIA) for records containing information related to certain compliance records submitted to the EPA under the New Source Performance Standard (NSPS) for Oil

and Gas (NSPS OOOOa) . This FOIA request is attached. The records requested include results of performance tests, initial semiannual reports for gas plants, semiannual reports for gas plants, annual reports and annual reports of excess emissions for sweetening units.

We believe you may have made a submittal under one or more of the provisions §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b).

By your response to this email, please indicate whether you wish to assert a confidential business information (CBI) claim with respect to any portion of report submitted under §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b) or any addendum, update or

attachment to report, that your company has submitted to EPA.

If you decide to assert such a claim the EPA will temporarily treat the reports that you identify, and its updates, attachments and addenda, as confidential pending further investigation by the EPA. Please be advised that as part of such further investigation EPA is likely

to request (in a subsequent communication) that you substantiate any CBI claim. If you do not assert a timely CBI claim (see below) with respect to any portion of a report or its addenda, updates or attachments, as described above, those records may be released to the

requestor without further notice if EPA determines that the records are responsive to the FOIA request.

If you decide NOT to assert a CBI claim, please respond to this email and indicate your desire not to assert any CBI claims.

You have been identified by EPA as the responsible corporate official, under the FOIA regulations in 5 U.S.C. §552. Any CBI claim your company wishes to assert must be brought to the EPA's attention (by response to this email) no later than the close of business on the

third working day from the date of this receipt by the responsible official (not including weekends). If you have any questions regarding this matter, please contact Region 8 FOIA Officer Mr. Alan Engels at either Engels.alan@epa.gov or (303) 312-6306.

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