Message

From: Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]
Sent: 7/15/2020 2:41:22 PM
To: Wade, Alexis [Wade.Alexis@epa.gov]; Hurld, Kathy [Hurld.Kathy@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]; Barnhart, Megan [barnhart.megan@epa.gov]; Beck, Whitney [beck.whitney@epa.gov]; McDavit, Michael W. [Mcdavit.Michael@epa.gov]
Subject: RE: developing options on Ex. 5 AC/DP
Attachments: Options for Decision on Ex. 5 AC/DP 7-15-20.docx

Thanks for the clarifications! I went ahead and changed the title Ex. 5 AC/DP Ex. 5 AC/DP and accepted the track changes. I will send this to John for an OK before it goes to OW.

Mindy

Mindy Eisenberg
Associate Director, Oceans, Wetlands & Communities Division
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(202) 566-1290
eisenberg.mindy@epa.gov

From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Wednesday, July 15, 2020 10:35 AM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Subject: RE: developing options on Ex. 5 AC/DP

Here are my replies and whatnot.

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Sent: Wednesday, July 15, 2020 9:45 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Subject: RE: developing options on Ex. 5 AC/DP

Hi Alexis,
Any feedback on the paper?

Thanks!

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From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Tuesday, July 14, 2020 4:00 PM
To: Hurld, Kathy <Hurld.Kathy@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Subject: RE: developing options on Ex. 5 AC/DP

Removing Carrie. I'll take a look at the new edits.

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From: Hurld, Kathy <Hurld.Kathy@epa.gov>
Sent: Tuesday, July 14, 2020 3:59 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: developing options on Ex. 5 AC/DP

My thoughts on your comments. Comments in bubble on your edit to the letter to Ex. 5 AC/DP

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Sent: Tuesday, July 14, 2020 3:48 PM
To: Hurld, Kathy <Hurld.Kathy@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: developing options on ESA notification

Hi,
Please take a look at my edits and see what you all think.

Thanks!

Mindy Eisenberg
Associate Director, Oceans, Wetlands & Communities Division
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U.S. Environmental Protection Agency

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From: Hurld, Kathy <Hurld.Kathy@epa.gov>
Sent: Tuesday, July 14, 2020 3:39 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: developing options on Ex. 5 AC/DP

Thanks Alexis and Simma,

So the one thought I had to add to this is on the option of just sending a letter to FDEP was to add a bullet along the lines of:

"
i

Ex. 5 AC/DP

From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Tuesday, July 14, 2020 2:57 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: developing options on Ex. 5 AC/DP

Hi Mindy – We put together some options for th Ex. 5 AC/DP Please see attached. Since it's largely a programmatic question, you all may have additional thoughts on the considerations. Feel free to edit.

Thanks,
Alexis

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Sent: Thursday, July 09, 2020 12:59 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: developing options o Ex. 5 AC/DP

Hi All,
That was productive meeting with leadership and glad that made some decisions. In preparation for a follow up call next week on options for notifying the public of Ex. 5 AC/DP, I'd like to ask OGC if you could take the lead in putting together a short options paper laying out the different approaches discussed and any analysis and timing considerations that we should flag?

Thanks!

Mindy Eisenberg
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