Message

From: Hicks, Matt [Hicks.Matthew@epa.gov]
Sent: 6/26/2020 6:45:10 PM
To: Kupchan, Simma [Kupchan.Simma@epa.gov]
CC: Hurld, Kathy [Hurld.Kathy@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]; Mcgill, Thomas [Mcgill.Thomas@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]
Subject: RE: FL Assumption NOC

Flag: Follow up

I haven't heard anything.

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Friday, June 26, 2020 2:35 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: Re: FL Assumption NOC

Have any of you heard anything?

Simma

On Jun 25, 2020, at 6:26 PM, Hicks, Matt <Hicks.Matthew@epa.gov> wrote:

Hey Simma. Yes, I can work on getting the letter in final form. You've given me a lot to work with here so thank you!

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Thursday, June 25, 2020 5:47 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Matt,

Would you have time to work on a draft letter to FL in case we are told to send one, and especially in case leadership wants to review? I was hoping to get it done today but am running out of time.

Perhaps it could be structured as follows:

Ex. 5 AC/DP

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Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Thursday, June 25, 2020 1:38 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Simma,

Ex. 5 Deliberative Process (DP)

Thanks,

Matt

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Thursday, June 25, 2020 11:58 AM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Thanks. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Thursday, June 25, 2020 11:56 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Simma,

I don't know the answer to David's first question so I think we need to confirm with FDEP but what you said makes sense. In terms of sequencing, my thought is that we'll wait to hear from Mary and Dave about moving forward with comments before reaching out to FDEP about David's question but please correct me if I'm wrong.

On David's second question, I agree Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I will be working Friday and Monday and this issue will be priority one for me.

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Thursday, June 25, 2020 9:57 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

All,

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He asked us:

1.

2.

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Thanks for all of your help here!

Finally, I will be out of the office tomorrow and Monday, but will be able to check email periodically and help shepherd as needed. **Matt and others** - let me know which of you might be out Friday and Monday.

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Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Kupchan, Simma
Sent: Wednesday, June 24, 2020 5:57 PM
To: Fotouhi, David <fotouhi.david@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: FL Assumption NOC

Thanks, David. Carrie and I have discussed this issue with Region 4, and I have discussed separately with OW staff, and of the list of issues Mary forwarded of proposed changes to Florida's rules, we think the

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Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, June 24, 2020 3:36 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: FW: FL Assumption NOC

Please see below

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>
Sent: Wednesday, June 24, 2020 3:00 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: FW: FL Assumption NOC

David,

Below is the language in the Notice of Change that Ex. 5 AC/DP

Thanks
Mary

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Tuesday, June 23, 2020 2:12 PM
To: Walker, Mary <walker.mary@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>
Subject: FW: FL Assumption NOC

Mary,

As discussed during our briefing, here's a summary of the relevant portions of the Notice of Change
Ex. 5 Deliberative Process (DP) Simma Kupchan (OGC) and Kathy Hurld (OWOW) had some additional thoughts on this which I'm happy to forward if it would be helpful.

Thank you,

Matt

From: Hicks, Matt
Sent: Friday, June 19, 2020 12:16 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Mcgill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <laycock.kelly@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: FL Assumption NOC

Team,

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