Message

From: Talty, Mark [Talty.Mark@epa.gov]
Sent: 11/5/2020 9:56:10 PM
To: Simons, Andrew [Simons.Andrew@epa.gov]
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines
Attachments: Chapter 2 Markup responding to OMB and SAB Comments for OGC review.docx

Andy – The attached version contains consolidated comments from each of the attorneys that reviewed it, which included Noelle, Tracy, Michele Knorr and myself.

Best regards,

Mark

Mark C. Talty
Cross-Cutting Issues Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-1262
talty.mark@epa.gov

From: Simons, Andrew <Simons.Andrew@epa.gov>
Sent: Thursday, November 05, 2020 4:06 PM
To: Talty, Mark <Talty.Mark@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Thanks.

Andrew Simons
Acting Associate General Counsel
Cross-Cutting Issues Law Office
U.S. Environmental Protection Agency
Tel. 202-564-3649
WJC-N 7526E

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From: Talty, Mark <Talty.Mark@epa.gov>
Sent: Thursday, November 5, 2020 3:59 PM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Sorry, Andy. She did mention it. I think everyone has reviewed their appropriate sections, but I'll confirm with the group and then send it to you, probably by tomorrow afternoon.

Mark C. Talty
Cross-Cutting Issues Law Office

Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-1262
talty.mark@epa.gov

From: Simons, Andrew <Simons.Andrew@epa.gov>
Sent: Thursday, November 05, 2020 2:52 PM
To: Talty, Mark <Talty.Mark@epa.gov>
Subject: FW: request for review of revised chapter from Economic Analysis Guidelines

Hey Mark:

Did Aditi talk to you about coordinating a review of this document. I think she got the ball rolling, so I'm hoping that we can close the loop (since Al is now asking about it).

Andrew Simons
Acting Associate General Counsel
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From: McGartland, Al <McGartland.Al@epa.gov>
Sent: Thursday, November 5, 2020 2:17 PM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew. Thanks for your help on this. Releasing the Economic Guidelines this calendar year is a top priority for my senior leadership. It doesn't sound like it is necessary, but if it helps you allocating people's times, I am sure I can get my AA (or her designee) talk to their counterpart in OGC to get this done.

Thanks again for your help.

From: Simons, Andrew <Simons.Andrew@epa.gov>
Sent: Thursday, November 5, 2020 1:33 PM
To: Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; McGartland, Al <McGartland.Al@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Jenny:

I've asked my team to review it (I think I explained that we likely need to reach out to others as well). I will check with them to see where we are on that.

Andrew Simons
Acting Associate General Counsel

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From: Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Sent: Thursday, November 5, 2020 1:18 PM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; McGartland, Al <McGartland.Al@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew,

I wanted to check back to see if you might be able to provide a quick review of the paragraphs added to the economic analysis guidance chapter on statutes and executive orders. As I mentioned, the only substantive changes are on EO 12866, a bit on EO 13563, and the Evidence-Based Act addition -- and these only amount to a few paragraphs.

Thanks in advance!

Jenny
566-2281

From: Bowen, Jennifer
Sent: Wednesday, October 28, 2020 8:31 AM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew,

Thank you. The good news is that the only substantive changes are on EO 12866, a bit on EO 13563, and the Evidence-Based Act addition -- and these only amount to a few paragraphs so I hope it is not a big burden.

I look forward to hearing from you.

Much Appreciated,

Jenny
566-2281

From: Simons, Andrew <Simons.Andrew@epa.gov>
Sent: Tuesday, October 27, 2020 4:58 PM
To: Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Jennifer:

Let me check with my folks on the timing. We have folks out on leave and, if memory serves me, we also needed to coordinate with other law offices.

(Dropping Carol Ann since she is no longer in OGC).

Andrew Simons
Acting Associate General Counsel
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From: Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Sent: Tuesday, October 27, 2020 3:19 PM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew,
Thank you again for reviewing our economic analysis guidance chapter on statutes and executive orders. In response to comments from our SAB review and from OMB, we made a few revisions to this chapter. We wanted to send it to you for one final look before we finalize it. We added a section at the end on the Evidence Based Policy-Making Act that would especially benefit from your review. In addition, the discussion of economic significance in 12866 is edited to reflect comments from OMB.

Would it be possible for someone to take a look at the redline/strikeout version I am attaching? We accepted the previous edits you had raised, so looking at the changes should be all that is needed.

We are on a quick turnaround with these final edits. Is it possible to have someone take a quick look by early next week?

Thank you!

Jenny
566-2281

From: Bowen, Jennifer
Sent: Friday, January 03, 2020 3:04 PM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew,
Thank you again for the comments on our economic analysis guidance chapter on statutes and executive orders.

I am attaching a revised version that incorporates your earlier comments and has a new section on EO 13891 since there are requirements for economic analysis of significant guidance documents. That new section is highlighted in yellow on

page 9 (section 2.1.11). Would it be possible for someone to take a look at this short section to be sure that we are accurately capturing the EO's requirements for economic analysis from a legal perspective?

I am also attaching an earlier version of the chapter that shows our response to each of the OGC comments FYI.
Thank you!

Jenny
566-2281

From: Bowen, Jennifer
Sent: Wednesday, April 24, 2019 11:14 AM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew,
Thank you very much for the helpful comments. We will be sure to incorporate them.

I should have let you know that there is a separate file with the reference list for the chapter. Sorry for the confusion on that.

Thank you again!

Jenny

From: Simons, Andrew
Sent: Tuesday, April 23, 2019 8:31 AM
To: Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Jennifer:

Attached are comments on Chapter 2 of the EAG. Please let me know if you have any questions.

Andrew Simons
Assistant General Counsel
Regulatory Issues Practice Group
Office of General Counsel
U.S. Environmental Protection Agency
Tel. 202-564-3649
WJC-N 7522C

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From: Bowen, Jennifer
Sent: Friday, April 5, 2019 3:33 PM
To: Simons, Andrew <Simons.Andrew@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Hi Andrew,
Would you be able to get back to us by April 22? That will keep us on track for our next step.

I will try to create a redline/strikeout version, although some things have moved around so it may end up being pretty messy. It is safe to say that any EOs or statutes with dates after 2010 are new material. However, there were a few changes to language of earlier requirements, so having someone look over all sections would be great. It is only 10 pages, so hopefully it will not be too burdensome.

Thank you very much!

Jenny

From: Simons, Andrew
Sent: Friday, April 05, 2019 9:19 AM
To: Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>; Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>
Subject: RE: request for review of revised chapter from Economic Analysis Guidelines

Jennifer:

I will coordinate a review of the document.

It would be helpful to know your timing. On our end, I will need to coordinate with a number of attorneys, since no one person covers all of these EO's or statutes.

Also, it would greatly facilitate our review if you could send me a redline of the changes between this version and the prior version (that went through OGC review).

Many thanks,

Andrew Simons
Assistant General Counsel
Regulatory Issues Practice Group
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WJC-N 7522C

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From: Siciliano, CarolAnn
Sent: Thursday, April 4, 2019 5:58 PM
To: Bowen, Jennifer <Bowen.Jennifer@epa.gov>
Cc: Simon, Nathalie <Simon.Nathalie@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>
Subject: Re: request for review of revised chapter from Economic Analysis Guidelines

Thank you, Jennifer. I will ask my colleague Andy Simons to identify a reviewer. Andy, I'll forward it to you.

Carol Ann Siciliano

Acting Deputy General Counsel
for Environmental Media and Regional Law Offices
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siciliano.carolann@epa.gov

On Apr 4, 2019, at 5:41 PM, Bowen, Jennifer <Bowen.Jennifer@epa.gov> wrote:

Hi Carol Ann,

I hope we can ask for your help in taking a look at the attached updated chapter of our Economic Analysis Guidelines on Statutes and Executive Orders that require economic analysis. I think you may have looked at the prior version a number of years ago, and we have revised it recently to bring it up to date. Would you be able to take a look at it to be sure we it is accurate? We want to be sure we have accurately represented everything before we send it out to program office economists for their review.

Thank you,

Jenny

Jennifer Bowen
Director, Research and Program Support Division
National Center for Environmental Economics
202/566-2281 (phone)
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bowen.jennifer@epa.gov

<Chapter 2 Clean for EFSC Review.docx>