Message

From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 11/15/2013 3:39:57 PM
To: Bosma, Connie [Bosma.Connie@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]
CC: Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]
Subject: RE: IA League of Cities -- deliberative process, atty client

Richard's home phone is Ex. 6 Personal Privacy (PP) I just tried him and left a message that you all were thinking about talking at 11:30.

From: Bosma, Connie
Sent: Friday, November 15, 2013 9:35 AM
To: Neugeboren, Steven; Nagle, Deborah; Sawyers, Andrew; Weiss, Kevin
Cc: Levine, MaryEllen; Witt, Richard
Subject: RE: IA League of Cities -- deliberative process, atty client

I agree that a premeeting would be useful. We are tied up at 10. How about 11:00?

From: Neugeboren, Steven
Sent: Friday, November 15, 2013 9:21 AM
To: Bosma, Connie; Nagle, Deborah; Sawyers, Andrew; Weiss, Kevin
Cc: Levine, MaryEllen; Witt, Richard
Subject: RE: IA League of Cities -- deliberative process, atty client

I think it would be important to prepare for today's meeting something that crystallizes where we are on the issues. I suggest preparation of bullets that identify Ex. 5 AC/DP I understand there has been some further staff thinking on Ex. 5 Deliberative Process (DP) Perhaps a premtg is warranted. MEL and I are free at 10 if you'd like to meet with us. Richard is home but can participate by phone.

From: Stoner, Nancy
Sent: Thursday, November 14, 2013 3:05 PM
To: Neugeboren, Steven; Bosma, Connie; Nagle, Deborah; Sawyers, Andrew; Weiss, Kevin
Subject: IA League of Cities -- deliberative process, atty client

Steve suggested I send this to clarify my expectations for tomorrow's meeting. I scheduled a meeting with OGC and OECA because Ex. 5 Deliberative Process (DP) We all need to have a common understanding of how we are proceeding to Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) While I think we made some progress on that at the last meeting, it sounds as if some aspects are Ex. 5 Deliberative Process (DP) I think we need a document outlining how we plan to proceed Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Whether we Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) but we need to continue making progress on getting on the same page and a document should help us to do so. I am hoping that the document that I understand that OWM is already working on with OGC will be a good start, but since I haven't seen it I don't know. Here are a few thoughts of what we need agreement on:

(1)

(2) Ex. 5 Deliberative Process (DP)

OECA will also be invited to tomorrow's meeting. I would not circulate this e-mail further at this time. Feel free to call me if you have questions. thanks

Message

From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 11/15/2013 3:01:33 PM
To: Bosma, Connie [Bosma.Connie@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]
CC: Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]
Subject: RE: IA League of Cities -- deliberative process, atty client

MEL and I have a meeting with our front office at 11 and another meeting with outside parties from 1230-130. Perhaps Richard can join you but someone will need to call him. MEL has his number.

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Sent: Friday, November 15, 2013 9:35 AM
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Cc: Levine, MaryEllen; Witt, Richard
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From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 11/19/2013 5:14:14 PM
To: Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Loop, Travis [Loop.Travis@epa.gov]; Stoner, Nancy [Stoner.Nancy@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Gilinsky, Ellen [Gilinsky.Ellen@epa.gov]; Kopocis, Ken [Kopocis.Ken@epa.gov]; Giles-AA, Cynthia [Giles-AA.Cynthia@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Shinkman, Susan [Shinkman.Susan@epa.gov]
CC: Kika, Stacy [Kika.Stacy@epa.gov]; Senn, John [Senn.John@epa.gov]; McDermott, Marna [McDermott.Marna@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]
Subject: draft desk statement on Iowa League

Attached is a draft statement after discussion with Kevin Weiss in OW, and review here in OGC. Please call Richard Witt at 564-5496 if you have any comments or you can email if you are ok with it. Press office needs it asap.

Ex. 5 Deliberative Process (DP)

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Penn Ave., NW
Washington DC 20460
202-564-5488

Message

From: Bosma, Connie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6E68873D8B5C430CB4274D1DEBEAADA0-BOSMA, CONNIE]
Sent: 11/15/2013 9:30:07 PM
To: Penman, Crystal [Penman.Crystal@epa.gov]
Subject: FW: Talking Points
Attachments: Inside Eighth Circuit.docx

Crystal,

Could you print this for Nancy? Thanks
Connie

From: Bosma, Connie
Sent: Friday, November 15, 2013 4:29 PM
To: Stoner, Nancy
Cc: Sawyers, Andrew; Frace, Sheila; Nagle, Deborah
Subject: FW: Talking Points

Here is what Kevin prepared. We just heard from Mary Ellen and she said they were ok with her.

From: Weiss, Kevin
Sent: Friday, November 15, 2013 3:34 PM
To: Neugeboren, Steven; Levine, MaryEllen; Witt, Richard; Sawyers, Andrew; Frace, Sheila; Bosma, Connie; Nagle, Deborah; Theis, Joseph
Subject: Talking Points

Thanks to all for input at the meeting. Please take a quick look and let me know if you have any comments.

Message

From: Sawyers, Andrew [Sawyers.Andrew@epa.gov]
Sent: 11/19/2013 1:15:56 PM
To: Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Loop, Travis [Loop.Travis@epa.gov]; Stoner, Nancy [Stoner.Nancy@epa.gov]; Garbow, Avi [Garbow.Avi@epa.gov]; Mallory, Brenda [Mallory.Brenda@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Gilinsky, Ellen [Gilinsky.Ellen@epa.gov]; Kopocis, Ken [Kopocis.Ken@epa.gov]
Subject: RE: ACTION: BNA re: Confirming that EPA is not planning to apply Eighth Circuit ruling nationwide -- DEADLINE TODAY
Attachments: Inside Eighth Circuit..docx

Travis and Steve, please find attached, the note that Richard Witt and Kevin Weiss drafted last week for Nancy. Steve, please let us know if you are okay with the note. I think MaryEllen reviewed last week and she was okay.

From: Neugeboren, Steven
Sent: Monday, November 18, 2013 6:14 PM
To: Loop, Travis; Stoner, Nancy; Garbow, Avi; Mallory, Brenda; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie; Weiss, Kevin; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken
Subject: RE: ACTION: BNA re: Confirming that EPA is not planning to apply Eighth Circuit ruling nationwide -- DEADLINE TODAY

FYI. See below. This particular deadline has passed. How shall we address?

From: Loop, Travis
Sent: Monday, November 18, 2013 4:39 PM
To: Neugeboren, Steven
Subject: FW: ACTION: BNA re: Confirming that EPA is not planning to apply Eighth Circuit ruling nationwide -- DEADLINE TODAY

Steve

How should we answer?

I told them we would answer tomorrow. Not today on such short notice.

Travis Loop
Director of Communications
Office of Water
U.S. Environmental Protection Agency
Ex. 6 Personal Privacy (PP)
loop.travis@epa.gov

From: Kika, Stacy
Sent: Monday, November 18, 2013 4:36 PM
To: Loop, Travis; Senn, John
Subject: ACTION: BNA re: Confirming that EPA is not planning to apply Eighth Circuit ruling nationwide -- DEADLINE TODAY

Hi,

Please see request from Amena. Deadline is today.

Thanks,
Stacy

REQUEST:

Hi Stacy,
I just learned from a gentleman present at a nov. 13 meeting in region 7 that the EPA plans to apply the Eighth Circuit decision just to the jurisdiction of this circuit, and not nationwide. The epa's decision on restricting the eighth circuit decision to the circuit was made by Steve Neugeboren, EPA office of General Counsel, according to a source who was present at the meeting.
The sources also confirmed that Ms. Connie Bosma and Kevin Weiss were present at the meeting too.
Can you confirm that the agency is indeed not planning to apply the eighth circuit decision nationwide, please? Also could you explain why the agency has decided not to apply this decision nationwide?
Sincerely,
Amena

~~~~~~~~~~~~~~~~~~~~~~~~
Stacy Kika
U.S. Environmental Protection Agency
Office of Media Relations
Email: kika.stacy@epa.gov
Desk: 202.564.0906
EPA news releases on Twitter: http://twitter.com/epanews
~~~~~~~~~~~~~~~~~~~~~~~~

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Sent: 11/19/2013 5:36:49 PM
To: Weiss, Kevin [Weiss.Kevin@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Loop, Travis [Loop.Travis@epa.gov]; Stoner, Nancy [Stoner.Nancy@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Gilinsky, Ellen [Gilinsky.Ellen@epa.gov]; Kopocis, Ken [Kopocis.Ken@epa.gov]; Giles-AA, Cynthia [Giles-AA.Cynthia@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Shinkman, Susan [Shinkman.Susan@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; McDermott, Marna [McDermott.Marna@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Gude, Karen [Gude.Karen@epa.gov]; Vinch, James [Vinch.James@epa.gov]
Subject: RE: draft desk statement on Iowa League

Thank you Kevin and Steven. Please let me know if there are any other concerns as the reporter is pinging me. Her hard deadline was noon ET and if we do not get anything to her soon she will write in her story that "EPA declined to comment".

Thanks,
Stacy

~~~~~~~~~~~~~~~~~~~~~~~~
Stacy Kika
U.S. Environmental Protection Agency
Office of Media Relations
Email: kika.stacy@epa.gov
Desk: 202.564.0906
EPA news releases on Twitter: http://twitter.com/epanews

From: Weiss, Kevin
Sent: Tuesday, November 19, 2013 12:32 PM
To: Neugeboren, Steven; Sawyers, Andrew; Loop, Travis; Stoner, Nancy; Nagle, Deborah; Bosma, Connie; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken; Giles-AA, Cynthia; Pollins, Mark; Theis, Joseph; Shinkman, Susan
Cc: Kika, Stacy; Senn, John; McDermott, Marna; Smith, Kristi; Gude, Karen; Vinch, James
Subject: RE: draft desk statement on Iowa League

We have some suggestions on the second sentence that highlights public health protection:

Ex. 5 Deliberative Process (DP)

Thanks

Kevin

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Ex. 5 Deliberative Process (DP)

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Penn Ave., NW
Washington DC 20460
202-564-5488

Message

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Sent: 11/19/2013 7:05:29 PM
To: Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Shinkman, Susan [Shinkman.Susan@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Loop, Travis [Loop.Travis@epa.gov]; Stoner, Nancy [Stoner.Nancy@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Gilinsky, Ellen [Gilinsky.Ellen@epa.gov]; Kopocis, Ken [Kopocis.Ken@epa.gov]; Giles-AA, Cynthia [Giles-AA.Cynthia@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
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Subject: RE: draft desk statement on Iowa League

Thank you all for your help. Here is the final statement.

Statement:

The Eighth Circuit's interpretation in Iowa League of Cities v EPA of EPA's regulations relating to blending and bypass is legally binding within the Eighth Circuit. Outside of the Eighth Circuit, EPA will continue to work with States and communities with the goal of finding solutions that protect public health and the environment while recognizing economic constraints and feasibility concerns, consistent with the Agency's existing interpretation of the regulations.

~~~~~~~~~~~~~~~~~~~~~~~~~
Stacy Kika
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Cc: Senn, John; McDermott, Marna; Smith, Kristi; Gude, Karen; Vinch, James; Mallory, Brenda; Garbow, Avi
Subject: Re: draft desk statement on Iowa League

Just letting folks that nancy and cynthia ok'd the language so we are done.

From: Neugeboren, Steven
Sent: Tuesday, November 19, 2013 1:12:11 PM
To: Shinkman, Susan; Kika, Stacy; Weiss, Kevin; Sawyers, Andrew; Loop, Travis; Stoner, Nancy; Nagle, Deborah; Bosma, Connie; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken; Giles-AA, Cynthia; Pollins, Mark; Theis, Joseph
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Subject: Re: draft desk statement on Iowa League

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From: Shinkman, Susan
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To: Neugeboren, Steven; Kika, Stacy; Weiss, Kevin; Sawyers, Andrew; Loop, Travis; Stoner, Nancy; Nagle, Deborah; Bosma, Connie; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken; Giles-AA, Cynthia; Pollins, Mark; Theis, Joseph
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Thanks,
Susan

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Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Penn Ave., NW
Washington DC 20460
202-564-5488
~~~~~~~~~~~~~~~~~~~~~~~~~

Message

From: Metchis, Karen [Metchis.Karen@epa.gov]
Sent: 11/26/2013 4:53:49 PM
To: Weiss, Kevin [Weiss.Kevin@epa.gov]
CC: Bosma, Connie [Bosma.Connie@epa.gov]
Subject: RE: Please review and comment today or tomorrow: Minutes from BC call

Thank you Kevin!

****

Karen Metchis
US EPA Office of Water
Office of Wastewater Management
(O) (202) 564-0734
(C) Ex. 6 Personal Privacy (PP)
metchis.karen@epa.gov
http://water.epa.gov/scitech/climatechange/

From: Weiss, Kevin
Sent: Tuesday, November 26, 2013 11:43 AM
To: Metchis, Karen
Subject: RE: Please review and comment today or tomorrow: Minutes from BC call

Karen:

Some comments:

Ex. 5 Deliberative Process (DP)

From: Metchis, Karen
Sent: Tuesday, November 26, 2013 11:14 AM
To: Weiss, Kevin
Subject: FW: Please review and comment today or tomorrow: Minutes from BC call
Importance: High

From: Metchis, Karen
Sent: Monday, November 25, 2013 1:08 PM
To: Brennan, Ross; Hoyt, Sarita; Kibler, Virginia; Laverty, Tom; Molloy, Jennifer

Subject: Please review and comment today or tomorrow: Minutes from BC call
Importance: High

I'd like to email this to the Regions by cob Tuesday so please take a quick look. Thx.

****

Karen Metchis
US EPA Office of Water
Office of Wastewater Management
(O) (202) 564-0734
(C) Ex. 6 Personal Privacy (PP)
metchis.karen@epa.gov
http://water.epa.gov/scitech/climatechange/

Message

From: Weiss, Kevin [Weiss.Kevin@epa.gov]
Sent: 12/9/2013 5:45:04 PM
To: Pollins, Mark [Pollins.Mark@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]
Subject: Friday's meeting
Attachments: Conf of Mayors 12-26-13.pdf

Hopefully, we can Ex. 5 Deliberative Process (DP) The letter asserts that we have no legal basis for to assert that the 8th Circuit decision does not apply nationwide. However, to be safe, do we Ex. 5 Deliberative Process (DP)? FYI – Richard Witt indicated that the letter is being re-controlled from OWM to OGC since the letter focuses on the non-acquiesce issue.

Message

From: Weiss, Kevin [Weiss.Kevin@epa.gov]
Sent: 12/11/2013 8:59:27 PM
To: Bosma, Connie [Bosma.Connie@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]
Subject: Perciasepe Talking Points
Attachments: Financial Capability talking points_bob P 12-9-13 v2 clean (2).docx; Iowa League background 12 11 13.docx

Here is the current version of the talking points for Friday. Cynthia is reviewing them. Should we send them to Nancy as well? OECA is also working on **Ex. 5 Deliberative Process (DP)** that I've made edits on. Still waiting for OGC talking points on Iowa League.

Thanks

Kevin

Message

From: Bosma, Connie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6E68873D8B5C430CB4274D1DEBEAADA0-BOSMA, CONNIE]
Sent: 11/18/2013 4:13:20 PM
To: Levine, MaryEllen [levine.maryellen@epa.gov]
CC: Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]
Subject: RE: EPA Implementation of the Iowa League decision

We can meet at 12:30. My office?

From: Levine, MaryEllen
Sent: Monday, November 18, 2013 11:05 AM
To: Bosma, Connie
Cc: Neugeboren, Steven; Witt, Richard; Weiss, Kevin
Subject: RE: EPA Implementation of the Iowa League decision

1:30 and 2 will not work – Pars meeting at 1:30 and Richard and I have an OMB meeting on 316(b) final rule at 2. I am free at 12:30

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Bosma, Connie
Sent: Monday, November 18, 2013 11:02 AM
To: Levine, MaryEllen
Cc: Neugeboren, Steven; Witt, Richard; Weiss, Kevin
Subject: RE: EPA Implementation of the Iowa League decision

Could we meet earlier than 5:00 on this? I think some of the people will not be here at 5:00. How about 1:30 or 2:00?

From: Levine, MaryEllen
Sent: Monday, November 18, 2013 9:47 AM
To: Bosma, Connie
Cc: Neugeboren, Steven; Witt, Richard
Subject: FW: EPA Implementation of the Iowa League decision

Perhaps we should discuss at our 5 pm bi-weekly? Should I add the others to the appointment?

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Neugeboren, Steven
Sent: Sunday, November 17, 2013 8:13 PM
To: Garbow, Avi; Mallory, Brenda; Stoner, Nancy; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie; Weiss, Kevin; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken
Subject: Fw: EPA Implementation of the Iowa League decision

See note from john hall below.

We shouldd discuss response to him Ex. 5 Deliberative Process (DP)

I said in kansas city that the decision is vinding in the 8th circuit and that its implications outside are being considered by the agency. I could Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

From: John Hall <jhall@hall-associates.com>
Sent: Friday, November 15, 2013 6:09:12 PM
To: Neugeboren, Steven
Cc: Gary Cohen; prosenman@hall-associates.com; Bruce Bergman; 'terrytimmins@iowaleague.org'
Subject: EPA Implementation of the Iowa League decision

Steve
I understand that EPA informed the public and several states that the Iowa League decision does not apply outside of the 8th Circuit. We have outstanding correspondence to EPA on this issue that has been ignored for months. Would you please be so kind as to confirm or deny that EPA Headquarters has reached a determination on this issue since I understand it was you that made the announcement in response to questions raised at the meeting? I presume that EPA would not have flown 3 people from EPA Headquarters to a meeting in Region VII to address this issue if a final position had not been reached after EPA decided to not appeal the decision to the Supreme Court. I look forward to your prompt response to this inquiry.
Regards
John

John C. Hall
Hall & Associates
1620 I Street, NW, Suite 701
Washington, DC 20006
Phone: 202-463-1166
Fax: 202-463-4207
E-Mail: jhall@hall-associates.com

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Message

From: Weiss, Kevin [Weiss.Kevin@epa.gov]
Sent: 11/19/2013 5:06:25 PM
To: Sawyers, Andrew [Sawyers.Andrew@epa.gov]
CC: Bosma, Connie [Bosma.Connie@epa.gov]; Gude, Karen [Gude.Karen@epa.gov]
Subject: Revised Desk Statement
Attachments: Draft Desk 11-19-13 v3.docx

Andrew:

After we met, Richard Witt gave me some additional comments on the first sentence, which I have included in this version.

Thanks

Kevin

Message

From: Levine, MaryEllen [levine.maryellen@epa.gov]
Sent: 12/12/2013 2:57:20 PM
To: Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]
CC: Horwitz, Sylvia [Horwitz.Sylvia@epa.gov]
Subject: RE: Talking points for Iowa League

We do not think Ex. 5 AC/DP
Ex. 5 AC/DP

Ex. 5 AC/DP

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Neugeboren, Steven
Sent: Thursday, December 12, 2013 9:52 AM
To: Sawyers, Andrew; Levine, MaryEllen; Bosma, Connie; Weiss, Kevin; Witt, Richard; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: RE: Talking points for Iowa League

I'm assuming then the talking points will be along the lines of the desk statement? I understand Ex. 5 AC/DP
Ex. 5 AC/DP
Ex. 5 AC/DP I assume we Ex. 5 AC/DP
Ex. 5 AC/DP MEL and Richard – assume you guys have thought about Ex. 5 AC/DP and I recall we Ex. 5 AC/DP). Want to make sure before the meeting that we know we think of the arguments on this issue. Thanks.

From: Sawyers, Andrew
Sent: Thursday, December 12, 2013 9:46 AM
To: Levine, MaryEllen; Bosma, Connie; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: RE: Talking points for Iowa League

That's correct MaryEllen. I think that's the extent of our discussion at this meeting Ex. 5 AC/DP
Ex. 5 AC/DP

From: Levine, MaryEllen
Sent: Thursday, December 12, 2013 9:19 AM
To: Bosma, Connie; Sawyers, Andrew; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Nagle, Deborah

Cc: Horwitz, Sylvia
Subject: RE: Talking points for Iowa League

I saw 4 bullets in hand writing that looked fine. The last one was tantamount to --

Ex. 5 AC/DP

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Bosma, Connie
Sent: Wednesday, December 11, 2013 9:59 PM
To: Sawyers, Andrew; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Discuss it with who?

From: Sawyers, Andrew
Sent: Wednesday, December 11, 2013 7:05:59 PM
To: Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Steve, i will call tomorrow to discuss. Connie and Deborah, could you please discuss the position we shared with MaryEllen yesterday. Thx

---

From: Neugeboren, Steven
Sent: Wednesday, December 11, 2013 6:49:08 PM
To: Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

I'm bringing OWM management into the email train here regarding talking points for the mtg friday with the national league of cities. Looks like we had a disconnect on who would have the lead for preparing talking points. I was assuming (obviously wrongly) that wed be in a review capacity.

From what I'm hearing Ex. 5 AC/DP ? So we (ie - richard) can prepare a draft but we need direction.
Richard - pls come to the weekly tomorrow so we can discuss with avi.

From: Weiss, Kevin
Sent: Wednesday, December 11, 2013 3:33:09 PM
To: Witt, Richard; Neugeboren, Steven; Levine, MaryEllen
Cc: Horwitz, Sylvia
Subject: Talking points for Iowa League

We met with Perciasepe and Giles late Monday to discuss Friday's meeting with the Conference of Mayors. They were okay with Ex. 5 AC/DP

Ex. 5 AC/DP They are asking for materials by COB today – will the talking points be ready (or have you already sent them).

Thanks

Kevin

Message

From: Sawyers, Andrew [Sawyers.Andrew@epa.gov]
Sent: 12/12/2013 2:46:11 PM
To: Levine, MaryEllen [levine.maryellen@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]
CC: Horwitz, Sylvia [Horwitz.Sylvia@epa.gov]
Subject: RE: Talking points for Iowa League

That's correct MaryEllen. I think that's the extent of our discussion at this meeting. We understand Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

From: Levine, MaryEllen
Sent: Thursday, December 12, 2013 9:19 AM
To: Bosma, Connie; Sawyers, Andrew; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: RE: Talking points for Iowa League

I saw 4 bullets in hand writing that looked fine. The last one was tantamount to --

Ex. 5 Deliberative Process (DP)

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Bosma, Connie
Sent: Wednesday, December 11, 2013 9:59 PM
To: Sawyers, Andrew; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Discuss it with who?

From: Sawyers, Andrew
Sent: Wednesday, December 11, 2013 7:05:59 PM
To: Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Steve, i will call tomorrow to discuss. Connie and Deborah, could you please discuss the position we shared with MaryEllen yesterday. Thx

---

From: Neugeboren, Steven
Sent: Wednesday, December 11, 2013 6:49:08 PM
To: Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie

Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

I'm bringing OWM management into the email train here regarding talking points for the mtg friday with the national league of cities. Looks like we had a disconnect on who would have the lead for preparing talking points. I was assuming (obviously wrongly) that wed be in a review capacity.

From what I'm hearing Ex. 5 Deliberative Process (DP) So we (ie - richard) can prepare a draft but we need direction.
Richard - pls come to the weekly tomorrow so we can discuss with avi.

From: Weiss, Kevin
Sent: Wednesday, December 11, 2013 3:33:09 PM
To: Witt, Richard; Neugeboren, Steven; Levine, MaryEllen
Cc: Horwitz, Sylvia
Subject: Talking points for Iowa League

We met with Perciasepe and Giles late Monday to discuss Friday's meeting with the Conference of Mayors. They were okay with Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) They are asking for materials by COB today – will the talking points be ready (or have you already sent them).

Thanks

Kevin

Message

From: Weiss, Kevin [Weiss.Kevin@epa.gov]
Sent: 12/12/2013 2:29:33 PM
To: Witt, Richard [Witt.Richard@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]; Bosma, Connie [Bosma.Connie@epa.gov]
CC: Horwitz, Sylvia [Horwitz.Sylvia@epa.gov]
Subject: RE: Talking points for Iowa League

Sorry about the confusion here. OECA and OWM are working on talking points associated with Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) However, we are concerned that given the Ex. 5 Deliberative Process (DP) If so, we have suggested that our initial reaction is:

- Ex. 5 Deliberative Process (DP)

The question comes up as to whether our managers would want some additional back pocket bullets in case Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Hope this helps clarify where we are.

From: Witt, Richard
Sent: Thursday, December 12, 2013 8:45 AM
To: Neugeboren, Steven; Weiss, Kevin; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: RE: Talking points for Iowa League

I assumed also that, Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) I continue to assume that it's OWM's meeting.

From: Neugeboren, Steven
Sent: Wednesday, December 11, 2013 6:49 PM
To: Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

I'm bringing OWM management into the email train here regarding talking points for the mtg friday with the national league of cities. Looks like we had a disconnect on who would have the lead for preparing talking points. I was assuming (obviously wrongly) that wed be in a review capacity.

From what I'm hearing Ex. 5 Deliberative Process (DP) So we (ie - richard) can prepare a draft but we need direction.
Richard - pls come to the weekly tomorrow so we can discuss with avi.

From: Weiss, Kevin
Sent: Wednesday, December 11, 2013 3:33:09 PM
To: Witt, Richard; Neugeboren, Steven; Levine, MaryEllen
Cc: Horwitz, Sylvia
Subject: Talking points for Iowa League

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Ex. 5 Deliberative Process (DP) They are asking for materials by COB today – will the talking points be ready (or have you already sent them).

Thanks

Kevin

Message

From: Levine, MaryEllen [levine.maryellen@epa.gov]
Sent: 12/12/2013 2:18:40 PM
To: Bosma, Connie [Bosma.Connie@epa.gov]; Sawyers, Andrew [Sawyers.Andrew@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]
CC: Horwitz, Sylvia [Horwitz.Sylvia@epa.gov]
Subject: RE: Talking points for Iowa League

I saw 4 bullets in hand writing that looked fine. The last one was tantamount to --

Ex. 5 Deliberative Process (DP)

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Bosma, Connie
Sent: Wednesday, December 11, 2013 9:59 PM
To: Sawyers, Andrew; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Discuss it with who?

From: Sawyers, Andrew
Sent: Wednesday, December 11, 2013 7:05:59 PM
To: Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Steve, i will call tomorrow to discuss. Connie and Deborah, could you please discuss the position we shared with MaryEllen yesterday. Thx

---

From: Neugeboren, Steven
Sent: Wednesday, December 11, 2013 6:49:08 PM
To: Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

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From: Weiss, Kevin
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To: Witt, Richard; Neugeboren, Steven; Levine, MaryEllen
Cc: Horwitz, Sylvia
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Ex. 5 Deliberative Process (DP) They are asking for materials by COB today – will the talking points be ready (or have you already sent them).

Thanks

Kevin

Message

From: Sawyers, Andrew [Sawyers.Andrew@epa.gov]
Sent: 12/12/2013 11:30:58 AM
To: Bosma, Connie [Bosma.Connie@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Weiss, Kevin [Weiss.Kevin@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Nagle, Deborah [Nagle.Deborah@epa.gov]
CC: Horwitz, Sylvia [Horwitz.Sylvia@epa.gov]
Subject: Re: Talking points for Iowa League

Sorry - i meant Nancy.

From: Bosma, Connie
Sent: Wednesday, December 11, 2013 9:59:07 PM
To: Sawyers, Andrew; Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Discuss it with who?

From: Sawyers, Andrew
Sent: Wednesday, December 11, 2013 7:05:59 PM
To: Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Steve, i will call tomorrow to discuss. Connie and Deborah, could you please discuss the position we shared with MaryEllen yesterday. Thx

---

From: Neugeboren, Steven
Sent: Wednesday, December 11, 2013 6:49:08 PM
To: Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

I'm bringing OWM management into the email train here regarding talking points for the mtg friday with the national league of cities. Looks like we had a disconnect on who would have the lead for preparing talking points. I was assuming (obviously wrongly) that wed be in a review capacity.

From what I'm hearing **Ex. 5 Deliberative Process (DP)** So we (ie - richard) can prepare a draft but we need direction.
Richard - pls come to the weekly tomorrow so we can discuss with avi.

From: Weiss, Kevin
Sent: Wednesday, December 11, 2013 3:33:09 PM
To: Witt, Richard; Neugeboren, Steven; Levine, MaryEllen
Cc: Horwitz, Sylvia
Subject: Talking points for Iowa League

We met with Perciasepe and Giles late Monday to discuss Friday's meeting with the Conference of Mayors. They were okay with **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) They are asking for materials by COB today – will the talking points be ready (or have you already sent them).

Thanks

Kevin

Message

From: Levine, MaryEllen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F59EF87B9924425897C750435BAD5522-MLEVINE]
Sent: 12/16/2013 4:52:44 PM
To: Weiss, Kevin [Weiss.Kevin@epa.gov]
Subject: FW: Draft Iowa League memo
Attachments: Draft memorandum on Iowa League.docx

Mary Ellen

Mary Ellen Levine
Assistant General Counsel
Water Law Office
(202) 564-5487
Ariel Rios North Rm. 7510C

From: Witt, Richard
Sent: Tuesday, November 05, 2013 2:18 PM
To: Levine, MaryEllen
Subject: Draft Iowa League memo

I type "daft" instead of "draft" each time. Hmmmm.

Still steaming from my machine. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Message

From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 11/15/2013 2:12:52 PM
To: Mallory, Brenda [Mallory.Brenda@epa.gov]; Garbow, Avi [Garbow.Avi@epa.gov]; Levine, MaryEllen [levine.maryellen@epa.gov]; Witt, Richard [Witt.Richard@epa.gov]
Subject: RE: IA League of Cities -- deliberative process, atty client
Attachments: Draft memorandum on Iowa League rtw mel 11 06 13 330pm.docx

Here it is

From: Mallory, Brenda
Sent: Thursday, November 14, 2013 8:23 PM
To: Neugeboren, Steven; Garbow, Avi; Levine, MaryEllen; Witt, Richard
Subject: RE: IA League of Cities -- deliberative process, atty client

Thanks. Can you all circulate whatever version of the document exists now? Thanks. B

Brenda Mallory
Principal Deputy General Counsel
Environmental Protection Agency
1200 Pennsylvania Ave, N.W. - Mail Code 2310A
Washington, D.C. 20460
(202) 564 - 8064
mallory.brenda@epa.gov

From: Neugeboren, Steven
Sent: Thursday, November 14, 2013 5:09 PM
To: Garbow, Avi; Mallory, Brenda; Levine, MaryEllen; Witt, Richard
Subject: Fw: IA League of Cities -- deliberative process, atty client

Fyi. Brenda - she set up a mtg at 2 with avi if you'd like me to send you the invite.

From: Stoner, Nancy
Sent: Thursday, November 14, 2013 3:05:07 PM
To: Neugeboren, Steven; Bosma, Connie; Nagle, Deborah; Sawyers, Andrew; Weiss, Kevin
Subject: IA League of Cities -- deliberative process, atty client

Steve suggested I send this to clarify my expectations for tomorrow's meeting. I scheduled a meeting with OGC and OECA because Ex. 5 Deliberative Process (DP) We all need to have a common understanding of how we are proceeding to Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) While I think we made some progress on that at the last meeting, it sounds as if some aspects are Ex. 5 Deliberative Process (DP) I think we need a document outlining how we plan to proceed Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Whether we Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) but we need to continue making progress on getting on the same page and a document should help us to do so. I am hoping that the document that I understand that OWM is already working on with OGC will be a good start, but since I haven't seen it I don't know. Here are a few thoughts of what we need agreement on:

(1) Ex. 5 Deliberative Process (DP)

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

OECA will also be invited to tomorrow's meeting. I would not circulate this e-mail further at this time. Feel free to call me if you have questions. thanks

Message

From: Nagle, Deborah [Nagle.Deborah@epa.gov]
Sent: 11/19/2013 6:48:26 PM
To: Weiss, Kevin [Weiss.Kevin@epa.gov]
Subject: Re: draft desk statement on Iowa League

Please call me Ex. 6 Personal Privacy (PP)

From: Weiss, Kevin
Sent: Tuesday, November 19, 2013 12:32:27 PM
To: Neugeboren, Steven; Sawyers, Andrew; Loop, Travis; Stoner, Nancy; Nagle, Deborah; Bosma, Connie; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken; Giles-AA, Cynthia; Pollins, Mark; Theis, Joseph; Shinkman, Susan
Cc: Kika, Stacy; Senn, John; McDermott, Marna; Smith, Kristi; Gude, Karen; Vinch, James
Subject: RE: draft desk statement on Iowa League

We have some suggestions on the second sentence that highlights public health protection:

Ex. 5 Deliberative Process (DP)

Thanks

Kevin

From: Neugeboren, Steven
Sent: Tuesday, November 19, 2013 12:14 PM
To: Sawyers, Andrew; Loop, Travis; Stoner, Nancy; Nagle, Deborah; Bosma, Connie; Weiss, Kevin; Levine, MaryEllen; Witt, Richard; Gilinsky, Ellen; Kopocis, Ken; Giles-AA, Cynthia; Pollins, Mark; Theis, Joseph; Shinkman, Susan
Cc: Kika, Stacy; Senn, John; McDermott, Marna; Smith, Kristi
Subject: draft desk statement on Iowa League

Attached is a draft statement after discussion with Kevin Weiss in OW, and review here in OGC. Please call Richard Witt at 564-5496 if you have any comments or you can email if you are ok with it. Press office needs it asap.

Ex. 5 Deliberative Process (DP)

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Penn Ave., NW
Washington DC 20460

202-564-5488

Message

From: Nagle, Deborah [Nagle.Deborah@epa.gov]
Sent: 12/12/2013 2:30:53 AM
To: Sawyers, Andrew [Sawyers.Andrew@epa.gov]
Subject: Re: Talking points for Iowa League

Connie will

From: Sawyers, Andrew
Sent: Wednesday, December 11, 2013 7:05:59 PM
To: Neugeboren, Steven; Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

Steve, i will call tomorrow to discuss. Connie and Deborah, could you please discuss the position we shared with MaryEllen yesterday. Thx

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From: Neugeboren, Steven
Sent: Wednesday, December 11, 2013 6:49:08 PM
To: Weiss, Kevin; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Cc: Horwitz, Sylvia
Subject: Re: Talking points for Iowa League

I'm bringing OWM management into the email train here regarding talking points for the mtg friday with the national league of cities. Looks like we had a disconnect on who would have the lead for preparing talking points. I was assuming (obviously wrongly) that wed be in a review capacity.

From what I'm hearing **Ex. 5 Deliberative Process (DP)** So we (ie - richard) can prepare a draft but we need direction.
Richard - pls come to the weekly tomorrow so we can discuss with avi.

From: Weiss, Kevin
Sent: Wednesday, December 11, 2013 3:33:09 PM
To: Witt, Richard; Neugeboren, Steven; Levine, MaryEllen
Cc: Horwitz, Sylvia
Subject: Talking points for Iowa League

We met with Perciasepe and Giles late Monday to discuss Friday's meeting with the Conference of Mayors. They were okay with **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) They are asking for materials by COB today – will the talking points be ready (or have you already sent them).

Thanks

Kevin

Message

From: Weiss, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=793BC48D7A6743DCABFF30DE8C2175DD-KEWEISS]
Sent: 1/8/2014 3:36:27 PM
To: Schaner, Greg [Schaner.Greg@epa.gov]
Subject: FW: Iowa League of Cities v EPA letter
Attachments: Conf of Mayors 11-26-13.pdf; Decision 711_F_3d_844.rtf; Desk Statement 11-19-13.docx; FR 6-16-11.pdf

Greg:

This email chain provides a little background on what Cynthia Giles and Nancy Stoner are thinking about in terms of Ex. 5 Deliberative Process (DP)

I also attached the letter from the Conference of Mayors, the Iowa League of Cities decision, our most recent statement related to how Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

Thanks

Kevin

From: Sawyers, Andrew
Sent: Monday, January 06, 2014 10:51 PM
To: Nagle, Deborah; Weiss, Kevin; Bosma, Connie
Subject: Fw: Iowa League of Cities v EPA letter

Nancy us to discuss plan moving ahead with OECA. Cynthis had some questions.

From: Stoner, Nancy
Sent: Monday, January 06, 2014 4:52:24 PM
To: Sawyers, Andrew
Subject: FW: Iowa League of Cities v EPA letter

I won't respond to Kevin since we discussed at staff mtg, but I agree it looks as if at least Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Let's just work out a plan with OECA on Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) thx

From: Weiss, Kevin
Sent: Monday, January 06, 2014 8:56 AM
To: Nagle, Deborah; Stoner, Nancy; Sawyers, Andrew
Cc: Bosma, Connie
Subject: RE: Iowa League of Cities v EPA letter

Deborah:

KS has talked to Region 7 about 2 potential permits for Ex. 5 Deliberative Process (DP) KS, which is not in the Eighth Circuit, would like to Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

We still haven't seen Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) NACWA suggests that this is because we make permitting too uncertain and/or difficult.

With respect to how bypass language is reflected in permits, Maine has been asking for Ex. 5 AC/DP
Ex. 5 Deliberative Process (DP) Most of the ME facilities do not provide high-efficiency treatment of the bypassed flow. We have given the Region our comments on how to Ex. 5 Deliberative Process (DP)

On recent calls with the Regions, it has been noted that Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) For example, in Region 5, WI and IL Ex. 5 Deliberative Process (DP)
Ex. 5 AC/DP I think Region 9 Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) In Region 1, the Maine permits 'authorize' bypasses rather than approve them.

Hope this helps.

Kevin

From: Nagle, Deborah
Sent: Friday, January 03, 2014 3:07 PM
To: Stoner, Nancy; Sawyers, Andrew; Weiss, Kevin
Cc: Bosma, Connie
Subject: Re: Iowa League of Cities v EPA letter

Kevin-

What have heard from the regions?

From: Stoner, Nancy
Sent: Friday, January 03, 2014 2:09:11 PM
To: Sawyers, Andrew
Cc: Nagle, Deborah
Subject: RE: Iowa League of Cities v EPA letter

Ex. 5 Deliberative Process (DP) I just talked with Cynthia. She wants to Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) She has asked her folks for Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Do we similarly have info on Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

From: Sawyers, Andrew
Sent: Friday, January 03, 2014 2:06 PM
To: Stoner, Nancy
Cc: Nagle, Deborah
Subject: Re: Iowa League of Cities v EPA letter

Thanks Nancy.

I spoke to Deborah and we are planning to Ex. 5 Deliberative Process (DP) We were also planning to Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP), however, based on your guidance, we will Ex. 5 Deliberative Process (DP) The ideas you posed below summarize much of our initial thinking. Our plan is to Ex. 5 Deliberative Process (DP)

Thanks

From: Stoner, Nancy
Sent: Friday, January 03, 2014 1:07:39 PM
To: Sawyers, Andrew
Subject: FW: Iowa League of Cities v EPA letter

Since OGC thinks Ex. 5 Deliberative Process (DP) I think we should Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) The goal would be to Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Not sure how Ex. 5 Deliberative Process (DP) but one formulation would be how Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)? Not sure what Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Let me know if you have thoughts as well. I will include in my Hot Issues report to the 3rd floor and see if I get any feedback. I'll let you know.

From: Neugeboren, Steven
Sent: Friday, January 03, 2014 12:44 PM
To: Neugeboren, Steven; Stoner, Nancy
Cc: Garbow, Avi; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Subject: RE: Iowa League of Cities v EPA letter

Adding nancy to my earlier message to nancy.

From: Neugeboren, Steven
Sent: Friday, January 03, 2014 12:10 PM
To: Neugeboren, Steven
Cc: Garbow, Avi; Witt, Richard; Levine, MaryEllen; Sawyers, Andrew; Nagle, Deborah; Bosma, Connie
Subject: RE: Iowa League of Cities v EPA letter

Nancy – in response to your question below, our position is that Ex. 5 AC/AWP/DP Ex. 5 AC/AWP/DP, and for that reason we believe Ex. 5 AC/AWP/DP My understanding is that that issue has been Ex. 5 AC/AWP/DP

From: Neugeboren, Steven
Sent: Thursday, January 02, 2014 6:50 PM
To: Neugeboren, Steven
Subject: Fw: Iowa League of Cities v EPA letter

From: Stoner, Nancy
Sent: Tuesday, December 31, 2013 1:14:32 PM
To: Garbow, Avi; Neugeboren, Steven
Subject: FW: Iowa League of Cities v EPA letter

Avi, Steve,

I am trying to figure out next steps on this. I re-read the letter, which is Ex. 5 AC/AWP/DP What do you think of their argument that Ex. 5 AC/AWP/DP

Nancy

From: Rupp, Mark
Sent: Tuesday, November 26, 2013 1:36 PM
To: Adm13McCarthy, Gina; Deputy Administrator; Stoner, Nancy; Garbow, Avi; Vaught, Laura; Giles-AA, Cynthia; Kopocis, Ken
Cc: Anderson, Denise; Porterfield, Teri
Subject: FW: Iowa League of Cities v EPA letter

From: Hannon, Arnita
Sent: Tuesday, November 26, 2013 1:11 PM
To: Rupp, Mark
Subject: Fw: Iowa League of Cities v EPA letter

Hi Mark!
I wanted to ask if you might guide this to the Administrator + Nancy Stoner. Thx so much Mark!

From: Carolyn Berndt <Berndt@nlc.org>
Sent: Tuesday, November 26, 2013 5:37:14 PM
To: Hannon, Arnita
Cc: 'Judy Sheahan'; 'Julie Ufner'; Chuck Thompson; Nathan Gardner-Andrews (NGardner-Andrews@NACWA.ORG)
Subject: Iowa League of Cities v EPA letter

Dear Arnita,
Attached is a letter to Administrator McCarthy from the U.S. Conference of Mayors, National League of Cities, National Association of Counties, International Municipal Lawyers Association and the National Association of Clean Water Agencies regarding the Iowa League of Cities v EPA case. Can you assist us in delivering it to the Administrator?

Have a great Thanksgiving!

Best,
Carolyn

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NATIONAL LEAGUE OF CITIES | 1301 PENNSYLVANIA AVENUE, NW | STE. 550
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twitter.com/BerndtCarolyn | twitter.com/NLCgreencities | twitter.com/leagueofcities
www.facebook.com/NationalLeagueofCities | www.citiesspeak.org

Iowa League of Cities v EPA

Desk Statement

November 19, 2013

Statement:

The Eighth Circuit's interpretation in Iowa League of Cities v EPA of EPA's regulations relating to blending and bypass is legally binding within the Eighth Circuit. Outside of the Eighth Circuit, EPA will continue to work with States and communities with the goal of finding solutions that protect public health and the environment while recognizing economic constraints and feasibility concerns, consistent with the Agency's existing interpretation of the regulations.