Message

From: Lokken, Sean (Cortez Masto) [Sean_Lokken@cortezmasto.senate.gov]
Sent: 4/6/2021 12:52:18 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: QFR Follow-up/Biointermediates

Absolutely! Happy to hop on Teams again – if that's easiest, or my direct cell phone number is Ex. 6 Personal Privacy (PP)
Looking forward to the call.

Thanks,
Sean

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, April 5, 2021 9:09 PM
To: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey Sean! Thanks for reaching out- do you have time for a ring tomorrow? Let me know and looking forward to connecting.

From: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Sent: Monday, April 5, 2021 6:22 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FW: QFR Follow-up/Biointermediates

Hey Radha,

Hope all is well! I wanted to circle back on this and see if there were any updates? We're grateful that Fulcrum has a meeting with the agency tomorrow (4/6). As Sammi mentioned below – please let me know if there's any additional information that I can provide.

Many thanks,

Sean Lokken
Legislative Aide | Office of Senator Catherine Cortez Masto
202.224.3542 | www.cortezmasto.senate.gov

Sign up for updates from the Senator.

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Monday, March 8, 2021 3:56 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Boylan, Thomas <boylan.thomas@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Thank you, Radha, and appreciate your honesty!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 8, 2021 3:07 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Boylan, Thomas <boylan.thomas@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Thank you for shooting this over Sammi. Happy to stay in touch- but in all likelihood we will not be in a vastly different situation over here given our lack of leadership.

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Monday, March 8, 2021 12:12 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Boylan, Thomas <boylan.thomas@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hi Radha, Pat, and Thomas,

Thank you so much for taking the time to meet with Sean and me on Friday. As promised, I am attaching a one pager on the company in Nevada that is being impacted by the delay of the biointermediates item in the REGS Rule. Would it be worth circling back at the end of the week should there be any additional information you can share on where things are or if there is something more we can do to be helpful in elevating the need for action on this rule?

Thank you,
Sammi

From: Swing, Samantha (Cortez Masto)
Sent: Wednesday, March 3, 2021 3:54 PM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

3pm on Friday works well on my end. Thank you for getting something on the calendar, Radha. We look forward to connecting on this.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, March 3, 2021 3:42 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey Sammi, just added something to your calendar. Can y'all let us know if this time works? Just took a shot and am happy to move things around.

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Wednesday, March 3, 2021 9:00 AM
To: Haman, Patricia <Haman.Patricia@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hi Pat and Radha,

Hope you are both well. I saw that there was a recent White House meeting between Gina McCarthy and the aviation industry, given the nexus to biointermediates, I thought it might be a good time to reconnect on the issue and see if there are any updates on the REGS Rule. Fridays are still looking the most flexible on my end, but let me know what works best for you all.

Thank you,
Sammi

From: Swing, Samantha (Cortez Masto)
Sent: Friday, February 19, 2021 5:53 PM
To: 'Haman, Patricia' <Haman.Patricia@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Thank you, Pat, and happy to set up a time to talk, Radha.

Friday is looking most open on my end next week. Let me know if there are a few times that might work for you all.

From: Haman, Patricia <Haman.Patricia@epa.gov>
Sent: Friday, February 19, 2021 5:07 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Got it. We will check in with the technical staff. Pat

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 4:58 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey y'all, I am looping in my colleague Pat who is our team expert on this. Maybe we can get a call on the books for later next week?

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Friday, February 19, 2021 3:59 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Awesome, thank you so much, Radha. And Congratulations, again!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 3:57 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey Sammie!
Let me check in with the team and circle back. Looking forward to working with you on this!
Radha

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Friday, February 19, 2021 2:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hi Radha,

Happy Friday! Just wanted to circle back on the email below. I apologize. I know things are insane right now, but any guidance you can provide would be greatly appreciated!

-Sammi

From: Swing, Samantha (Cortez Masto)
Sent: Thursday, February 11, 2021 2:53 PM
To: 'Adhar.Radha@epa.gov' <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: QFR Follow-up/Biointermediates

Hi Radha,

Congratulations on the move over to EPA! Well deserved, and I look forward to working with you in your new role. I am sure things are insanely busy as you settle into the new position, but I hoped to follow-up on a response to a question for the record that Senator Whitehouse submitted to Mr. Regan following his nomination hearing.

We worked with Senator Whitehouse's office on the question below, and I believe Senator Braun also raised the issue of biointermediates in a question for the record. We appreciate the response we received and would like to check in on the timeline for considering and finalizing the REGS rule, specifically the biointermediates item. Getting this long-delayed item across the finish line is hugely important to a project in Nevada that has garnered federal support in the past, and it would be helpful to open a line of communication on the issue as we look to elevate it within the agency.

Please let me know when might be a good time to connect.

Thank you,
Sammi

Biointermediates QFR and Response:

The Renewables Enhancement Growth Support (REGS) Rule (EPA-HQ-OAR-2016- 0041) has been stalled at EPA for more than four years. Among other items, this rule would allow biointermediates to produce low-carbon fuel for which renewable identification numbers would be generated. The REGS rule went through the entire rulemaking and commenting process as specified in the Administrative Procedures Act. Comments on the biointermediates section were overwhelmingly positive. Most recently, Congress directed EPA to finalize this portion of the rulemaking for the REGS Rule (in Division G of the report accompanying the FY 2021 omnibus appropriations bill). The language directs EPA to complete the rulemaking within 90 days of the act's enactment (December 27, 2020) and report to Congress within 60 days about EPA's plans for action on this important rule. Should you be confirmed, will you commit to adhere to Congress's instructions, under the prescribed timeline, to finalize the REGS Rule to address the long-delayed decision on biointermediates?

RESPONSE: If confirmed, I will confer with my legal and policy team to understand EPA's responsibilities under the report accompanying the Consolidated Appropriations Act of 2021 and determine a path forward on this rulemaking.

Samantha Swing
Legislative Assistant | Office of Senator Catherine Cortez Masto
202.224.3542 | www.cortezmasto.senate.gov

Sign up for updates from the Senator.

Message

From: Hooghan, Priyanka [Priyanka.Hooghan@mail.house.gov]
Sent: 4/26/2021 8:50:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Moody, Christina [Moody.Christina@epa.gov]; Williams, Thea [Williams.Thea@epa.gov]
CC: Kovalovich, Aria [Aria.Kovalovich@mail.house.gov]
Subject: RE: Question about ORD Deputy Asst Administrator for Science Policy role

Hi everyone,

Hope you had a nice weekend. Just bumping this request to see if you have any information you can share about Dr. Frey's role as Deputy Assistant Administrator for Science Policy at Office of Research and Development per our original request in February.

Thanks,
Priyanka

From: Hooghan, Priyanka
Sent: Thursday, February 4, 2021 9:55 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Moody, Christina <Moody.Christina@epa.gov>
Cc: Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>
Subject: Question about ORD Deputy Asst Administrator for Science Policy role

Hi Radha, Karen, and Christina,

We saw the recent announcement of a number of new appointees at EPA including Chris Frey as Deputy Assistant Administrator for Science Policy, Office of Research and Development. Will ORD also have a Deputy Assistant Administrator for the Office of Research and Development as in the previous Administration in addition to Dr. Frey's role? Can you describe the responsibilities of this new role within the organization of ORD?

We are really excited that Dr. Frey has joined the ORD team and look forward to working with him in his new role!

Thanks,
Priyanka

Priyanka K. Hooghan
Staff Director – Subcommittee on Environment
Committee on Science, Space, and Technology
U.S. House of Representatives
2321 Rayburn House Office Building
Washington, DC 20515
202-853-2786 (cell)

Message

From: Thibodeau, Elsa (Collins) [Elsa_Thibodeau@collins.senate.gov]
Sent: 4/27/2021 1:53:57 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Greenacre, Darci (Collins) [Darci_Greenacre@collins.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Ryan, Molly (Collins) [Molly_Ryan@collins.senate.gov]; Brown, Katie (Collins) [Katie_Brown@collins.senate.gov]
Subject: RE: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Importance: High

Karen,
Senator Collins is available as soon as Nominee McCabe is!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Monday, April 26, 2021 10:13 PM
To: Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Cc: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Ryan, Molly (Collins) <Molly_Ryan@collins.senate.gov>; Brown, Katie (Collins) <Katie_Brown@collins.senate.gov>
Subject: RE: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great – thank you, Elsa!

Karen.

From: Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Sent: Monday, April 26, 2021 10:04 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Ryan, Molly (Collins) <Molly_Ryan@collins.senate.gov>; Brown, Katie (Collins) <Katie_Brown@collins.senate.gov>
Subject: Re: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,
I have included a conference line below for tomorrow's call at 9:55AM.
Best,
Elsa

Dial in: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

> On Apr 26, 2021, at 9:54 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:
>
> Hi Darci,
>
> Thank you for reaching out. Yes, 9:55am tomorrow (4/27/2021) works. Does Sen Collins have a preferred way to connect with the nominee? Please let me know.
>
> Karen.
> 202 564 1142

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Monday, April 26, 2021 7:09 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Ryan, Molly (Collins) <Molly_Ryan@collins.senate.gov>; Brown, Katie (Collins) <Katie_Brown@collins.senate.gov>
Subject: Re: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Apologies. Could we do 9:55am tomorrow morning instead?

> On Apr 26, 2021, at 5:39 PM, Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov> wrote:
>
> Karen,
> Would Ms. McCabe be available to speak with Senator Collins briefly tomorrow at 12:35pm?
> Thank you!
> Best,
> Darci
> 202.224.1941
>
>> On Feb 19, 2021, at 10:21 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:
>>
>> No need to apologize, Darci! Thank you, and I look forward to hearing from you.
>> Take care,
>>
>> Karen.
>>
>> **From:** Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
>> **Sent:** Friday, February 19, 2021 4:25 PM
>> **To:** Thundiyil, Karen <Thundiyil.Karen@epa.gov>
>> **Cc:** Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
>> **Subject:** Re: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting
>>
>> And apologies that I missed your call- I'm out of the office this afternoon.
>>
>>> On Feb 19, 2021, at 4:19 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Darci – Just following up on my vmail. Please let us know if there's some time next week, or even on Monday, March 1st, that could work for the Senator. Thanks for considering,

Karen.
202 564 1142

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Wednesday, February 17, 2021 3:41 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,

Thanks for reaching out! We are unable to set this up this week but will be back in touch as soon as possible.

Best,
Darci

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:31 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Darci and Elsa,

I hope you are doing well. I'm reaching out to find time on Senator Collins's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency

(202) 564.1142

Message

From: Butler, Sarah (Markey) [Sarah_Butler@markey.senate.gov]
Sent: 2/18/2021 7:38:02 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Harrington, Ashley (Markey) [Ashley_Harrington@markey.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

We can do a call --thanks!

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 2:30 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

She is doing both so whatever the Senator prefers...

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Thursday, February 18, 2021 2:21 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Great- thanks! And you would prefer a call vs. a virtual meeting?

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 1:57 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Carlile, Amy L <acarlile@iu.edu>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! Let's plan to use this conf call line:
Phone number: Ex. 6 Personal Privacy (PP)
Conf ID: Ex. 6 Personal Privacy (PP)

Would you please share who will join Senator Markey on the call? Radha Adhar & I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>
Sent: Thursday, February 18, 2021 11:51 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great- we are confirmed. Do you need us to provide a Zoom link?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:49 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Yes, that is perfect!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Thursday, February 18, 2021 11:46 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Oh sorry I think we would want to meet prior to the meeting. Would 12:30pm on Monday March 1st work?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:28 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

That is the day of her confirmation hearing and we have not received a time for that as yet as far as I know. Perhaps Karen or Radha can let us know if 5:30 would be workable on the same day as the hearing.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Thursday, February 18, 2021 11:24 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Understood! Would 5:30pm on Wednesday March 3rd work instead?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:19 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah,

I just talked with Janet and that is the day she will be traveling from Indianapolis. She will likely drive due to COVID-19. Does Senator Markey have anything at all next week? I will make her available any time....

Thank you for your help with this.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street

Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Wednesday, February 17, 2021 1:03 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

Senator Markey has a window to meet virtually with Ms. McCabe at 4pm on Tuesday March 2nd. Does this time work on your end? If so, do you need us to provide a zoom link?

Best,

Sarah

Sarah E. Butler
Deputy Chief of Staff for Operations
Office of Senator Ed Markey
255 Dirksen Senate Building
Washington, DC 20510

e: sarah_butler@markey.senate.gov
p: 202-224-2742

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah & Ashley,

I hope you are doing well. I'm reaching out to find time on Senator Markey's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Markey's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/18/2021 8:28:34 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: Re: McCabe Questionnaire

Thank you, we will forward to the Capito staff.

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works
Desk line: 202-225-8098 (forwards to cell)

> On Feb 18, 2021, at 3:22 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hey guys,
>
> Attached, please find a signed and notarized copy of Janet's questionnaire. I am also including a spreadsheet of talks she has given as an amendment to her questionnaire.
>
> Please let me know if you have any questions,
> Radha
> <20210218134805290.tif>
> <McCabe speeches 2010-2021.xlsx>

Message

From: Greenacre, Darci (Collins) [Darci_Greenacre@collins.senate.gov]
Sent: 2/18/2021 7:48:21 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Thibodeau, Elsa (Collins) [Elsa_Thibodeau@collins.senate.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Kathleen,
Apologies – we do not need to change the time. We can keep 3:30PM.

From: Greenacre, Darci (Collins)
Sent: Thursday, February 18, 2021 2:47 PM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Kathleen,

With sincere apologies for asking, is there any way we could switch this meeting to 4:10PM on Monday?

Thank you!
Darci

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 2:15 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Thank you, Darci! Joining Administrator Nominee Regan will be Ms. Radha Adhar, Deputy Associate Administrator for Congressional Affairs, and Mr. John Lucey, Special Assistant to the Administrator.

I appreciate all of your help!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Wednesday, February 17, 2021 1:49 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Kathleen,

Thanks! We have set up a Zoom for Monday at 3:30PM. Will anyone attend with Mr. Regan?

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Best,
Darci

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:30 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Thank you, Darci. Monday, 2/22 at 3:30pmEST works great. Would Senator Collins prefer a video-call? I am happy to establish a Microsoft Teams link, or if you could share a zoom link that would be great.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Wednesday, February 17, 2021 12:20 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Michael,

Senator Collins would be available for a phone call with Mr. Regan on Monday, February 22 at 3:30PM. Please let me know if this time may work for him.

Thanks, and best,
Darci

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 3:52 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Collins

Good afternoon Darci,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Collins and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Collins has availability tomorrow, Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 2/18/2021 9:08:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]; Clark, Catherine (Durbin) [Catherine_Clark@durbin.senate.gov]; Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]; Suarez Del Real, Karissa (Durbin) [Karissa_SuarezDelReal@durbin.senate.gov]
Subject: RE: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Hi Radha,

As you can imagine, Senator Durbin echoes are concerns with the situation. His office also has similar requests regarding the scope and timeline of EPA's investigation and would like to be included in our future discussions. Thank you.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 17, 2021 1:51 PM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Cc: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: RE: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Thanks for your note Lizzy, hope to circle back to y'all soon.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Wednesday, February 17, 2021 1:50 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Hi Radha,

I hope all is well!

It has come to our attention that EPA has opened an investigation into the approval of city permits by the Illinois EPA for the Reserve Management Group's (RMG) Southside Recycling project located at 11600 S. Burley Ave, Chicago, IL 60617. These allegations are serious and we support EPA's investigations.

We would like an opportunity to understand what EPA will be reviewing and have a better understanding of a road map and expected time to accomplish a thorough investigation. We would like to schedule a time to have this discussion with EPA regarding the scope of this investigation and timeline. Let us know if you have time on your schedule for this, either this week or early next. We are trying to move quickly on this.

We very much appreciate your assistance and time on this critical Illinois concern. Talk soon.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

Message

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 2/18/2021 8:38:16 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Deveny, Adrian (Schumer) [Adrian_Deveny@schumer.senate.gov]
Subject: RE: Can we have like 1 minute follow up

Yes! I can talk now, or we can find a time tomorrow with the three of us.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 2:45 PM
To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: Can we have like 1 minute follow up

Whenever works for y'all?

Message

From: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]
Sent: 2/18/2021 8:30:38 PM
To: Moody, Christina [Moody.Christina@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Walsh, Ed [Walsh.Ed@epa.gov]
Subject: Re: Authorities

This is what I needed - thank you so much!

Sent from my iPhone

On Feb 18, 2021, at 2:59 PM, Moody, Christina <Moody.Christina@epa.gov> wrote:

Hi Laura,

Please take a look at these statutes and let me know if this gets to what you need.

B: QUALIFIED ENVIRONMENTAL STATUTES

The EJSG Program is designed to address multi-statute environmental and/or public health issues. For this reason, in order to be eligible under this solicitation each project must include activities related to at least one of the following federal environmental statutes. Any failure to clearly and conclusively identify and cite at least one of the federal statutes in your work plan may result in your project not being considered for award.

1. Clean Air Act, Section 103(b)(3): conduct research, investigations, experiments, demonstration projects, surveys, and studies (including monitoring) related to the causes, effects (including health and welfare effects), extent, prevention, and control of air pollution.

2. Clean Water Act, Section 104(b)(3): conduct and promote the coordination of research, investigations, training, demonstration projects, surveys, and studies (including monitoring) relating to the causes, effects, extent, prevention, reduction, and elimination of water pollution.

3. Federal Insecticide, Fungicide, and Rodenticide Act, Section 20(a): conduct research, development, monitoring, public education, training, demonstration projects, and studies on pesticides.

4. Marine Protection, Research, and Sanctuaries Act, Section 203: conduct research, investigations, experiments, training, demonstration projects, surveys, and studies relating to the minimizing or ending of ocean dumping of hazardous materials and the development of alternatives to ocean dumping.

5. Safe Drinking Water Act, Section 1442(b)(3): develop and expand the capability to carry out a program (that may combine training, education, and employment) for occupations relating to the public health aspects of providing safe drinking water.

6. Solid Waste Disposal Act, Section 8001(a): conduct and promote the coordination of research, investigations, experiments, training, demonstration projects, surveys, public education programs, and studies relating to solid waste (e.g., health and welfare effects of exposure to materials present in solid waste and methods to eliminate such effects).

7. Toxic Substances Control Act, Section 10(a): conduct research, development, monitoring, public education, training, demonstration projects, and studies on toxic substances.

Let me know if you have additional questions.

Kind Regards,

Christina J. Moody
United States Environmental Protection Agency
Appropriations|CrossCutting|Multi-Programmatic Initiatives
OCIR|Office of Congressional Affairs|Office of the Administrator
1200 Pennsylvania Avenue NW|Washington,DC 20460|MC-1301A
Moody.Christina@epa.gov

On Feb 18, 2021, at 2:07 PM, Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov> wrote:

Thank you Radha. I know some of these, but I'm not looking for the programs. I need the actual sections of the code that authorize these programs. If you have sent that to me in this document and I'm just not seeing it, can you point to me where I can find the info? Thank you.

Laura Haynes Gillam
Senior Policy Advisor for Clean Air and Climate
U.S. Senate Environment and Public Works Committee, Democratic Staff
Laura_gillam@epw.senate.gov

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 1:08 PM
To: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>
Cc: Moody, Christina <Moody.Christina@epa.gov>; Walsh, Ed <Walsh.Ed@epa.gov>
Subject: Authorities

Hey Laura,

Thanks to Ed and Laura we wanted to share this list of authorities at EPA. We hope this will help your conversations later today but please let us know if you have any questions

Thanks always,
Radha

Message

From: Baron, Diana (Brown) [Diana_Baron@brown.senate.gov]
Sent: 2/19/2021 2:19:03 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]; McCracken, Jonathan (Brown) [Jonathan_McCracken@brown.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Regan Meeting

1:30pm on 2/22 would work well. We can use our conference line: Ex. 6 Personal Privacy (PP)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 5:39 PM
To: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>; McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Regan Meeting

Would 10:30amEST or 1:30pmEST work well? Thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>
Sent: Thursday, February 18, 2021 2:40 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Regan Meeting

Sorry, 9:30am doesn't work. How about 11am?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 2:39 PM
To: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>; McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Regan Meeting

Hi Diana – Would 9:30aEST on Monday work well? Can you please share with me a conference line number to use?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>
Sent: Thursday, February 18, 2021 10:47 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Regan Meeting

Kathleen,

Monday would work for a phone call. We can be flexible on timing.

--Diana Baron
Director of Scheduling/Executive Assistant
U.S. Senator Sherrod Brown
503 Hart Senate Office Building
Washington, DC 20510
(202) 224-2315
fax (202) 228-6703
Visit our website at http://brown.senate.gov

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 11:57 AM
To: McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Cc: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Regan Meeting

Thank you, Radha.

Diana and Jonathan – wonderful to be connected with you. Does Senator Brown have availability next week on Monday or Tuesday? Please share a few times that work well on the schedule.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 17, 2021 11:26 AM
To: McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Cc: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Regan Meeting

Thanks Jonathan. Also looping in our head of Scheduling to assist with this.

Kathleen,

Senator Brown would like to meet with Secretary Regan. Can you help us find a time for them to chat?

Thank you in advance,
Radha

From: McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Sent: Wednesday, February 17, 2021 11:22 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Baron, Diana (Brown) <Diana_Baron@brown.senate.gov>
Subject: Regan Meeting

Radha,

Great chatting yesterday! Per our discussion about SB (virtually) meeting with Regan, I've copied our Head of Scheduling to figure out a time that might work for both. Appreciate your help!

jdm

Message

From: Bermudez, Navis [Navis.Bermudez@mail.house.gov]
Sent: 2/19/2021 2:36:48 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Subject: SSM for Water Resources and Environment Hearing
Attachments: 2021-02-23 SSM Clean Water Infrastructure FINAL.pdf

Hello Radha-

Atached is the briefing memo we sent to the T&I LAs today. You'll see the witness list at the end. Let us know if you have any questions, navis

---
Navis A. Bermudez
Senior Professional Staff
Committee on Transportation and Infrastructure
Subcommittee on Water Resources and Environment

Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman

Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member

Paul J. Sass
Republican Staff Director

February 18, 2021

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Water Resources and Environment
FROM: Staff, Subcommittee on Water Resources and Environment
RE: Subcommittee Hearing on "Building Back Better: The Urgent Need for Investment in America's Wastewater Infrastructure"

PURPOSE

The Subcommittee on Water Resources and Environment will meet in open session on Tuesday, February 23, 2021, at 11:00 a.m. in the Rayburn House Office Building, Room 2167, and by video conferencing via Cisco Webex, to receive testimony on "Building Back Better: The Urgent Need for Investment in America's Wastewater Infrastructure." The purpose of this hearing is to examine the current state of our clean water systems and receive testimony on the backlog of clean water infrastructure needs, current and future challenges, and the infrastructure affordability challenges facing communities and American households. The Subcommittee will hear from representatives of utilities, rural and tribal communities impacted by inadequate clean water infrastructure and affordability challenges, and the manufacturing and labor sectors who may offer recommendations for the Environmental Protection Agency (EPA) to address water infrastructure needs.

BACKGROUND

Clean Water Infrastructure Needs

America's water infrastructure is in need of further financial investment. According to the American Society of Civil Engineers (ASCE) *Failure to Act Report,* America's wastewater treatment infrastructure receives a grade of D+, which was included in ASCE's *2017 Infrastructure Report Card.*[1]

According to EPA's most recent (2012) needs survey, communities have documented at least **$271 billion** of investment over the next 20 years to bring their systems to a state of good repair.[2] As this assessment is almost a decade old, the current need may be higher. Given the current level of Federal

---

[1] American Society of Civil Engineers. 2017 Infrastructure Report Card. https://www.infrastructurereportcard.org.
[2] https://www.epa.gov/cwns/clean-watersheds-needs-survey-cwns-2012-report-and-data.

investment to address these needs, States and local governments are covering more than 95 percent of the cost of clean water projects.[3]

These statistics indicate a need for increased investment in our Nation's water infrastructure, and the benefits are numerous. Investing in clean water creates thousands of domestic jobs in the construction industry and reduces the overall costs of operating and maintaining that infrastructure. According to the National Utility Contractors Association, every $1 billion invested in our Nation's water infrastructure creates or sustains nearly 28,000 jobs in communities across America, while improving public health and the environment at the same time.[4] In addition, clean water infrastructure helps prevent contamination of our Nation's waters that are relied upon by the recreational industry. People spend approximately $70 billion per year on recreational boating and fishing; that industry employs more than 150,000 people.[5]

Impacts of COVID-19 on Wastewater Infrastructure Industry

As a result of the pandemic, many households and communities across the nation are under financial strain. Accordingly, wastewater utilities are facing a decrease in revenue. The National Association of Clean Water Agencies (NACWA) estimates that the resulting financial impact on wastewater utilities will be around $16.8 billion, including a 20 percent drop in sewer revenues.[6] These challenges are on top of existing long-term insufficient investment in the Nation's water infrastructure.

To help address these challenges, Congress included $638 million in the *Consolidated Appropriations Act of 2021* (P. L. 116-260) for the Department of Health and Human Services (Administration for Children and Families—Children and Families Services Programs) to prevent, prepare for, and respond to coronavirus, and for necessary expenses for grants to carry out a low-income household drinking water and wastewater emergency assistance program.[7]

Wastewater Infrastructure Needs of Tribal Communities

While the majority of people living in the United States have access to high-quality drinking water and wastewater services, more than two million do not have access to adequate drinking water and sanitation.[8] A report from the U.S. Water Alliance and Dig Deep found that Native Americans are 19 times

---

[3] Congressional Budget Office. Public Spending on Transportation and Water Infrastructure, 1956 to 2017. October 2018. https://www.cbo.gov/publication/54539.

[4] Statement of Doug Carlson, CEO, National Utility Contractors Association, before the Senate Committee on Environment and Public Works hearing, entitled "Information Gathering-Process on Draft Legislation" (April 27, 2020) (https://www.nuca.com/files/Gov%20Relations/EPW%20Water%20Infrastructure%20Legislation_NUCA%20Statement_April%2027%202020_FINAL.pdf)

[5] EPA 2012. The importance of Water to the US Economy, Part 1: Background Report. Office of Water, US Environmental Protection Agency. September 2012.

[6] National Association of Clean Water Agencies (NACWA), Recovering from Coronavirus (NACWA), https://www.nacwa.org/docs/default-source/resources---public/water-sector-covid-19-financial-impacts.pdf?sfvrsn=98f9ff61_2.

[7] The appropriation for this low-income household grants provision in the *Consolidated Appropriations Act of 2021* went to the Department of Health and Human Services, and therefore is not under the jurisdiction of the House Committee on Transportation and Infrastructure. However, the provision is expected to benefit municipal wastewater utilities, which are under the Transportation and Infrastructure Committee's jurisdiction, by helping utilities make up some of the sewer revenues they have lost.

[8] US Water Alliance and DigDeep, Closing the Water Access Gap: A National Briefing Paper (DigDeep Right to Water Project and US Water Alliance, 2019), http://uswateralliance.org/sites/uswateralliance.org/files/publications/Closing%20the%20Water%20Access%20Gap%20in%20the%20United%20States_DIGITAL.pdf.

ED_013012_00001793-00002

more likely than white households to lack indoor plumbing.[9] According to the Indian Health Service, in fiscal year (FY) 2018, the agency-identified sanitation deficiencies included 1,837 projects with a total estimated cost of $2.78 billion.[10]

The Clean Water Indian Set-Aside (CWISA) program was established by the 1987 Amendments to the *Clean Water Act* (P.L. 100-4) to provide funding for wastewater infrastructure to American Indian Tribes and Alaska Native Villages. CWISA funds may be used for planning, design, and construction of wastewater collection and treatment systems. The EPA administers CWISA in cooperation with the Indian Health Service Sanitation Facilities Construction program.

Section 518(c)(2) of the *Clean Water Act* authorizes between 0.5 and 2 percent of the overall appropriations for the Clean Water State Revolving Fund (Clean Water SRF) for the CWISA program. Since FY 2016, Congress has appropriated either two percent of the Clean Water SRF or $30 million, whichever is greater, for the CWISA program.

Clean Water Act Affordability

Communities and governments at all levels face growing challenges in effectively managing the water resources necessary to support growing and shifting populations, thriving residential, commercial, industrial, and agricultural sectors, and healthy and productive natural environments. Many local governments also face complex affordability challenges—with some communities addressing shrinking rate bases, while others with growing populations facing increasing segments of their rate base that are unable to afford the rising costs of clean water. In short, local infrastructure needs can disproportionately impact those communities across the country least able to afford necessary repairs, replacements, and upgrades. Nationwide, water utilities and communities of all sizes seek to ensure clean, safe, accessible, and affordable water, all the while dealing with the challenges of extreme weather events and mounting concerns regarding water quality and quantity.

In 2017, the National Academy of Public Administration issued a report that examined the challenges local communities face in providing clean, safe, and affordable water and wastewater services.[11] This report concluded that the governmental responsibility to assure clean water that is also affordable to both communities and individuals has become an increasing challenge.[12]

First, the report recognized that water infrastructure in the United States is aging, imposing additional costs on communities to both upgrade and maintain deteriorating infrastructure from deferred maintenance.[13] Second, the report recognized the costs to communities to come into compliance with the *Clean Water Act* as an additional factor, and highlighted the importance of more cost-effective and innovative solutions, such as increased use of green-infrastructure approaches, stormwater recapture and reuse, and integrated planning, to address these challenges.[14] Finally, the report highlighted how affordability

---

[9] Id.
[10] Annual Report to Congress of the United States on Sanitation Deficiency Levels for Indian Homes and Communities. Fiscal Year 2018. Indian Health Service Office of Environmental Health and Engineering Division of Sanitation Facilities Construction.
[11] National Academy of Public Administration. Developing a New Framework for Community Affordability of Clean Water Services. October 2017. https://www.napawash.org/studies/academy-studies/developing-a-new-framework-for-community-affordability-of-clean-water-servi.
[12] Id.
[13] Id.
[14] Id.

ED_013012_00001793-00003

is an especially critical issue for low-income customers throughout the United States, noting that, while average annual expenditures for water are generally low relative to other utilities, they represent a higher share of income for those with the lowest 20 percent of income.[15]

In the 115th Congress, Congress approved two bills to address some of the challenges highlighted in the NAPA report. First, Congress approved the *America's Water Infrastructure Act of 2018* (P. L. 115-270), which, among other things, expanded the eligibility for *Clean Water Act* grants to address sewer overflows and to capture, treat, and reuse wastewater and stormwater runoff. In addition, Congress passed the *Water Infrastructure Improvement Act* (P. L. 115-436), which codified the "integrated planning" concept that helps communities by providing them greater flexibility in meeting their requirements under the *Clean Water Act* while maintaining their obligation to achieve improvements in local water quality, as well as incorporating the use of green infrastructure approaches into the permitting and enforcement provisions of the *Clean Water Act.*

In addition, several bills to address wastewater affordability concerns have been proposed and debated in the 115th and 116th Congresses. One approach would amend the *Clean Water Act* to address the issue of water affordability at the household level by providing Federal assistance directly to utilities who would then apply those resources to cover the individual household costs for water and wastewater service rates.[16] This is similar to the approach taken in the *Consolidated Appropriations Act of* 2021 (P. L. 116-260) to address water and wastewater rate assistance in response to the COVID-19 outbreak. A second approach, such as that included in H.R. 1497 (as reported) and H.R. 2 (as passed the House) from the 116th Congress, would utilize existing *Clean Water Act* infrastructure investment authorities, such as the Clean Water SRF (title VI of the *Clean Water Act*), the Sewer Overflow and Stormwater Reuse Municipal Grants program (section 221 of the *Clean Water Act*), and other grant programs to provide communities with a greater share of Federal financial assistance in the form of a grant rather than a traditional Clean Water SRF loan.

Federal Clean Water Investment: Clean Water State Revolving Fund

For close to 80 years, Congress has provided Federal funds to municipalities to address local water quality challenges, including sewage treatment needs. Initially, this assistance was provided as direct grants to municipalities (covering 55 to 75 percent of the total costs of the projects). However, in 1987, Congress converted the direct grant program to a Clean Water SRF authority that provides funding directly to States which, in-turn, provide below-market rate loans to communities to finance local wastewater infrastructure needs (required to be fully repaid over a 30-year term).

The authorization of appropriations for the Clean Water SRF expired after 1994. Yet, Congress continues to fund this critical investment in our Nation's wastewater infrastructure through annual appropriations bills—providing more than $46 billion in Federal capitalization assistance to States since 1987—including an appropriation of $1.638 billion for the Clean Water SRF in the *Consolidated Appropriations Act of 2021*. In turn, according to the EPA this infusion of Federal capital to State revolving funds has leveraged over $138 billion in direct assistance to communities over this period.[17]

---

[15] Id.

[16] H.R. 2328, the Low–Income Sewer and Water Assistance Program Act of 2017 (115th Congress); H.R. 4832, the Low-Income Sewer and Water Customer Assistance Program Act of 2019 (116th Congress).

[17] https://www.epa.gov/newsreleases/epa-highlights-increased-investment-water-infrastructure-through-state-revolving-funds

ED_013012_00001793-00004

In 2014, Congress enacted amendments to the *Clean Water Act* which authorized States that provide assistance to communities under the Clean Water SRF program, to provide additional subsidization, including forgiveness of principal and negative interest loans to benefit a municipality that meets the affordability criteria of the State; or that seeks additional subsidization to benefit individual ratepayers in the municipality's residential user rate class that will experience a significant hardship from the increase in rates necessary to finance the project or activity for which assistance is sought.[18] In addition, in recent years, the annual appropriations bill for the EPA has included additional provisions to require States to use a portion of Clean Water SRF funding to provide communities with "additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants" as well as to reserve an additional portion of Clean Water SRF funding for "projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities."[19]

In the 116th Congress, the Committee on Transportation and Infrastructure approved H.R. 1497, the *Water Quality Protection and Job Creation Act of 2019*, by voice vote, and similar legislation was approved by the House as part of H.R. 2, the *Moving Forward Act*. This legislation would have reauthorized and increased the authorized level of Federal appropriations for the Clean Water SRF program at levels more commensurate with local water infrastructure needs, as well as reauthorized several existing *Clean Water Act* grant authorities. In addition, this legislation would have extended the existing green infrastructure reserve,[20] established set-asides of Federal resources for rural and small communities, codified set-asides for Indian Tribes and U.S. Territories, and included several provisions to address the cost of wastewater service to low-income customers and households. H.R. 1497 would also have made changes to the *Clean Water Act* regulatory program to allow National Pollutant Discharge Elimination System (NPDES) permits for certain municipalities of up to 10 years, as well as established a process to prevent States from "administratively" extending permits beyond their statutorily-defined duration (typically five years) without review and updating. These regulatory provisions were not included in H.R. 2. No further action was taken on these proposals in the 116th Congress.

---

[18] Section 5003 of Pub. L. 113-121.

[19] The *Consolidated Appropriations Act of 2021* requires States to utilize 10 percent of their Clean Water SRF capitalization grant for this subsidy/grant component, and 10 percent of their capitalization grant for green infrastructure and water and energy efficiency projects.

[20] This provision requires States, to the extent that there are sufficient projects or activities eligible for assistance, to utilize not less than 15 percent of their Clean Water SRF capitalization grant for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.

ED_013012_00001793-00005

WITNESSES

David J. Berger
Mayor
City of Lima, Ohio
on behalf of the U.S. Conference of Mayors

Bill Sterud
Chairman
Puyallup Tribal Council
Tacoma, Washington

OJ McFoy
General Manager
Buffalo Sewer Authority
on behalf of the National Association of Clean Water Agencies

Tom Teske
Vice President and General Manager
EJ Americas
East Jordan, Michigan

Brenda Coley
Co-Executive Director
Milwaukee Water Commons
Milwaukee, Wisconsin

David Mallino
Legislative & Political Director
Laborers International Union of North America

ED_013012_00001793-00006

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/19/2021 3:15:51 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat Janet Meeting?

Or what about Monday at 3?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 10:10 AM
To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Subject: RE: Time to chat Janet Meeting?

You bet. Let me know what works!

From: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Sent: Friday, February 19, 2021 9:46 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat Janet Meeting?

Sorry, I'm out today. Could we chat Tuesday?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 9:43 AM
To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Subject: Time to chat Janet Meeting?

Hey homey,

Do you mind if I call you today to chat for 5 about your boss's meeting with Janet? Want to make sure it's a productive conversation! Also please loop in anyone else from your side that will be staffing!

Thanks in advance,
Radha

Message

From: Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Sent: 2/19/2021 3:32:40 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat Janet meeting

Of course! Would 1pm or 2pm work?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 9:42 AM
To: Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: Time to chat Janet meeting

Hey lady, do you mind if I call you today to chat for 5 about your boss's meeting with Janet? Want to make sure it's a productive conversation!

Thanks in advance,
Radha

Appointment

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/19/2021 3:38:08 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/Whitehouse

Start: 2/22/2021 8:00:00 PM
End: 2/22/2021 8:30:00 PM
Show Time As: Busy

Recurrence: (none)

When: Feb 22, 2021 1:00:00 PM

Appointment

From: Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Sent: 2/19/2021 3:47:00 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/Braun
Location: Microsoft Teams Meeting

Start: 2/19/2021 4:30:00 PM
End: 2/19/2021 5:00:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Morgan, Ashley (Carper) [Ashley_Morgan@carper.senate.gov]
Sent: 2/19/2021 4:15:35 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu; Wehrley, Lydia (Carper) [Lydia_Wehrley@carper.senate.gov]; Cameron, Jacqueline (Carper) [Jacqueline_Cameron@carper.senate.gov]
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Would it be possible to schedule this for Friday, February 26th at 4:45 pm? If so, we are happy to provide a zoom link for the meeting.

Thanks!
Ashley

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 9:25 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley – It looks like 3/2 won't work because Janet will be driving to DC that day. She has a lot of availability on 3/1 and next week (week of 2/22). Janet said she can make time on the weekend as well.
Please let us know if any of that can be workable on your end.
Thanks for working through this with us!

Karen.
202 564 1142

From: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Sent: Thursday, February 18, 2021 7:08 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Oh goodness it is no trouble at all. Tomorrow works great! If 3/2 doesn't work we can try to set up a phone call instead of a zoom for next week.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 6:07 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley – I ***think*** Janet McCabe may be traveling (driving) to DC on 3/2.
Radha or Amy should know more about her plans by late today/tomorrow morning. Can we get back to you then? I really appreciate you dealing with our request!

Take care,

Karen.
202 564 1142

From: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Sent: Thursday, February 18, 2021 5:59 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Could you please share availability for 3/2 as well?

Thanks!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 11:43 AM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley – Glad we could talk on the phone and thank for sharing what a busy week you have ahead next week. Since we are focused on the first couple of days of March, I asked and Janet can make herself available Monday, March 1st. Just let us know if there's any time slot that works well for the Senator and we'll make that time slot work.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Sent: Tuesday, February 16, 2021 1:56 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Thank you so much for reaching out with this request. We are taking a look at Senator Carper's schedule and will circle back with you soon!

Thanks,
Lydia

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 12:53 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley and Lydia,

I hope you are doing well. I'm reaching out to find time for Senator Carper to talk with Janet McCabe, the nominee for the post of Deputy Administrator of EPA. We would welcome anytime Senator Carper can make. Would you please share possible some times for a 30-minute slot that could work for Senator Carper? We would appreciate the opportunity for a meeting in the next week or so – is that possible?

If you have any questions, please reach out. Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: UnruhCohen, Ana [Ana.UnruhCohen@mail.house.gov]
Sent: 2/19/2021 3:58:15 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Note for Mr. Regan from Chair Castor
Attachments: SCCC Report Executive Summary.pdf

Importance: High

Kathleen and Radha, Can you help get this note to Mr. Regan ahead of the meeting between Chair Castor and Mr. Regan on Monday? I'd really appreciate it. Thanks, Ana

Dear Michael,

Congratulations on your nomination to lead the Environmental Protection Agency! I am encouraged by the positive confirmation vote you received from the Senate Environment and Public Works Committee. I look forward to the full Senate confirming you as EPA administrator and working with you in your new role. Thank you for reaching out for an initial conversation. It will be good to connect with you on Monday.

Last year, the Select Committee on the Climate Crisis Democrats released a majority staff report focused on climate solutions (and spearheaded by your now Deputy Chief of Staff Alison Cassady). I encourage you and your staff to review the *Solving the Climate Crisis: The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America*. Our majority staff report provides a roadmap for Congress—a Climate Crisis Action Plan—to build a prosperous, 100% net zero clean energy economy that values workers, advances environmental justice, and is prepared to meet the challenges of the climate crisis. Energy Innovation reviewed our science-based action plan and determined that, if the recommendations are adopted by Congress, it would save as many 62,000 lives every year by 2050 and create at least $8 trillion in climate and health savings through 2050. Just the recommendation to enact a Clean Energy Standard to decarbonize the electricity sector alone would create roughly 530,000 jobs annually.

The report is the culmination of 16 months of work, 17 official bipartisan hearings, more than 1,000 stakeholder meetings, collaboration with members and staff of the committees of jurisdiction, and review of more than 700 substantive responses to our Request for Information. The report reflects more than 300 bills already introduced by more than 100 members of Congress to tackle the climate crisis.

Based upon the extensive existing legislation already filed last Congress and the legislation the House of Representatives passed, it is clear that Democrats have been working hard to build a clean energy economy, make our communities more resilient to climate impacts, and advance environmental justice. Looking ahead, we have a tremendous base of knowledge and passionate members who are eager to take on the challenge of solving the climate crisis. I look forward to working with you to advance climate solutions in a way that helps all Americans.

I have attached the executive summary of the report to this email. Additional resources from the Select Committee on the Climate Crisis are available here:

- Full Report
- Summary of Report
- Fact Sheet
- One Page Summaries by Issue Area

If you have any questions or comments, please do not hesitate to contact me at Ex. 6 Personal Privacy (PP) or Ana Unruh Cohen, Staff Director, at Ex. 6 Personal Privacy (PP)

Sincerely,

Kathy

Kathy Castor
Chair
Select Committee on the Climate Crisis

HOUSE SELECT COMMITTEE ON THE
CLIMATE CRISIS

SOLVING THE CLIMATE CRISIS

The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America

Majority Staff Report

HOUSE SELECT COMMITTEE ON THE
CLIMATE CRISIS

SOLVING THE CLIMATE CRISIS

The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America

SELECT COMMITTEE ON THE CLIMATE CRISIS

MAJORITY STAFF REPORT

116TH CONGRESS

PREPARED BY MAJORITY COMMITTEE STAFF PURSUANT TO H.RES.6

DEMOCRATIC MEMBERS OF THE SELECT COMMITTEE

Rep. Kathy Castor (D-FL), Chair
Rep. Ben Ray Luján (D-NM)
Rep. Suzanne Bonamici (D-OR)
Rep. Julia Brownley (D-CA)
Rep. Jared Huffman (D-CA)
Rep. A. Donald McEachin (D-VA)
Rep. Mike Levin (D-CA)
Rep. Sean Casten (D-IL)
Rep. Joe Neguse (D-CO)

June 2020

PREFACE

At the time of this report's release in June 2020, the nation was reeling. The COVID-19 pandemic had claimed more than 120,000 lives in the United States. Months of stay-at-home orders and business closures had put 40 million Americans out of work, upending the livelihoods of working families. More than one in four workers claimed unemployment benefits, and many more struggled to navigate an often-broken unemployment filing system. This economic crisis, which by many measures exceeded the worst of the Great Recession, exacerbated economic inequalities that existed before the pandemic, particularly for women and people of color. As some states began to slowly reopen at the end of May, the nation erupted in protest in response to yet another police killing of a defenseless African-American man, George Floyd. Throughout it all, President Trump failed to lead the country in a unified and compassionate response, instead choosing to fan the flames of discord and distrust.

Against this backdrop, one may wonder why Select Committee Democrats would choose to release this report with recommendations to solve the climate crisis.

We cannot wait. Atmospheric carbon dioxide concentrations in May 2020 exceeded the highest monthly average ever recorded. The planet suffered through the second hottest year ever in 2019, and May 2020 tied for the highest global May temperature in 141 years of recordkeeping. As the Earth continues to heat up, climate-related impacts, including heat waves, extreme storms, droughts, and flooding, are worsening. The country's most vulnerable populations—low-income communities and communities of color that have been hardest hit by the COVID-19 pandemic—are most at risk, as underlying demographic, socioeconomic, and health factors act as threat multipliers for the dangerous impacts of climate change.

While the harmful human and economic costs of inaction continue to compound, the solutions to climate change—including building and rebuilding America's energy, transportation, and manufacturing infrastructure to be cleaner and more resilient to climate impacts—offer an opportunity to propel the economy forward. Solving the climate crisis is hard work, but it provides a pathway to millions of good-paying, high-quality jobs that can fortify and expand America's middle class. As Congress crafts legislation to help the country rebound from the pandemic and economic crisis, clean energy and climate investments can power short- and long-term economic recovery.

Building a resilient, clean economy affords us another opportunity: to acknowledge and commit to correcting past policy failures that created the climate crisis and the systemic economic and racial inequalities that plague our communities today. This report offers policy recommendations that address the urgency of the climate crisis and begin to repair the legacy of environmental pollution that has burdened low-income communities and communities of color for decades. Climate solutions must have justice and equity at their core.

The protests in response to George Floyd's death are reminders of the consequences of past inaction, while responses to the COVID-19 pandemic demonstrate that Americans can mobilize en masse to save lives. Both underscore that there are no foregone conclusions. What we choose to do now shapes the future. What happens next—for racial equality, for public health, for the climate crisis—depends on us.

ED_013012_00001811-00003

EXECUTIVE SUMMARY

American leadership and ingenuity are central to solving the climate crisis. With the devastating health and economic consequences of climate change growing at home and abroad, the United States must act urgently, guided by science, and in concert with the international community to provide a livable climate for today's youth and future generations. We must harness the technological innovation of the moonshot, the creativity of our entrepreneurs, the strength of our workers, and the moral force of a nation endeavoring to establish justice for all. Working together, we will avert the worst impacts of the climate emergency and build a stronger, healthier, and fairer America for everyone. The Climate Crisis Action Plan outlined in this report provides a roadmap for Congress to build a prosperous, clean energy economy that values workers, advances environmental justice, and is prepared to meet the challenges of the climate crisis.

A Framework for Congressional Action

In January 2019, House Resolution 6 created the bipartisan Select Committee on the Climate Crisis to "develop recommendations on policies, strategies, and innovations to achieve substantial and permanent reductions in pollution and other activities that contribute to the climate crisis."[9] The resolution directed the Select Committee to deliver policy recommendations to the standing legislative committees of jurisdiction for their consideration and action.[10] Over the last 17 months, the Select Committee has consulted with hundreds of stakeholders and scientists, solicited written input, and held hearings to develop a robust set of legislative policy recommendations for ambitious climate action.

In this report, the majority staff for the Select Committee lays out a framework for comprehensive congressional action[11] to satisfy the scientific imperative to reduce carbon pollution as quickly and aggressively as possible, make communities more resilient to the impacts of climate change, and build a durable and equitable clean energy economy. To succeed, Congress needs to put people and communities at the center of climate policy so they can see and experience the tangible benefits of climate action for their health and livelihoods.

In practical terms, this means building and rebuilding America's infrastructure, the foundation of the American economy and communities; reinvigorating American manufacturing to create a new generation of secure, good-paying, high-quality jobs; prioritizing investment where it is needed the most, including rural and deindustrialized areas, low-income communities, and communities of color; and beginning to repair the legacy of economic and racial inequality that has left low-income workers and communities of color disproportionately exposed to pollution and more vulnerable to the costs and impacts of climate change. By responding to the material harm of the climate crisis, Congress will also address the moral obligation to protect the most vulnerable and allow future generations to thrive.

---

[9] H.Res.6, "Adopting the Rules of the House of Representatives for the One Hundred Sixteenth Congress, and for other purposes," Section 104(f), 116th Congress.

[10] H.Res.6 directed the Select Committee to deliver policy recommendations by March 31, 2020. The COVID-19 pandemic delayed the Select Committee's report release until June 2020.

[11] This report focuses on what actions Congress should take to address the climate crisis rather than what the White House should do with its existing authority. Ideally, legislative and administrative action would be complementary.

ED_013012_00001811-00004

The Climate Crisis Action Plan

To have a chance at limiting warming to 1.5°C and avoiding increasingly severe impacts from climate change, the Intergovernmental Panel on Climate Change (IPCC) concluded that global net anthropogenic carbon dioxide emissions must fall by 45% from global 2010 levels by 2030 and reach net-zero by 2050.[12] Hitting these targets will require a "rapid and far-reaching" transition across the economy that is "unprecedented in terms of scale."[13]

The Climate Crisis Action Plan establishes a goal of reaching net-zero greenhouse gas emissions economy-wide in the United States by no later than 2050; directs the president to set ambitious interim targets to meet or exceed that goal; and calls for achieving net-negative greenhouse gas emissions during the second half of the century.

The Climate Crisis Action Plan will build an American economy that protects public health and values workers, families, communities, and current and future generations who are depending on Congress to tackle the existential threat of climate change in a just and equitable way. The Climate Crisis Action Plan lays out hundreds of recommendations for comprehensive congressional action and centers on 12 key pillars, as detailed below. These recommendations offer an array of policy solutions that can benefit communities across the country, whether they are rural or urban; create good, local jobs; and reduce pollution.

The majority staff for the Select Committee previewed its draft policy recommendations with the non-partisan think tank Energy Innovation: Policy and Technology LLC ("Energy Innovation"). Energy Innovation used their open-source Energy Policy Simulator[14] to model the emissions reductions and co-benefits from implementing a subset of the Select Committee's recommendations. According to Energy Innovation's model, the Select Committee majority staff's recommendations across the 12 pillars will set the country on a path to achieving net-zero greenhouse gas emissions by 2050. The subset of recommendations from the Climate Crisis Action Plan would:

- Reduce net U.S. greenhouse gas emissions by 37% below 2010 levels in 2030 and 88% below 2010 levels in 2050.[15] The remaining 12% of emissions comes from the hardest to decarbonize sectors, such as heavy-duty and off-road transportation, industry, and agriculture.

- Lead the United States to reach net-zero carbon dioxide emissions before 2050, in line with the IPCC's guidance on emissions reductions needed to limit warming to 1.5°C.

- Deliver significant health benefits, avoiding an estimated 62,000 premature deaths annually by 2050, primarily by reducing fine particulate matter pollution.

- By 2050, the cumulative estimated health and climate benefits are almost $8 trillion (real 2018 U.S. dollars). In 2050 alone, the estimated health and climate benefits exceed $1 trillion.

---

[12] Intergovernmental Panel on Climate Change (IPCC), *Special Report on Global Warming of 1.5°C* (October 2018) at 14.
[13] Ibid. at 17.
[14] Energy Innovation: Policy and Technology LLC, Energy Policy Simulator, https://www.energypolicy.solutions/.
[15] This is equivalent to 40% below 2005 levels by 2030 and 89% below 2005 levels by 2050. We used the 2010 reference point because the IPCC uses 2010 levels when it describes near-term emissions reduction goals to limit warming to 1.5°.

ED_013012_00001811-00005

In developing the policy recommendations under each pillar below, Congress should implement an inclusive stakeholder process that solicits early input and feedback from those most affected by the outcomes of the policy choices. In particular, Congress should "meaningfully involve and value the voices and positions of EJ frontline and fenceline communities"[16] and labor organizations.

Pillar 1: Invest in Infrastructure to Build a Just, Equitable, and Resilient Clean Energy Economy

Congress needs to make a deep, sustained commitment to rebuild and modernize the nation's infrastructure to reduce greenhouse gas emissions and withstand the unavoidable impacts of a warming climate. Doing so will create good-paying, high-quality jobs to expand America's middle class and lay a solid foundation for an equitable economy.

Build a cleaner and more resilient electricity sector to achieve net-zero emissions from power generation by 2040

Decarbonization of the electricity sector is the linchpin of any national strategy to achieve net-zero emissions economy-wide by no later than 2050. Electrification of key end uses in the transportation, buildings, and industrial sectors will be essential to cut emissions from those sectors. Electrification only works as a decarbonization strategy, however, if the grid is as clean as possible as soon as possible. Energy efficiency can moderate the expected increase in electricity demand from electrification and reduce energy costs for consumers.

As the electricity grid becomes the central feature of a comprehensive climate strategy, its reliability and resilience to climate-related threats becomes even more paramount. Recent events have shown that the electricity grid is vulnerable to climate-related disasters, such as extreme storms that knock down power lines, but also can trigger disasters, such as wildfires sparked by power lines igniting vegetation in hot and dry conditions.

POLICY TOPLINES: Congress should enact a Clean Energy Standard to achieve net-zero emissions in the electricity sector by 2040 and an Energy Efficiency Resource Standard to smooth out rising electricity demand from electrification and save consumers money on their power bills. Congress should extend and expand clean energy tax incentives and grant programs, such as the Energy Efficiency and Conservation Block Grant Program, to maximize near-term deployment of energy efficiency, renewable energy, and zero-carbon electricity sources. For the longer term, Congress needs to invest in research and development across technologies, but particularly in energy storage. Congress should ensure that low-income communities and communities of color have equitable access to and benefit from these clean energy resources.

To fully harness the country's vast renewable energy resources onshore and offshore, Congress must direct the Federal Energy Regulatory Commission (FERC) to develop a long-range transmission infrastructure strategy to site more interstate transmission lines in high-priority corridors. Congress also should direct FERC to remove roadblocks in power markets that slow the growth of electricity generation from clean sources.

---

[16] Equitable and Just National Climate Platform, https://ajustclimate.org/about.html. Accessed June 2020.

ED_013012_00001811-00006

To make the grid more resilient to climate impacts, Congress will need to partner with state, local, tribal, and territorial governments, utilities, workers, and communities to harden the electric grid's physical infrastructure; deploy new technologies to detect grid disruptions quickly; and facilitate community access to clean microgrids and distributed energy resources to make households less reliant on the centralized grid.

Build a cleaner and more resilient transportation sector

The transportation sector—including cars, trucks, buses, airplanes, ships, rail, and other modes—is the largest source of energy-related carbon dioxide emissions in the United States. Across modes, the story is similar: emissions are a function of the vehicle's fuel efficiency, the fuel's carbon intensity, and the number of miles traveled each year. Each part of the transportation sector, however, is at a different stage of zero-emission technological innovation and faces unique challenges to decarbonization and, as a result, may require a tailored policy approach. Well-designed policy should lead to new manufacturing and supply chain innovations that create good-paying jobs at home and bolster American competitiveness.

In addition to contributing to the climate problem, transportation infrastructure is heavily exposed to extreme weather and climate impacts, from floods that wash out bridges and roads to heat waves that ground airplanes. Without proactive action to build resilience, climate change will compromise the reliability and capacity of even the cleanest transportation systems.

POLICY TOPLINES: Congress should expedite deployment of zero-emission technologies in the sectors where they are already available while making new gasoline- and diesel-powered vehicles as clean as possible. This should include setting strong greenhouse gas emissions standards for cars, heavy-duty trucks, and aviation; enacting a national sales standard to achieve 100% sales of zero-emission cars by 2035 and heavy-duty trucks by 2040; and providing incentives to build out zero-emission fueling infrastructure across the country. Ambitious initiatives to ensure more domestic manufacturing of cleaner vehicles and their components must accompany these policies. At the same time, Congress should establish a Low Carbon Fuel Standard to reduce emissions from remaining gasoline-powered vehicles and transportation modes for which electrification may not be an option in the short to medium term, such as aviation, long-haul trucking, and shipping. Congress also should invest in aggressive research to develop and demonstrate new zero-emission technologies and fuels for these harder-to-decarbonize parts of the transportation sector.

Cutting pollution from passenger vehicles becomes a more challenging task if drivers must travel farther each year to access jobs and services. Congress needs to work with local communities and states to make housing, businesses, and critical services more accessible and double federal spending on public transit and other zero-carbon modes to provide households with more lower-carbon, convenient, and affordable transportation options. Federal policy should ensure that all transportation systems are designed, maintained, and repaired to withstand climate impacts.

Build and upgrade homes and businesses to maximize energy efficiency and eliminate emissions

Buildings account for 40% of U.S. energy use. To fully decarbonize the building sector, new and existing buildings must maximize energy efficiency, generate clean energy onsite or nearby where

ED_013012_00001811-00007

feasible, electrify end uses as the grid decarbonizes, and eliminate emissions from building construction and materials. This transformation will require massive investments to reach all communities and the millions of U.S. buildings that vary in size, age, climate, purpose, ownership, and use. These investments will boost local economic development, create good-paying jobs, and improve quality of life in communities across the country. The federal government must work in partnership with state and local governments, as they largely have authority over the design and construction of residential and commercial buildings in their jurisdictions.

POLICY TOPLINES: Congress should incentivize states and cities to adopt updated model building codes, including net-zero-emission building codes, and establish tax incentives for the construction of net-zero buildings, with the goal of making all new residential and commercial buildings net-zero emissions by 2030. Congress should require new federal buildings to achieve net-zero emissions by 2030 as well. To reduce energy use and emissions from existing buildings, Congress should set benchmarking requirements for commercial buildings and encourage cities and states to adopt performance-based standards for buildings; provide incentives for energy efficiency improvements, onsite renewable energy generation, and electrification of end uses in buildings, such as space and water heating; invest in large-scale weatherization and efficiency in low-income and frontline communities; and require federal buildings to undergo deep energy retrofits, perform energy and emissions benchmarking, and meet ambitious energy use and emissions intensity targets. To reduce emissions from building construction, Congress should incentivize building reuse and require federal buildings to use lower-emission building materials.

Invest in water systems to provide clean water and prevent catastrophic flooding

Water systems across the nation are under stress due to chronic underinvestment and deferred maintenance, particularly in low-income communities and communities of color. The climate crisis threatens to increase public health and safety emergencies as conditions overwhelm water and wastewater infrastructure, levees, and dams. While the investment needed is substantial, the costs of continued neglect are far greater.

POLICY TOPLINES: Congress should establish new standards for water infrastructure resilience that account for climate impacts, including more frequent and damaging floods, droughts, and erosion. Congress also should ensure robust public engagement in water infrastructure projects, particularly for environmental justice communities whose input should inform decisions about how to reduce climate impacts. Congress will need to integrate nature-based strategies and apply innovative finance approaches to ensure safe and clean water supplies, efficient wastewater treatment, and dams and levees that are appropriately sited, designed, and maintained to last under increasingly extreme conditions.

Prepare the nation's telecommunications networks for climate impacts

The reliability of wireless and broadband networks is critical for climate resilience. Failures in wireless networks hamper disaster response and 9-1-1 services, and uneven access to broadband creates a "digital divide" that broadens existing inequities for frontline and rural communities most affected by the climate crisis.

ED_013012_00001811-00008

POLICY TOPLINES: Congress should invest in Next Generation 9-1-1 and direct the Federal Communications Commission to ensure the reliability of wireless communications networks during disasters. Congress should expand broadband networks with the goal of achieving reliable and universal access and providing continuity of internet services for education, telemedicine, and other essential needs during disasters.

Plug leaks and cut pollution from America's oil and gas infrastructure

Leaky oil and natural gas infrastructure, from well pads to pipelines, allows methane, a climate super-pollutant, to escape into the atmosphere. Technology exists to detect these leaks and even capture the methane for profitable sale. Oil and gas production and transmission also pose risks to air and water quality but enjoy exemptions from cornerstone environmental laws.

POLICY TOPLINES: Congress should set a national methane pollution reduction goal for the oil and gas sector of 65% to 70% by 2025 and 90% by 2030, relative to 2012 levels, and phase out routine flaring of methane. For pipelines, Congress should direct regulators to set new standards for pipeline operators to detect and repair methane leaks; provide financial support for cities and states to eliminate methane leaks from natural gas distribution lines within 10 years; and update the Federal Power Act to ensure FERC considers climate science and public input when siting new natural gas infrastructure. Congress also should close exemptions for the oil and gas industry in the Clean Air Act, Clean Water Act, and Resource Recovery and Conservation Act.

Pillar 2: Drive Innovation and Deployment of Clean Energy and Deep Decarbonization Technologies

IPCC scientists have shown that the world needs to deploy clean energy technologies as quickly as possible to slash greenhouse gas emissions and limit warming to 1.5°C. Market forces and state and federal policies are driving some clean energy deployment already, but substantial public and private investment would accelerate this trend. Full decarbonization of the economy, however, may require new technologies that have yet to be invented. Robust innovation policy at all process stages—research, development, demonstration, and deployment—will be critical to the timely and widespread implementation of new clean energy and other decarbonization technologies.

POLICY TOPLINES: Congress should support all stages of climate-related innovation by recommitting to Mission Innovation—a global initiative working to accelerate global clean energy innovation—and boosting funding for federal clean energy research, development, and demonstration; prioritizing climate in the Department of Energy's (DOE's) mission and reorganizing DOE to meet this goal; facilitating technology transfer and commercialization through initiatives like regional energy innovation partnerships; and creating a national climate bank and expanding the DOE loan guarantee program to leverage private investment for deployment of decarbonization technologies and climate-resilient infrastructure. Congress should start a DOE Energy Justice and Democracy program to ensure environmental justice communities have access to innovations in energy efficiency and renewable energy and to reduce energy poverty. To shift private capital toward climate-smart investments, Congress should require corporate disclosure and federal analysis of climate-related financial risks.

ED_013012_00001811-00009

Pillar 3: Transform U.S. Industry and Expand Domestic Manufacturing of Clean Energy and Zero-Emission Technologies

The world is on the cusp of a manufacturing and industrial transformation inspired by the need to deploy zero-emission technologies and build cleaner, more resilient infrastructure. The United States has an opportunity to establish itself as a global leader in this transformation and spur a new generation of good-paying, high-quality manufacturing jobs in the process.

Rebuild U.S. industry for global climate leadership

The industrial sector may be one of the most challenging to decarbonize, given its diversity and reliance on energy-intensive processes. Eliminating industrial emissions depends on the discovery of new technologies and the development and deployment of platform technologies, such as industrial efficiency, electrification, carbon capture, low-emission hydrogen, and materials recirculation and substitution. A comprehensive approach to achieve a net-zero-emissions industrial sector by midcentury would enhance U.S. competitiveness, create high-quality domestic jobs, and ensure clean, safe, fair, and equitable industrial development for workers and communities.

POLICY TOPLINES: Congress should establish performance standards to guarantee emissions reductions from industrial facilities and pair them with border adjustment mechanisms to level the playing field with foreign goods made with higher-polluting processes. To complement these standards, Congress should support research, development, and demonstration of breakthrough and platform technologies for industrial decarbonization, including carbon capture, utilization, and storage; provide firms in the industrial sector with access to revolving loan funds, grants, and tax incentives for efficiency upgrades, process changes, and retooling; develop infrastructure for key decarbonization technologies, including low- and zero-carbon hydrogen; and create markets for low-emission goods through a federal Buy Clean program. Congress should facilitate the transition to a circular economy that eliminates waste and pollution by supporting research and development, infrastructure, and standards for materials efficiency, substitution, and recycling.

Invest in domestic manufacturing of clean energy, clean vehicle, and zero-emission technologies

American innovation will be critical to solving the global climate crisis, but it is only one measure of U.S. leadership. American workers also should be the ones to manufacture these American ideas, creating high-quality jobs at home and robust export markets abroad.

POLICY TOPLINES: To spur more domestic manufacturing, Congress should create a tax credit to retool, expand, or establish domestic clean energy and grid technology manufacturing facilities; establish a production tax credit for clean energy, energy efficiency, and decarbonization technologies and products; expand DOE grant programs and loan guarantees to construct new or retool existing U.S. facilities to manufacture zero-emission vehicles; and develop national strategies for clean technology manufacturing and critical mineral supply chains. Congress should tie federal funding for innovation to domestic manufacturing of resulting technologies. Congress should also leverage federal procurement policies to build demand for domestic clean energy and zero-emission technologies and products.

ED_013012_00001811-00010

Develop, manufacture, and deploy cutting-edge carbon removal technology

According to the IPCC, all pathways that limit global warming to 1.5°C require carbon dioxide removal, such as direct air capture, to achieve net negative emissions.[17] The United States has the opportunity to lead the world in developing, deploying, and exporting this essential technology.

POLICY TOPLINES: To jumpstart a direct air capture industry in the United States, Congress should dramatically increase federal investment in carbon removal research and development; improve financial incentives for direct air capture technology; expand demonstration projects to safely store carbon below ground; and create markets for fuels made from carbon captured from the atmosphere.

Pillar 4: Break Down Barriers for Clean Energy Technologies

Clean energy technology faces several structural barriers to rapid and widespread deployment. At the top of the list is a tax code that benefits oil, coal, and other incumbent energy technologies over new technologies and an economic system that fails to account for the cost of carbon pollution from fossil fuel combustion.

POLICY TOPLINES: Congress should repeal tax breaks for large oil and gas companies as a first step toward building a fairer tax code that supports reaching net-zero emissions by 2050 at the latest. Congress also should put a price on carbon to correct the failure of the market to account for the costs of unmitigated pollution. Carbon pricing is not a silver bullet and should complement a suite of policies to achieve deep pollution reductions and strengthen community resilience to climate impacts. Congress should pair a price with policies to achieve measurable pollution reductions from facilities located in environmental justice communities and policies to ensure energy-intensive, trade-exposed industries do not face unfair competition from foreign competitors using dirty technologies.

Pillar 5: Invest in America's Workers and Build a Fairer Economy

Tackling climate change and reaching net-zero emissions as soon as possible offers a unique opportunity to rebuild the economy on a stronger foundation of equity and fairness for workers and their communities. Smart climate policy must provide tangible benefits to economically vulnerable communities, put working people front and center, and deliver good-paying, high-quality jobs and accessible career pathways into them for all Americans. Building a clean energy economy can help put unemployed Americans back to work and relieve the economic crisis sparked by the COVID-19 pandemic. Congress also needs to respect the contributions of coal miners and other fossil fuel workers and provide a comprehensive set of systemic supports for these workers and their communities.

POLICY TOPLINES: Congress should secure workers' right to organize a union and negotiate for higher wages, safer working conditions, and better benefits. As it reauthorizes and considers new investments in clean infrastructure, Congress should commit federal funding only to projects that meet strong labor standards. To support veterans of the coal industry and communities most affected by the economic transition away from fossil fuels, Congress should establish a National Economic

[17] Intergovernmental Panel on Climate Change, *Special Report on Global Warming of 1.5°C* (October 2018) at 14.

ED_013012_00001811-00011

Transition Office to coordinate, scale up, and target federal economic and workforce development assistance to communities and workers.

Pillar 6: Invest in Disproportionately Exposed Communities to Cut Pollution and Advance Environmental Justice

In the United States, communities of color, low-income communities, and tribal and Indigenous communities "are disproportionately burdened by environmental hazards that include exposure to polluted air, waterways, and landscapes."[18] These same communities are more vulnerable to the health impacts and escalating costs of climate change. Federal climate policy needs to "improve the public health and well-being of all communities while tackling the climate crisis and environmental racism head-on."[19] Engaging leaders from these communities early in the policymaking process and soliciting their expertise throughout is essential for ensuring the policies will work in their communities and benefit those most in need.

POLICY TOPLINES: Environmental justice must be at the center of federal climate and environmental policy. Congress should direct the Environmental Protection Agency to consider the cumulative pollution impacts of the facilities it permits; support federal and academic research of the cumulative and distributional impacts of federal climate, health, and environmental policy on environmental justice communities; prioritize these communities for new federal spending and projects to deploy clean energy and replace aging infrastructure; collaborate with USDA, tribes, environmental justice communities, and NGOs to address food insecurity; ensure meaningful federal engagement and consultation with environmental justice communities; and increase the capacity of environmental justice communities to participate in the policymaking process.

Pillar 7: Improve Public Health and Manage Climate Risks to Health Infrastructure

The impacts of climate change disproportionately affect the health of frontline communities and vulnerable populations who have fewer resources to cope with heat waves, degraded air quality, flash flooding, infectious disease, and other threats. People need a robust public health system to rely on for help when facing these threats or when hit with a natural disaster. Too often, health care systems are not prepared or equipped to respond to large-scale events, as demonstrated by the COVID-19 pandemic.

POLICY TOPLINES: Congress should direct the Department of Health and Human Services to develop a national strategic action plan to assist communities and health departments in preparing for and responding to climate-related health risks, including the health-related needs of frontline communities and vulnerable populations that are disproportionately harmed by extreme weather, pollution, food insecurity, and other effects of climate change. Congress also should increase U.S. support for global surveillance and response to potential health threats; strengthen supply chains for health commodities; expand the capacity of the Centers for Disease Control and Prevention to support state, local, tribal, and territorial health departments in their climate-related work; boost

[18] Environmental Justice for All Act, Section 1.
[19] Equitable and Just National Climate Platform, https://ajustclimate.org/about.html. Accessed June 2020.

ED_013012_00001811-00012

funding for programs to make health systems more resilient to climate impacts; and increase support to address the mental and emotional health effects of the climate crisis.

Pillar 8: Invest in American Agriculture for Climate Solutions

America's farmers and ranchers are critical partners in solving the climate crisis, as many agricultural practices can provide valuable climate and ecosystems benefits. Climate stewardship practices such as no- and low-till farming, planting cover crops, diversified crop rotations, rotational grazing, and improved nutrient management, reduce emissions, enhance carbon sequestration, and make soils more resilient to extreme weather. Many farmers interested in adopting these practices would benefit from upfront financial and technical assistance from the Department of Agriculture, local conservation districts, extension services, and land-grant universities, including historically black colleges and universities and tribal colleges.

POLICY TOPLINES: Congress should dramatically increase investments to support the efforts of America's farmers and ranchers to employ climate stewardship practices. This federal commitment to farmers should include more funding for Farm Bill conservation programs and expanded financial and technical assistance to farmers and ranchers, with a focus on climate mitigation and resilience. Further, Congress should set climate stewardship practice goals across all U.S. farmland and expand Department of Agriculture resources, research, and partnerships to increase federal capacity to encourage widespread adoption of climate stewardship practices. To support the next generation of farmers and build a fair, equitable, and climate-friendly food system, Congress should embed climate mitigation and adaptation into programs for new, beginning, and socially disadvantaged farmers and ranchers and increase investments in these programs. Congress also should incentivize farmers and ranchers to incorporate energy efficiency and renewable energy on-farm and protect their farmland from development and other non-agricultural uses. As part of a comprehensive approach, Congress also should support local and regional food systems and develop initiatives to combat food waste.

Pillar 9: Make U.S. Communities More Resilient to the Impacts of Climate Change

The effects of climate change are already manifesting across the nation and are projected to intensify, including rising temperatures, increasingly severe storms, and damaging wildfires. While many communities are taking action to respond to these threats, the federal government needs to help them better manage land use, adopt robust building codes and development standards, and transition away from areas of growing risk to safer ground. Bridging the resilience gap will require substantial public and private investment and incorporation of climate risks into program design and priorities to ensure efficient use of funds.

Support community leadership in climate resilience and equity

State, local, tribal, and territorial leaders know firsthand the threats posed by the climate crisis to community wellbeing. Many have already taken steps to reduce emissions and prepare their communities to be more resilient. Federal action is needed to support communities that struggle with lack of information, guidance, and funding to build local capacities and capabilities and to confront the existential threats of rising seas, wildfires, and extreme weather.

ED_013012_00001811-00013

POLICY TOPLINES: Congress should establish a National Climate Adaptation Program to deliver technical assistance to states, local governments, tribes, and territories (SLTT), support SLTT planning, and invest in community adaptation and resilience projects with meaningful public participation, especially for environmental justice communities. Congress should establish a Tribal Government Task Force to coordinate across the federal government to overcome barriers to assistance, build or augment tribal technical capability, and ensure equitable baseline funding. Planning and investments for climate resilience should build local workforce capabilities and provide good jobs for vibrant regional economies.

Build—and rebuild—based on actionable science, codes, and standards

Governments, businesses, communities, and households need reliable information to respond to climate-related risks. Building codes and standards should reflect the latest climate risk information to ensure greater resilience against floods, wildfires, tropical cyclones, and other hazards. Adoption of strong codes and standards can increase property values while reducing risks and insurance costs.

POLICY TOPLINES: Congress should establish a Climate Risk Information Service to develop localized climate risk information and embed climate risk projections in development of resilience codes, specifications, and standards. Congress should establish federal flood and wildfire resilience standards for federally supported activities, including investments in climate resilience and disaster recovery. Congress should revise the federal tax code to incentivize state, local, and private investments in resilience.

Reduce climate disaster risks and accelerate disaster recovery

Since 2005, the federal government has spent at least $450 billion on disaster assistance. Weather disasters and related federal spending are expected to increase due to climate change. These impacts are hitting low-income households, farmers, and traditionally marginalized communities hardest, driving a downward trend in livability and social resilience.

POLICY TOPLINES: Congress must dramatically increase and provide stable federal investment in pre-disaster mitigation and resilient disaster recovery to strengthen infrastructure, support affordable and resilient housing, and help families, businesses, and communities that are seeking federal assistance to move out of the riskiest areas. Congress also must reform federal flood mapping and insurance programs to deliver forward-looking projections, help low-income households afford flood insurance, and expand coverage to reduce uninsured flood losses. Congress should call for a national wildfire mitigation strategy and increase federal investment in wildfire resilience to reduce the risk of loss of life, property, and natural resources to destructive wildfires. In all instances, Congress must prioritize investments to assure no one repeatedly suffers the impacts of climate change, including frontline communities, rural communities, and small businesses.

Make climate resilience planning an essential element of federal agency operations

Climate change is already affecting the operations of every agency in the federal government, and the impacts will continue to get worse as the planet warms. Federal agencies, from the U.S. Postal Service to the Department of Defense, need to plan for how they will deliver essential services amidst climate disruptions and coordinate that planning with state, local, tribal, and territorial partners.

ED_013012_00001811-00014

POLICY TOPLINES: Congress should require climate adaptation planning and coordination to address the ways that the climate crisis can disrupt federal agencies and their missions and operations. Agency adaptation plans need to identify opportunities to address climate impacts on environmental justice communities and vulnerable populations. Congress also should require major government suppliers to disclose greenhouse gas emissions and climate risks to their supply chains and operations as a consideration for the award of federal contracts.

Pillar 10: Protect and Restore America's Lands, Waters, Ocean, and Wildlife

America's landscapes and natural resources have significant potential to sequester carbon, provide important habitat for wildlife, and make ecosystems and communities more resilient to the impacts of climate change. Ecosystems such as forests, grasslands, and wetlands are natural and efficient carbon sinks, capturing and storing carbon in roots, plants, and soils. To make America's public lands and ocean a net carbon sink and a central feature of a comprehensive climate strategy, U.S. land management agencies must limit new fossil fuel leasing on public lands and waters, increase renewable energy production, and maximize deployment of natural climate solutions such as reforestation and wetland restoration.

Capture the full potential of natural climate solutions

Storing carbon in natural systems is a proven and cost-effective way to deliver large-scale carbon dioxide reductions and improve community and ecosystem resilience. By expanding protections for America's lands, waters, and ocean, Congress can reverse decades of deforestation, bolster the capacity of nature to store carbon, and avert pollution from land disturbance and extractive activities.

POLICY TOPLINES: Congress should establish a national goal of protecting at least 30% of all U.S. lands and ocean areas by 2030, prioritizing federal and nonfederal lands and waters with high ecological, biodiversity, and carbon sequestration value. Currently, just 12% of U.S. lands and 26% of the U.S. ocean—primarily marine monuments in the remote Western Pacific or northwestern Hawaii—are permanently protected. To achieve this goal, Congress should conserve and restore landscapes, natural spaces, and America's treasured public lands through high-value protection designation and direct federal land management agencies to work collaboratively with tribes, state governments, private landowners, and local communities. Congress should also develop and fund initiatives to ensure equitable access to these natural spaces for individuals in environmental justice communities.

Forests and "blue carbon systems"—including ocean, wetland, and riverine ecosystems—are critical carbon sinks and provide important resilience services. Congress should protect mature and old growth forests; invest in forest restoration, reforestation, and afforestation on public and private lands, including urban areas to improve urban tree canopy; manage wildfire for community safety and ecological health; ensure forest management activities focus on climate and biodiversity benefits; and protect and restore native grasslands. To complete this natural resources restoration work, Congress should re-establish the Civilian Conservation Corps. Congress also should protect, conserve, and restore "blue carbon systems" to capture carbon and protect shorelines from flooding and storms; scale up responsibly-sited ocean-based renewable energy; address ocean acidification and biodiversity decline; incorporate climate adaptation into fisheries management; and prioritize natural infrastructure for coastal resilience.

ED_013012_00001811-00015

Natural climate solutions also protect wildlife and endangered species, which face myriad challenges from climate change. Congress should create wildlife corridors to facilitate migration, range expansion, and mating; direct federal natural resources agencies to develop a coordinated landscape-scale conservation strategy to help species adapt to a changing climate; support efforts by private landowners to protect wildlife habitat on their land; and improve implementation of the Endangered Species Act in the context of climate change.

Make public lands and waters a part of the climate solution

Fossil fuel extraction on public lands is responsible for nearly a quarter of total U.S. carbon dioxide emissions, making public lands a net-emitter of greenhouse gas pollution. A comprehensive federal strategy should transform America's public lands and waters into valuable carbon sinks and a cornerstone of a successful climate plan.

POLICY TOPLINES: Congress should direct federal land management agencies to develop a comprehensive public lands climate plan to achieve net-zero emissions on public lands and waters by 2040 at the latest. To achieve this goal, Congress should impose a moratorium on all new fossil fuel leases on public lands while ensuring robust economic development and worker transition assistance for communities dependent on fossil fuel extraction; prohibit new offshore oil and gas leasing in all areas of the Outer Continental Shelf; reduce methane pollution from oil and gas extraction; and increase renewable energy production. Additionally, Congress should protect wild and special places and make them off-limits to drilling and mining activities, including America's last remaining wild landscapes, irreplaceable cultural sites, national parks and monuments, and important wildlife habitat and corridors. Congress should also eliminate unfair and expensive government subsidies for oil and gas drilling on public lands; establish and maintain robust environmental review of and bonding requirements for all proposed projects on public lands; and reclaim orphaned wells that pose a safety and environmental threat.

Pillar 11: Confront Climate Risks to America's National Security and Restore America's Leadership on the International Stage

The climate crisis is an urgent threat to our nation and to global security, as extreme conditions affect defense facilities, operations, and personnel. Catastrophes at home and abroad increase the need for humanitarian response and aid. The climate crisis amplifies geopolitical threats as resource scarcity and catastrophic events fuel conflict, mass migration, and social and political strife. Federal leadership requires coordination across the science, security, and defense enterprises to confront threats to military infrastructure and operations and global security.

At the same time, international engagement is crucial to addressing the climate crisis. The opportunity to advance climate solutions should be a priority for the United States in our multilateral, bilateral, international development, and humanitarian efforts. A future president committed to climate action likely will rejoin the Paris Climate Agreement, but Congress also must take steps to ensure that the United States continues to support global progress on climate change.

POLICY TOPLINES: Congress should require consideration of climate risks in defense procurement, logistics, and supply chains and ensure collaboration in climate adaptation and resilience planning among military installations and neighboring communities. Congress should direct agencies with

ED_013012_00001811-00016

national defense, homeland security, and science missions to identify and confront climate security threats to the homeland to safeguard critical infrastructure, protect public health, and prepare for climate-driven internal and cross-border migration.

Internationally, Congress should deliver on U.S. financial commitments to the Green Climate Fund and should advance clean energy and climate resilience in international missions and aid, including supporting greater participation of women in economic development planning and climate solutions. Congress should expand support for stopping deforestation and reducing black carbon pollution, two important drivers of climate change. Congress also should improve Arctic engagement and diplomacy given the rapid environmental changes in the region.

Pillar 12: Strengthen America's Core Institutions to Facilitate Climate Action

Action on climate change requires robust science and strong democratic institutions to foster transparency, inclusion, and government accountability.

Strengthen climate science

Climate science is the foundation of national and international efforts to address the climate crisis. Scientists and educators need strong federal funding support to advance efforts to observe, monitor, model, and understand Earth's interconnected weather and climate system and to develop the next generation of climate scientists and a climate-literate public and workforce. Federal agencies also need safeguards to protect science from political interference.

POLICY TOPLINES: Congress should strengthen and sustain federal support for climate science, including national and international climate assessments, foundational Earth system science research, studies of climate impacts on human and natural systems, and governance approaches for the risks of atmospheric climate intervention. Congress should strengthen federal scientific integrity policies and ensure that federal agencies act on the best available science. Congress should expand and sustain federal support for climate literacy and STEM education, with an emphasis on removing barriers and broadening participation for underrepresented groups. Congress also should revive the Office of Technology Assessment to provide Members of Congress with nonpartisan scientific and technology expertise.

Assess the true value of federal climate action

Members of Congress have access to unique services, including the Congressional Budget Office (CBO) and Congressional Research Service, to help them understand the potential impacts of proposed legislation. Many of these services, however, are not equipped or resourced to assess the technological complexities of climate change solutions or calculate the intergenerational costs and benefits of climate-related legislation. The executive branch faces similar challenges when evaluating federal projects against the risks of climate impacts, such as flooding and wildfire.

POLICY TOPLINES: Congress should expand CBO's capacity to analyze the fiscal and economic impacts of proposed legislation related to climate risk. For the executive branch, Congress should establish an interagency working group to update the "Social Cost of Carbon" to reflect the best available climate science and direct OMB to work with the National Academies of Science,

ED_013012_00001811-00017

Engineering, and Medicine to improve agencies' ability to assess the costs and benefits of projects to improve community climate resilience.

Strengthen the country's democratic institutions

All recommendations in this report will be more difficult to implement if entrenched interests—those that do not want to transition to a net-zero clean economy—continue to have a greater say in the political process than average Americans, the majority of whom support action to address climate change and advance clean energy. State voter discrimination policies attempt to suppress the vote of those who are most often burdened by pollution and face the greatest impacts from climate change—low-income communities and communities of color.

POLICY TOPLINES: In 2019, the House of Representatives passed two bills that illustrate the type of change that may be necessary to build a healthier, more responsive democracy. H.R. 1, the For the People Act, tackles three core issues: campaign finance reform, voting rights, and federal ethics laws. H.R. 4, the Voting Rights Advancement Act of 2019, restores the full protections of the bipartisan Voting Rights Act to block state and local voter discrimination policies.

Conclusion

The climate crisis touches every part of the U.S. economy and therefore demands a comprehensive legislative response in partnership with a president committed to science, the health of the nation, and climate action. Around the world, people responded to the challenge of the COVID-19 pandemic in a shared mobilization to save lives. The climate crisis requires the same commitment over decades. The U.S. government has a moral, scientific, and economic duty to serve as the standard-bearer for this commitment. As such, congressional climate action must equal the scale that science demands and adhere to core values of fairness, equity, and a shared sense of purpose. A clean and healthy economy that reflects these values will produce high-quality, good-paying jobs and lift up communities that have been left behind and underserved.

The full report is available at climatecrisis.house.gov/report.

ED_013012_00001811-00018

Message

From: Hinch, Jake (Inhofe) [Jake_Hinch@inhofe.senate.gov]
Sent: 2/19/2021 4:54:19 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Radha,

Happy to talk through the meeting with you. You can give me a call at my direct Ex. 6 Personal Privacy (PP) whenever best for you.

Best,

Jake Hinch
Policy Advisor
U.S. Senator James M. Inhofe
205 Russell Senate Office Building
Washington, D.C. 20510
(202)224-4721

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 10:26 AM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Cc: Hinch, Jake (Inhofe) <Jake_Hinch@inhofe.senate.gov>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks Wendi!

Jake, do you mind letting me know if I could give you a ring today to discuss your boss's meeting with Janet?

Thanks in advance,
Radha

From: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Sent: Friday, February 19, 2021 10:04 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hinch, Jake (Inhofe) <Jake_Hinch@inhofe.senate.gov>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Radha – I've adding Jake Hinch to the email. He will be staffing the Senator.

Have a good weekend!

Wendi

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 9:40 AM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Wendi,

Do you mind connecting me to your colleagues who will be staffing this meeting? J

Thank you in advance,
Radha

From: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Sent: Wednesday, February 17, 2021 4:12 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! We will use the call in information you provided.

Take care, Wendi

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 2:39 PM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>; Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Wendi – Thank you for confirming. Let's plan for them to meet virtually. We can use this conference call info:
Phone number: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

Thank you for noting that Jake Hinch will join. Joining Janet McCabe will be Radha Adhar and myself.

Take care,

Karen.
202 564 1142

From: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Sent: Wednesday, February 17, 2021 11:27 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Amy – Great! We look forward to the meeting on Feb 23 at 4:30pm ET. I'm assuming in-person is good?

With the fencing around our complex it makes it a little harder to get in. Will she have anyone with her that will have a Senate ID? If not, we are happy to meet her at the access point that visitors are allowed to come and escort her to and from.

Date: Tuesday, February 23 at 4:30pm ET
Attendees for our office: Senator Inhofe and Jake Hinch
Room: 205 Russell Senate Building

Wendi

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 11:00 AM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Wendi, Janet is available to meet with Senator Inhofo on February 23rd @4:30 ET.

Take care,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Price, Wendi (Inhofe) [mailto:Wendi_Price@inhofe.senate.gov]
Sent: Wednesday, February 17, 2021 10:51 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen – Things are well! Senator Inhofe would like to meet with Janet. Please let me know if one of the following times will work.

Tuesday, February 23
- 12:30pm
- 4:30pm
- 5:30pm

Wednesday, February 25
- 5:30pm

We would prefer to do this in-person but understand if it needs to be by phone.

Have a good day!

Wendi

Wendi Price
Executive Assistant
U.S. Senator James M. Inhofe - OK
205 Russell Senate Building
Washington, DC 20510

202-224-4721
202-228-1007 fax

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:13 PM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Wendi,

I hope you are doing well. I'm reaching out to find time on Senator Inhofe's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Inhofe's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Sent: 2/19/2021 4:40:28 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat Janet Meeting?

Im waiting in the teams room.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 10:09 AM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: Time to chat Janet Meeting?

Book me!

From: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Sent: Friday, February 19, 2021 9:49 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat Janet Meeting?

Sure! Can I give you a call around 11:30?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 9:44 AM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: Time to chat Janet Meeting?

Hey Payne,

Do you mind sharing if you have a few minutes to chat about your boss's meeting with Janet? Hope you're staying warm!

Radha

Message

From: Frede, Shannon (Cardin) [Shannon_Frede@cardin.senate.gov]
Sent: 2/19/2021 5:38:11 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat meeting with Janet?

Sure do!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 12:37 PM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: RE: Time to chat meeting with Janet?

So sorry Shannon, my computer got messed up! Do you still have a few minutes for me?

From: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Sent: Friday, February 19, 2021 12:26 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Janet?

Hi! I'm on Teams atm.

From: Frede, Shannon (Cardin)
Sent: Friday, February 19, 2021 9:44 AM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Janet?

Yes, please! Ex. 6 Personal Privacy (PP) I have a 10, 11, and 1:30.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 9:42 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: Time to chat meeting with Janet?

Hey lady, do you mind if I call you today to chat for 5 about your boss's meeting with Janet? Want to make sure it's a productive conversation!

Thanks in advance,
Radha

Message

From: UnruhCohen, Ana [Ana.UnruhCohen@mail.house.gov]
Sent: 2/19/2021 7:08:59 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Note for Mr. Regan from Chair Castor

You can call me at the number below

Ana Unruh Cohen, PhD
Staff Director
Select Committee on the Climate Crisis
Ana.UnruhCohen@mail.house.gov
Ex. 6 Personal Privacy (PP) - mobile

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 2:03 PM
To: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

Hooray! Any way 3 works on your end?

From: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Sent: Friday, February 19, 2021 1:54 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

It would be great to connect. My afternoon is kind of nuts. Any chance you are free around 2:30?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 1:36 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

You bet. And Ana, do you mind sharing if I can ring you today to discuss our boss's meeting? So thrilled to be connected again!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 19, 2021 12:23 PM
To: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

Thank you, Ana.

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Sent: Friday, February 19, 2021 10:58 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Note for Mr. Regan from Chair Castor
Importance: High

Kathleen and Radha, Can you help get this note to Mr. Regan ahead of the meeting between Chair Castor and Mr. Regan on Monday? I'd really appreciate it. Thanks, Ana

Dear Michael,

Congratulations on your nomination to lead the Environmental Protection Agency! I am encouraged by the positive confirmation vote you received from the Senate Environment and Public Works Committee. I look forward to the full Senate confirming you as EPA administrator and working with you in your new role. Thank you for reaching out for an initial conversation. It will be good to connect with you on Monday.

Last year, the Select Committee on the Climate Crisis Democrats released a majority staff report focused on climate solutions (and spearheaded by your now Deputy Chief of Staff Alison Cassady). I encourage you and your staff to review the *Solving the Climate Crisis: The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America*. Our majority staff report provides a roadmap for Congress—a Climate Crisis Action Plan—to build a prosperous, 100% net zero clean energy economy that values workers, advances environmental justice, and is prepared to meet the challenges of the climate crisis. Energy Innovation reviewed our science-based action plan and determined that, if the recommendations are adopted by Congress, it would save as many 62,000 lives every year by 2050 and create at least $8 trillion in climate and health savings through 2050. Just the recommendation to enact a Clean Energy Standard to decarbonize the electricity sector alone would create roughly 530,000 jobs annually.

The report is the culmination of 16 months of work, 17 official bipartisan hearings, more than 1,000 stakeholder meetings, collaboration with members and staff of the committees of jurisdiction, and review of more than 700 substantive responses to our Request for Information. The report reflects more than 300 bills already introduced by more than 100 members of Congress to tackle the climate crisis.

Based upon the extensive existing legislation already filed last Congress and the legislation the House of Representatives passed, it is clear that Democrats have been working hard to build a clean energy economy, make our communities more resilient to climate impacts, and advance environmental justice. Looking ahead, we have a tremendous base of knowledge and passionate members who are eager to take on the challenge of solving the climate crisis. I look forward to working with you to advance climate solutions in a way that helps all Americans.

I have attached the executive summary of the report to this email. Additional resources from the Select Committee on the Climate Crisis are available here:

- Full Report
- Summary of Report
- Fact Sheet
- One Page Summaries by Issue Area

If you have any questions or comments, please do not hesitate to contact me at Ex. 6 Personal Privacy (PP) or Ana Unruh Cohen, Staff Director, at Ex. 6 Personal Privacy (PP)

Sincerely,

Kathy

Kathy Castor
Chair
Select Committee on the Climate Crisis

Message

From: UnruhCohen, Ana [Ana.UnruhCohen@mail.house.gov]
Sent: 2/19/2021 7:08:33 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Note for Mr. Regan from Chair Castor

I can make 3 work

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 2:03 PM
To: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

Hooray! Any way 3 works on your end?

From: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Sent: Friday, February 19, 2021 1:54 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

It would be great to connect. My afternoon is kind of nuts. Any chance you are free around 2:30?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 1:36 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

You bet. And Ana, do you mind sharing if I can ring you today to discuss our boss's meeting? So thrilled to be connected again!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 19, 2021 12:23 PM
To: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Note for Mr. Regan from Chair Castor

Thank you, Ana.

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Sent: Friday, February 19, 2021 10:58 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Note for Mr. Regan from Chair Castor
Importance: High

Kathleen and Radha, Can you help get this note to Mr. Regan ahead of the meeting between Chair Castor and Mr. Regan on Monday? I'd really appreciate it. Thanks, Ana

Dear Michael,

Congratulations on your nomination to lead the Environmental Protection Agency! I am encouraged by the positive confirmation vote you received from the Senate Environment and Public Works Committee. I look forward to the full Senate confirming you as EPA administrator and working with you in your new role. Thank you for reaching out for an initial conversation. It will be good to connect with you on Monday.

Last year, the Select Committee on the Climate Crisis Democrats released a majority staff report focused on climate solutions (and spearheaded by your now Deputy Chief of Staff Alison Cassady). I encourage you and your staff to review the *Solving the Climate Crisis: The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America*. Our majority staff report provides a roadmap for Congress—a Climate Crisis Action Plan—to build a prosperous, 100% net zero clean energy economy that values workers, advances environmental justice, and is prepared to meet the challenges of the climate crisis. Energy Innovation reviewed our science-based action plan and determined that, if the recommendations are adopted by Congress, it would save as many 62,000 lives every year by 2050 and create at least $8 trillion in climate and health savings through 2050. Just the recommendation to enact a Clean Energy Standard to decarbonize the electricity sector alone would create roughly 530,000 jobs annually.

The report is the culmination of 16 months of work, 17 official bipartisan hearings, more than 1,000 stakeholder meetings, collaboration with members and staff of the committees of jurisdiction, and review of more than 700 substantive responses to our Request for Information. The report reflects more than 300 bills already introduced by more than 100 members of Congress to tackle the climate crisis.

Based upon the extensive existing legislation already filed last Congress and the legislation the House of Representatives passed, it is clear that Democrats have been working hard to build a clean energy economy, make our communities more resilient to climate impacts, and advance environmental justice. Looking ahead, we have a tremendous base of knowledge and passionate members who are eager to take on the challenge of solving the climate crisis. I look forward to working with you to advance climate solutions in a way that helps all Americans.

I have attached the executive summary of the report to this email. Additional resources from the Select Committee on the Climate Crisis are available here:

- Full Report
- Summary of Report
- Fact Sheet
- One Page Summaries by Issue Area

If you have any questions or comments, please do not hesitate to contact me at Ex. 6 Personal Privacy (PP) or Ana Unruh Cohen, Staff Director, at Ex. 6 Personal Privacy (PP)

Sincerely,

Kathy

Kathy Castor
Chair
Select Committee on the Climate Crisis

Message

From: Ryan, Molly (Collins) [Molly_Ryan@collins.senate.gov]
Sent: 2/19/2021 8:12:29 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Michael Regan, EPA Administrator and Senator Collins

Yes! Ex. 6 Personal Privacy (PP)

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Friday, February 19, 2021 at 3:11 PM
To: "Ryan, Molly (Collins)" <Molly_Ryan@collins.senate.gov>, "Thibodeau, Elsa (Collins)" <Elsa_Thibodeau@collins.senate.gov>, "Greenacre, Darci (Collins)" <Darci_Greenacre@collins.senate.gov>, "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Yes that would be wonderful. Do you mind letting me know what number is best? Looking forward to it.

From: Ryan, Molly (Collins) <Molly_Ryan@collins.senate.gov>
Sent: Friday, February 19, 2021 2:56 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>; Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Collins

Hi Radha,

Would you be available to touch base at 3:30?

Molly

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Friday, February 19, 2021 at 2:44 PM
To: "Thibodeau, Elsa (Collins)" <Elsa_Thibodeau@collins.senate.gov>, "Greenacre, Darci (Collins)" <Darci_Greenacre@collins.senate.gov>, "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Cc: "Ryan, Molly (Collins)" <Molly_Ryan@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Thank you Elsa! Molly, do you mind letting me know if I can give you a ring today? Would love to connect about our boss's meeting next week.

From: Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Sent: Friday, February 19, 2021 2:43 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Ryan, Molly (Collins) <Molly_Ryan@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Radha,
I'm copying Molly Ryan on this email. She will be staffing the Senator.
Best,

Elsa

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 2:42 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Hi Darci,

Do you mind connecting me to your colleague who will be staffing this meeting?

Thank you in advance,
Radha

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Thursday, February 18, 2021 5:24 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Thank you and my apologies!!!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 5:23 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Darci – it's ok! Confirmed for 3:30pmEST Monday, Feb. 22 via the zoom link you originally provided.

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Thursday, February 18, 2021 5:21 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Kathleen,
I'm so sorry if my follow-up email did not come through. We can keep 3:30. Is that possible? Thanks!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 5:19 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Darci – not a problem. Confirmed for 4:10pmEST Monday, Feb. 22. Will the Zoom link remain the same?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Thursday, February 18, 2021 2:47 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Kathleen,

With sincere apologies for asking, is there any way we could switch this meeting to 4:10PM on Monday?

Thank you!
Darci

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 2:15 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Thank you, Darci! Joining Administrator Nominee Regan will be Ms. Radha Adhar, Deputy Associate Administrator for Congressional Affairs, and Mr. John Lucey, Special Assistant to the Administrator.

I appreciate all of your help!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Wednesday, February 17, 2021 1:49 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Kathleen,

Thanks! We have set up a Zoom for Monday at 3:30PM. Will anyone attend with Mr. Regan?

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Best,
Darci

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:30 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Thank you, Darci. Monday, 2/22 at 3:30pmEST works great. Would Senator Collins prefer a video-call? I am happy to establish a Microsoft Teams link, or if you could share a zoom link that would be great.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Wednesday, February 17, 2021 12:20 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Collins

Michael,

Senator Collins would be available for a phone call with Mr. Regan on Monday, February 22 at 3:30PM. Please let me know if this time may work for him.

Thanks, and best,
Darci

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 3:52 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Collins

Good afternoon Darci,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Collins and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Collins has availability tomorrow, Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: UnruhCohen, Ana [Ana.UnruhCohen@mail.house.gov]
Sent: 2/19/2021 8:46:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Correction on Science committee info

I had my members mixed up. Here's the chairs for the science subcommittees

https://science.house.gov/news/press-releases/house-science-space-and-technology-committee-democratic-caucus-organizes-for-the-117th-congress

I know Rep. Bowman is interested in buildings and I'm sure epa's indoor air quality work would be of interest to him even though he's energy subcommittee.

Ana Unruh Cohen, PhD
Staff Director
Select Committee on the Climate Crisis
Ana.UnruhCohen@mail.house.gov
202.674.2892 - mobile

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 2/19/2021 9:08:19 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you for the phone call Karen. Confirming Monday, March 1st at 4:00p EST. Bre will send the webex invite.

Have a nice weekend!

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery & Bre,

I hope you are doing well. I'm reaching out to find time on Senator Sullivan's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Greenacre, Darci (Collins) [Darci_Greenacre@collins.senate.gov]
Sent: 2/19/2021 9:23:51 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Thibodeau, Elsa (Collins) [Elsa_Thibodeau@collins.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: Re: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Thanks- next week is completely stacked but we will be back in touch as soon as we can.
Best,
Darci

On Feb 19, 2021, at 4:19 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Darci – Just following up on my vmail. Please let us know if there's some time next week, or even on Monday, March 1st, that could work for the Senator.
Thanks for considering,

Karen.
202 564 1142

From: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>
Sent: Wednesday, February 17, 2021 3:41 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,

Thanks for reaching out! We are unable to set this up this week but will be back in touch as soon as possible.

Best,
Darci

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:31 PM
To: Greenacre, Darci (Collins) <Darci_Greenacre@collins.senate.gov>; Thibodeau, Elsa (Collins) <Elsa_Thibodeau@collins.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Collins - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Darci and Elsa,

I hope you are doing well. I'm reaching out to find time on Senator Collins's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Moeny, Kitra [Kitra.Moeny@mail.house.gov]
Sent: 2/19/2021 10:10:44 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Congressman DeFazio

Hi Kathleen,

Typically a conference line works best, since the Wi-Fi in the Congressman's DC office can be pretty glitchy. Ours is available at that time if that works:

Call-in Number: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Thanks,
Kitra

Kitra Moeny I Scheduler
U.S. Representative Peter DeFazio (OR-04)
2134 Rayburn House Office Building
(202)225-6416

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 7:39 PM
To: Moeny, Kitra <Kitra.Moeny@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Congressman DeFazio

Hi Kitra,

No apology needed! 2/24 at 2:00pmEST works great. Would Congressman DeFazio prefer a video-call? I am happy to set a Microsoft Teams video link. If you would prefer Zoom, could you please share a link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Moeny, Kitra <Kitra.Moeny@mail.house.gov>
Sent: Thursday, February 18, 2021 6:57 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Congressman DeFazio

Hi Kathleen,

So sorry for the delay, things have gotten a bit buried under all the appropriations season asks. Would the 24th work? 2:00pm would be ideal but we have flexibility most of the afternoon.

Thanks,
Kitra

Kitra Moeny I Scheduler
U.S. Representative Peter DeFazio (OR-04)
2134 Rayburn House Office Building
(202)225-6416

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 4:15 PM
To: Moeny, Kitra <Kitra.Moeny@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Congressman DeFazio

Good afternoon Kitra,

I am reaching out to set up an introductory meeting via video-call or phone call between Congressman DeFazio and Michael Regan, nominee for EPA Administrator. Please let me know if Congressman DeFazio has availability this week or next.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Pickens, Joycelyn (Casey) [Joycelyn_Pickens@casey.senate.gov]
Sent: 2/19/2021 10:37:10 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Automatic reply: Knock knock

Thank you for your email. I am currently out of the office until Tuesday, February 23, 2021. If you need immediate assistance, please call 202-224-6324.

Message

From: Gustafson, Eric (Hoeven) [Eric_Gustafson@hoeven.senate.gov]
Sent: 2/19/2021 10:51:20 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Thank you! Good chatting as well and hope you have a nice weekend.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 5:09 PM
To: Gustafson, Eric (Hoeven) <Eric_Gustafson@hoeven.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Hi Eric,

Wanted to make sure you saw this. Thanks for chatting.

Radha

From: Gustafson, Eric (Hoeven) <Eric_Gustafson@hoeven.senate.gov>
Sent: Friday, February 19, 2021 3:54 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

No problem! Works just as well and talk to you then.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 3:53 PM
To: Gustafson, Eric (Hoeven) <Eric_Gustafson@hoeven.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Whoops, Eric, do you mind if I ring you at 5? Sorry I misread my calendar!

From: Gustafson, Eric (Hoeven) <Eric_Gustafson@hoeven.senate.gov>
Sent: Friday, February 19, 2021 3:42 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Hi Radha, I should be free around 4:30pm or after if that works. Cell is Ex. 6 Personal Privacy (PP)

Best,
Eric

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 2:46 PM
To: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Gustafson, Eric (Hoeven) <Eric_Gustafson@hoeven.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Thanks so much Sydney. Eric, do you mind letting me know if I can give you a ring today to discuss our boss's meeting next week?

Looking forward to connecting,
Radha

From: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Sent: Friday, February 19, 2021 2:44 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Gustafson, Eric (Hoeven) <Eric_Gustafson@hoeven.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Sure thing! I've added Eric Gustafson to this email.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 2:42 PM
To: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Hi Sydney,

Do you mind connecting me to your colleague who will be staffing this meeting?

Thank you in advance,
Radha

From: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Sent: Thursday, February 18, 2021 5:09 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Thanks so much! Could we do a phone call? We can use our conference line below:

Ex. 6 Personal Privacy (PP)
Conf ID: Ex. 6 Personal Privacy (PP)

Let me know if you need anything else!
Sydney

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 5:04 PM
To: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

5:15pmEST Monday, 2/22 works perfect, thank you! Would Senator Hoeven prefer a video-call? If so, I am happy to setup a Microsoft Teams link. If a zoom link is preferred, could you please share one with me?

Kindly,

Kathleen C. Lance

Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Sent: Thursday, February 18, 2021 4:07 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Great! Any chance 5:15pm would work on your end?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 2:00 PM
To: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Hi Sydney! Yes, Monday would be great. Are there a few times that work well for Senator Hoeven?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Sent: Thursday, February 18, 2021 10:29 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Hoeven

Hi Kathleen,

Thanks for reaching out! Just wanted to check and see if Monday is a possibility?

Thanks!
Sydney

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 7:10 PM
To: Fitzpatrick, Sydney (Hoeven) <Sydney_Fitzpatrick@hoeven.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Hoeven

Good evening Sydney,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Hoeven and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Hoeven has availability this Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Black, Renae (Energy) [Renae_Black@energy.senate.gov]
Sent: 2/20/2021 1:55:18 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Seeking to connect with Senator Manchin Sunday

Hi Radha,

Good to hear from you! I'm free and happy to connect tonight or tomorrow. Give me a call when you're free, either way. Ex. 6 Personal Privacy (PP)

Thanks,
Renae

Renae Black
Democratic Staff Director
U.S. Senate Committee on Energy and Natural Resources
(202)697-3297

On Feb 19, 2021, at 8:46 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Renae,

I hope all is well with you and your family during these challenging times. I wanted to ask for your help. Do you have a second to chat tonight or this weekend? We would like to have our COS connect with Senator Manchin if possible to share with him some news that is important to West Virginia.

Do you mind letting me know? You can also reach me at Ex. 6 Personal Privacy (PP)

Thanks in advance,
Radha

Message

From: Cairns, Becky [Becky.Cairns@mail.house.gov]
Sent: 2/19/2021 4:04:32 PM
To: Haman, Patricia [Haman.Patricia@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Miller, Glenn [Glenn.Miller@mail.house.gov]; Reyes, Ruben [Ruben.Reyes@mail.house.gov]
Subject: Letter from Rep. Grijalva
Attachments: 2021.02.19 Grijalva- EPA letter.pdf

Hi Patricia and Radha ,

Please see the attached letter to the Acting Administrator from Rep. Grijalva regarding a Clean Water Act matter in his district. Don't hesitate to reach out to me or my colleagues Glenn and Ruben if you have questions or we can provide additional information.

Thanks and happy Friday,
Becky

Becky Cairns
Professional Staff
Subcommittee on Energy and Mineral Resources
House Natural Resources Committee
Chair Raúl M. Grijalva

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS
RANKING MEMBER

VIVIAN MOEGLEIN
REPUBLICAN STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

February 19, 2021

Ms. Jane Nashida
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Acting Administrator Nishida,

I am writing in support of a request from the Patagonia Area Resource Alliance in my district regarding Draft Individual Arizona Pollution Discharge Elimination System (AZPDES) Permit No. AZ0026397. I respectfully ask that you exercise EPA's authority under Section 402(d) of the Clean Water Act to review the draft permit and consider allowing for additional public review and comment.

The Patagonia Mountains in Arizona contain almost 40,000 acres of mining claims. South32, an Australian mining company holding about 27,000 acres of patented and unpatented claims, plans an underground mine operation on its claims. The company, through a subsidiary, has filed applications with Arizona's agencies for a massive dewatering program necessary to commence its main shaft decline 1,400 feet below the water table. The company now proposes to draw down a minimum of 1.6 billion gallons of water every year for four years. They will require more, should exploration and/or mining continue. This dewatering program is causing great concern among diverse stakeholders in the Sonoita Creek Watershed due to the significant impact it would have on surface and groundwater levels in this biologically diverse ecosystem.

The Patagonia Mountains in Arizona have been inhabited with indigenous peoples, including the Sobaipuri O'odham and Hohokam, for approximately 10,000 years. They also provide habitat to 112 federally threatened, endangered, and sensitive species. The area has a three-centuries-long history of mining for copper, silver, and lead, which has left long-term damage. These mines continue to pollute the water residents need to survive with the waste left over from mining, a tragically common occurrence in mining towns, even those with no active mines.

Community advocates in my district have identified serious deficiencies in the draft permit prepared by the state of Arizona and would like additional time to review the permit, gather technical expertise and analysis, and provide feedback to the appropriate state agencies. I support this request and believe that is represents the best path forward for both the local community and the mining company.

I hope that you will give this request all appropriate consideration. Thank you for your attention to this matter. If you have any questions, please feel free to contact Becky.Cairns@mail.house.gov on the staff of the House Committee on Natural Resources.

Sincerely,

Raúl M. Grijalva
Member of Congress

Attachment: February 16, 2021 letter from Patagonia Area Resources Alliance

PARA Watchdogs

PATAGONIA
AREA
RESOURCE
ALLIANCE

PO Box 1044
Patagonia, AZ 85624

www.patagoniaalliance.org

A non-profit community organization with volunteer members. Our volunteers bring skill sets and experience that include:

Geology
Business Management
Ecology
Academia
Artisan Mining
Fundraising
Webmaster Skills
Marketing
Legal Council & Advocacy

The Patagonia area has a heritage that includes ranching, farming, eco-tourism, and multiple uses on public lands that include the Coronado National Forest, Arizona State Parks and Trust Lands, and Bureau of Land Management lands. It is rich with natural resources as well as mineral resources. Working within the legal parameters of local, state and federal governments, PARA's goal is to prevent further environmental degradation as well as promote restoration efforts in order to maintain and preserve our public lands, private lands, our water, and our air for future generations.

"There are some things in the world we can't change--gravity, entropy, the speed of light, and our biological nature that requires clean air, clean water, clean soil, clean energy and biodiversity for our health and well being. Protecting the biosphere should be our highest priority or else we sicken and die."

David Suzuki
award winning scientist, environmentalist, broadcaster

February 16, 2021

Via Email: Nishida.Jane@epa.gov

Jane Nishida, Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Via Email: Torres.Tomas@epa.gov

Tomas Torres
EPA Region 9 Water Division Director
U.S. Environmental Protection Agency
Region 9, Water Division
75 Hawthorne Street
San Francisco, CA 94105

Re: **URGENT** Request for EPA to Immediately Review the Draft AZPDES Permit Amendment Application (No. AZ0026387) filed by Arizona Minerals, Inc. and to Object Due to Need for Additional Scientific Information **BEFORE March 8, 2021**

Dear Acting Administrator Nishida and Director Torres:

I am writing on behalf of the Patagonia Area Resources Alliance (PARA) in reference to the Draft Individual Arizona Pollution Discharge Elimination System (AZPDES) permit No. AZ0026397 for Arizona Minerals, Inc. (AMI) that was recently noticed for public comment by the Arizona Department of Environmental Quality (ADEQ) on February 5, 2021. Public comments are due no later than March 8, 2021. (1)

(1) Public Notice & Public Hearing (and supporting materials): https://azdeq.gov/node/7802

The Patagonia Area Resource Alliance (PARA) is a nonprofit community watchdog organization that is focused on the environmental and economic health and vitality of the Patagonia region in Southern Arizona. (2) On behalf of PARA, we respectfully request EPA exercise its authority under Section 402(d) of the Clean Water Act to carefully review the Draft AMI AZPDES permit and consider objecting to the issuance of the permit for the reasons set forth herein.

Based upon materials reviewed by PARA hydrologists, and as discussed in greater detail below, it is clear to us that the Draft permit does not meet the requirements of the CWA because, among other issues, it fails to contain appropriate limits for discharge, falls short of important monitoring and reporting requirements, and does not protect water quality or the public health. Specifically, ADEQ has failed to consider crucial scientific evidence regarding adverse impacts from AMI's discharge to Harshaw Creek, and perhaps more concerning, impacts from the discharge to the downstream water quality of Sonoita Creek, which is an incredibly important and biologically diverse riparian system in our region. (3) Sonoita Creek also flows through U.S. Forest Service land before flowing through the Town of Patagonia, Arizona. Technical work conducted by PARA's hydrologists also demonstrates that the proposed discharge to be authorized by the permit presents a high potential for flooding within the Town of Patagonia, which presents a danger to public health and safety. (4)

As President Biden acknowledged in Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crises, dated January 20, 2021, "the Federal Government must be guided by the best science and be protected by processes that ensure the integrity of Federal decision-making. It is, therefore, the policy of my Administration to listen to the science; to improve public health and protect our environment; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; [and] to hold polluters accountable [.]"

Consistent with the above stated policy, and the directives set forth in Section 2(c) of the President's Executive Order, PARA urges the EPA to exercise your oversight authority under the Clean Water Act to object to the issuance of the instant Draft AZPDES No. AZ0026397 until additional investigations can be conducted and ADEQ is required to consider the best available science regarding AMI's proposed discharge and its impacts on water quality, including to Sonoita Creek, as well potential impacts to the health and safety of the 900 plus residents of the Town of Patagonia – residents who are entitled to the environmental justice protections contemplated in President Biden's Executive Order and under applicable law and policy.

---

(2) PARA's Website: http://www.patagoniaalliance.org

(3) https://drive.google.com/file/d/1eN3sWw-jj4O0GsTjaDSZYOtU80sumYxA/view; see also https://patagonia-az.gov/wp-content/uploads/2020/01/FF-DRAFT-Roadmap-to-Water-Quality-Report-12-12-19.pdf

(4) Recording of November 12, 2020 presents these results: https://www.youtube.com/watch?v=Mmf-nFQ6lac

Additional Background

Arizona Minerals Inc. filed an application with ADEQ for a major modification to its AZPDES Permit No. AZ0026387 to facilitate mineral exploration activities for its Hermosa Mine project located on lands adjacent to the Coronado National Forest in Arizona. This includes dewatering and depressurization activities and the discharge of up to 4,500 gpm of treated mine water to Harshaw Creek, tributary to the Sonoita Creek, upstream of Lake Patagonia and the Town of Patagonia.

PARA has reviewed AMI's Applications for an AZPDES permit, and a related state Aquifer Protection Permit (APP) for the mine project. We have also reviewed more recent documents provided to ADEQ by AMI, including since the first of the year. As a result, we have flagged numerous areas of concern with the scientific and technical information submitted by AMI in support of the AZPDES Application, which raises the question of whether the Application was, in fact, "administratively complete" within the meaning of A.R.S. § 41-1074 and applicable law.

In order to better understand the potential environmental, flooding, and water quality impacts resulting from AMI's planned discharges to Harshaw Creek, PARA retained Laurel Lacher, PhD, RG, with Lacher Hydrologic Consulting, and Bob Prucha, PhD, PE, with Integrated Hydro Systems, LLC, to perform an initial hydrologic evaluation of the underlying data, methodologies, and conclusions submitted to ADEQ in support of AMI's two Applications.

Using the information contained in AMI's Applications, coupled with a comprehensive literature review, Lacher and Prucha developed a Conceptual Basin flow Model for the Sonoita Creek Watershed using MIKESHE proprietary software by DHI. Their conclusions were presented to the Town of Patagonia Flood & Flow Committee and AMI on November 12, 2020. (Link to recording at Note 4 on previous page) This presentation was also attended by ADEQ hydrologists and a copy of the Lacher and Prucha power point containing a summary of their analysis was given to ADEQ on November 23, 2020, <u>along with PARA's written request that ADEQ stay the AZPDES review process until (1) AMI corrected the underlying science and erroneous or unsupported factual assumptions set forth in their AZPDES Application; and (2) ADEQ had an opportunity to conduct a closer examination of the impacts of the AMI discharge on water quality and human health</u>. (*See* Attachment A) PARA's request was quickly denied by ADEQ without explanation, by letter dated December 24, 2020. (*See* Attachment B)

Among other things, the Lacher and Prucha modeling work concluded that AMI's discharges from the proposed new Outfall #2 into Harshaw Creek will quickly saturate the shallow alluvial aquifer along Harshaw Creek, resulting in direct flows that will reach Sonoita Creek and, in addition, result in a material risk of increased peak flows (including flooding) in the Town of Patagonia. Prucha and Lacher also concluded that contaminants above the new Outfall #2 on Harshaw Creek (to be constructed under the

new AZPDES permit) could be transported downstream as a result of the AMI discharges to Harshaw and further, that the mine's planned dewatering activities in the area would likely facilitate the movement of degraded water from the numerous historic mine adits in this region into Harshaw Creek and eventually downstream to Sonoita Creek as it passes through the Town of Patagonia and beyond.

Finally, it should be observed that that the maximum allowable discharge limits for discharges to Harshaw Creek under this Draft AZPDES permit far exceed prior allowable discharge limits for nearby Alum Gulch (as previously permitted by ADEQ) by a significant order of magnitude. This can be seen in the table (*see* Attachment C) as prepared by PARA hydrologists.

Despite the scientifically sound concerns presented by PARA, these concerns have been disregarded by ADEQ. In short, PARA sees little way that ADEQ can finalize this draft permit and simultaneously meet its obligations to ensure that the permitted discharges will not violate the Clean Water Act or harm public health.

Based on the foregoing, we urge EPA to carefully review the Draft AMI AZPDES permit at your earliest opportunity and exercise your authority under Section 402(d) of the Clean Water Act to object to the final issuance of this permit until the concerns presented here have been fully examined and meaningfully considered by ADEQ and addressed in a revised draft AZPDES permit.

Please let me know if you have any questions or would like to discuss this matter further. In addition, given the running comment timeline period on this permit, we would greatly appreciate an indication as to whether EPA intends to take action(s) on this permit.

Thank you.

PATAGONIA AREA RESOURCE ALLIANCE

Carolyn Shafer

Carolyn Shafer
Mission Coordinator and Board Member

Enclosures

ED_013012_00001864-00006

ATTACHMENT A

PARA Watchdogs

PATAGONIA
AREA
RESOURCE
ALLIANCE

317 McKeown Ave
PO Box 1044
Patagonia, AZ 85624

www.patagoniaalliance.org

A non-profit community organization with volunteer members. Our volunteers bring skill sets and experience that include:

Geology
Business Management
Ecology
Academia
Artisan Mining
Fundraising
Webmaster Skills
Marketing
Legal Council & Advocacy

The Patagonia area has a heritage that includes ranching, farming, eco-tourism, and multiple uses on public lands that include the Coronado National Forest, Arizona State Parks and Trust Lands, and Bureau of Land Management lands. It is rich with natural resources as well as mineral resources. Working within the legal parameters of local, state and federal governments, PARA's goal is to prevent further environmental degradation as well as promote restoration efforts in order to maintain and preserve our public lands, private lands, our water, and our air for future generations.

"There are some things in the world we can't change--gravity, entropy, the speed of light, and our biological nature that requires clean air, clean water, clean soil, clean energy and biodiversity for our health and well being. Protecting the biosphere should be our highest priority or else we sicken and die."

David Suzuki
award winning scientist, environmentalist, broadcaster

November 23, 2020
VIA CM, RRR and Emails

Arizona Department of Environmental Quality
Attn: Trevor Baggiore
Director, Water Quality Division
1110 W. Washington St.
Phoenix, AZ 85007
baggiore.trevor@azdeq.gov

Re: ***Request for ADEQ to Suspend Consideration of the Applications for an AZPDES & APP Permit Submitted by Arizona Minerals, Inc., Pending ADEQ's Issuance of A "Comprehensive Written Request for Additional Information" Pursuant to A.R.S. § 41-1075(A) and A.A.C. R18-1-504(C)-(D)***

Dear Director Baggiore:

As you know, the Patagonia Area Resource Alliance (PARA) is a nonprofit community watchdog organization that is focused on the environmental and economic health and vitality of the Patagonia region of Arizona. Accordingly, I am writing on behalf of PARA in reference to the following permit applications filed by Arizona Minerals, Inc. (AMI) with the Arizona Department of Environmental Quality (ADEQ) on August 14, 2020 (collectively, "the Applications"):

1. Application for Amendment of AZPDES Permit No. AZ0026387; and

2. Hermosa Project – Trench Camp Property, Aquifer Projection Permit, Significant Amendment Application, P-512235.

Given the substantial deficiencies in AMI's Applications recently identified by PARA's technical experts, PARA respectfully requests that ADEQ promptly serve AMI with a comprehensive written request for additional information as discussed below – information that PARA submits must be considered by ADEQ as part of the AZPDES and APP permit process. ADEQ should, simultaneous with this request for additional information, immediately suspend the substantive review phase for AMI's Applications pursuant to A.R.S. § 41-1075(A) and A.A.C. R18-1-504(C)-(D) pending receipt of the requested information by ADEQ.

PARA received copies of AMI's Applications through a public record request. Upon review, PARA immediately flagged several areas of concerns with the information included in the Applications which raised the question of whether the Applications are, in fact, "administratively complete" within the meaning of A.R.S. § 41-1074 and applicable law. In order to better understand the potential environmental, flooding, and water quality impacts resulting from AMI's planned mine discharges to Harshaw Creek, PARA retained Laurel Lacher, PhD, RG, with Lacher Hydrologic Consulting, and Bob Prucha,
PhD, PE, with Integrated Hydro Systems, LLC, to perform an initial hydrologic evaluation of the underlying data, methodologies, and conclusions contained within AMI's Applications. Using the information contained in AMI's Applications, coupled with a comprehensive literature review, Lacher and Prucha developed a Conceptual Basin Flow Model for the Sonoita Creek Watershed using MIKESHE proprietary software by DHI. Their conclusions were presented to the Town of Patagonia Flood & Flow Committee and AMI on November 12, 2020. The presentation was also attended by ADEQ hydrologists, Lauren Beder and Wayne Harrison. I provided you with a copy of the Lacher and Prucha power point presentation and a link to the recording of the Flood & Flow Committee meeting in my email to you dated November 13, 2020.

Among other conclusions Lacher and Prucha outlined during their presentation, Lacher and Prucha explained that AMI's discharges from the proposed new Outfall will quickly saturate the shallow alluvial aquifer along Harshaw Creek, resulting in direct flows through the Town of Patagonia and a material risk of increased peak flows (including flooding) in the Town. Prucha and Lacher also concluded that contaminants above the new Outfall on Harshaw Creek could be transported downstream as a result of the AMI discharges into Harshaw and observed that the mine's dewatering activities could facilitate the movement of degraded water from the numerous historic mine adits in the region into Harshaw Creek.

The work performed by Lacher and Prucha also revealed that AMI's permit Applications failed to analyze significant relevant data, including related to variable bedrock depths, variations in clay layers, a dynamic groundwater table, the Sonoita Creek inflows above the confluence of Harshaw Creek, distribution and dynamic of soil moisture, and stormwater runoff inflows along Harshaw upstream of the new proposed Outfall. A summary of the missing information identified by Lacher and Prucha can be found at slide 57 of their power point presentation, which I previously provided.

Based on the foregoing, ADEQ should not continue to process AMI's permit Applications as submitted. Rather, PARA urges ADEQ to suspend the substantive review phase for both the AZPDES and the APP Applications, until such time as AMI can address the deficiencies identified by Lacher and Prucha, which should be presented by ADEQ in a comprehensive written request for information as permitted by A.R.S. § 41-1075(A) and A.A.C. R18-1-504(C)-(D).

Please let me know if you have questions about PARA's request or if you would like to discuss this matter further. In addition, please let me know at your earliest convenience whether or not ADEQ is going to take the actions requested in this letter.

Thank you.

PATAGONIA AREA RESOURCE ALLIANCE, INC.

Carolyn Shafer

Carolyn Shafer, Mission Coordinator and Board Member

Cc: Vimal Chauhan, ADEQ Staff for APP (chauhan.vimal@azdeq.gov)
Jessica Kohls, ADEQ Staff for AZPDES (kohls.jessica@azdeq.gov)

ATTACHMENT B

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Douglas A. Ducey
Governor

Misael Cabrera
Director

VIA ELECTRONIC MAIL

December 24, 2020

Carolyn Shafer, Mission Coordinator and Board Member
Patagonia Area Resource Alliance, Inc.
info@patagoniaalliance.org

RE: Request for ADEQ to Suspend Consideration of the Applications for an AZPDES & APP Permit Submitted by Arizona Minerals, Inc. Pending ADEQ's Issuance of A "Comprehensive Written Request for Additional Information" Pursuant to A.R.S. §41-1075(A) and A.A.C. R18-1-504(C)-(D)

Dear Ms. Shafer:

ADEQ is in receipt of your November 23, 2020 letter requesting the Department to suspend review of permit amendment applications submitted by Arizona Minerals for coverage under AZPDES and APP. This request was made based on PARA's independent review of the applications which had been obtained through a public records request.

The letter further noted that ADEQ staff attended the November 12, 2020 Patagonia Flood and Flow Committee meeting by videoconference to hear a presentation from PARA, and were also in receipt of the presentation documenting PARA's concerns.

The Department understands your concerns and has taken them under consideration. We are committed to issue permits that are protective of the environment and consistent with state and federal law. As you know, these applications are currently in the substantive review phase as outlined in ARS 41-1075 and AAC R18-1-504. At this time, we are not planning to issue a comprehensive request for additional information or suspend the review of this application. However, we may do so based on the outcome of our own review.

I encourage you to review the draft permits during the public notice phase to see if we have properly addressed your concerns.

Sincerely,

Mike Sonenberg, PE
Manager, Individual APP Unit
Water Quality Division

CC: Chris Montague-Breakwell, AZPDES Permit Unit Manager
Justin Bern, Surface Water Value Stream Manager
Naveen Savarirayan, Groundwater Protection Value Stream Manager

ATTACHMENT C

ATTACHMENT C

WTP1 = 0.172 MGD WTP2 = 6.48 From ADEQ Draft AZPDES Permit No. AZ0026387 (AZ Minerals, Inc.) Feb-21

Chronic Effluent Limitations and Monitoring Requirements*

Parameter	Maximum Allowable Discharge Limits						Monitoring Requirement	
	Monthly Average (µg/L)		Ratio WTP2:WTP1	Daily Max (µg/L)		Ratio WTP2:WTP1		
	WTP 1 (Alum Gulch)	WTP 2 (Harshaw Cr)		WTP 1 (Alum Gulch)	WTP 2 (Harshaw Cr)		Frequency	Sample Type
Discharge Flow (MGD)	REPORT (4)	REPORT	--	REPORT	REPORT	--	Continuous	Metered
Cadmium (5)(6)	5.1	50	9.8	10.2	100	9.8	1x / quarter	8-hour composite
Copper (5)(6)	24	150	6.3	48.1	300	6.2	1x / quarter	8-hour composite
Hardness (CaCO3) – Discharge (5)	REPORT (mg/L)	REPORT (mg/L)	--	REPORT (mg/L)	REPORT (mg/L)	--	1x / quarter	8-hour composite
Lead (5)	300	300	1.0	600	600	1.0	1x / quarter	8-hour composite
Mercury	1	1	1.0	2	2	1.0	1x / quarter	8-hour composite
Suspended Solids, Total (TSS)	20	20	1.0	30	30	1.0	1x / quarter	8-hour composite
Zinc (5)(6)	311	750	2.4	623	1500	2.4	1x / quarter	8-hour composite
pH (8)	Not less than 6.5 standard units (S.U.) nor greater than 9.0 S.U.						1x / week	Discrete

*discharges of 7 or more consec days with < 30 days between discharges

Flow Rates (MGD)		Ratio WTP2:WPT1
0.172	6.48	37.7

ED_013012_00001864-00015

Message

From: Charney, Alyssa (Casey) [Alyssa_Charney@casey.senate.gov]
Sent: 2/20/2021 3:41:31 PM
To: Pickens, Joycelyn (Casey) [Joycelyn_Pickens@casey.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Knock knock

Hey Radha, give me a call if you want to discuss a potential call. Still working through it on our end. I'm at Ex. 6 Personal Privacy (PP)

On Feb 19, 2021, at 5:39 PM, Pickens, Joycelyn (Casey) <Joycelyn_Pickens@casey.senate.gov> wrote:

Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 5:36 PM
To: Pickens, Joycelyn (Casey) <Joycelyn_Pickens@casey.senate.gov>
Cc: Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>
Subject: RE: Knock knock

Hi Joycelyn,

It would be Dan Utech, COS.

From: Pickens, Joycelyn (Casey) <Joycelyn_Pickens@casey.senate.gov>
Sent: Friday, February 19, 2021 5:34 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>
Subject: RE: Knock knock

Hi there, to confirm: who is the exact person who would like to speak to my boss? Is this Robin Richardson or Jane Nishida?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 9:52 AM
To: Pickens, Joycelyn (Casey) <Joycelyn_Pickens@casey.senate.gov>
Subject: Knock knock

Hi Joycelyn!

Hope all is well. Do you have a second to chat? Would love to touch base if you have a second.

Looking forward to it,
Radha

Message

From: Charney, Alyssa (Casey) [Alyssa_Charney@casey.senate.gov]
Sent: 2/20/2021 4:38:03 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: sunday call

Yep, thank you! It will definitely be me and will let you know shortly if anyone else joining from our team.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Saturday, February 20, 2021 11:34 AM
To: Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>
Subject: Re: sunday call

Wonderful, thank you Alyssa- can we plan on 6? I'll send an invite and let me know who I should add to the invite on your end.

Sent from my iPhone

On Feb 20, 2021, at 11:30 AM, Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov> wrote:

Hi there,

Good to chat earlier. Appreciate y'all giving the heads up - we're good to move forward with a staff call. Let me know what works on your end.

Thanks!

Alyssa

Alyssa Charney
U.S. Senator Bob Casey
(d) (202) 224-8483
(m) (202) 495-8755

Message

From: Charney, Alyssa (Casey) [Alyssa_Charney@casey.senate.gov]
Sent: 2/20/2021 4:40:13 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: sunday call

yes

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Saturday, February 20, 2021 11:39 AM
To: Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>
Subject: Re: sunday call

I'm sorry- can we plan on 630?

Sent from my iPhone

> On Feb 20, 2021, at 11:33 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Wonderful, thank you Alyssa- can we plan on 6? I'll send an invite and let me know who I should add to the invite on your end.
>
> Sent from my iPhone
>
>> On Feb 20, 2021, at 11:30 AM, Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov> wrote:
>>
>> Hi there,
>>
>> Good to chat earlier. Appreciate y'all giving the heads up - we're good to move forward with a staff call. Let me know what works on your end.
>>
>> Thanks!
>>
>> Alyssa
>>
>> Alyssa Charney
>> U.S. Senator Bob Casey
>> (d) (202) 224-8483
>> (m) (202) 495-8755

Message

From: Yelverton, Anna (Coons) [Anna_Yelverton@coons.senate.gov]
Sent: 2/21/2021 3:15:40 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Williams, Morgan (Coons) [Morgan_Williams@coons.senate.gov]
Subject: RE: Call tomorrow- Sen. Coons/Dan

Hi Radha, here's the conference line for the call at 5:30, and I can send a calendar invite to Dan: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Is it okay with you all if I call in (silently) as well?

Thanks!
Anna

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Saturday, February 20, 2021 10:16 AM
To: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Cc: Yelverton, Anna (Coons) <Anna_Yelverton@coons.senate.gov>
Subject: RE: Call tomorrow- Sen. Coons/Dan

That works great, thank you both for your assistance, and have a wonderful weekend. Our COS is: Utech.Dan@epa.gov

---

From: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Sent: Saturday, February 20, 2021 10:15 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Yelverton, Anna (Coons) <Anna_Yelverton@coons.senate.gov>
Subject: Re: Call tomorrow- Sen. Coons/Dan

Would 5:30pm work tomorrow evening? I am happy to pass along a conference line for the call.

Thank you again!

Morgan

Sent from my iPhone

> On Feb 20, 2021, at 9:50 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Thanks Anna,
>
> Morgan, I appreciate your assistance with this and hope you will let me know when is best for your boss to connect with our COS.
>
> ---
>
> **From:** Yelverton, Anna (Coons) <Anna_Yelverton@coons.senate.gov>
> **Sent:** Saturday, February 20, 2021 9:30 AM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Cc:** Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
> **Subject:** Call tomorrow- Sen. Coons/Dan

Hi Radha,

Thanks for calling last night! Sen. Coons is happy to chat with Dan tomorrow evening. I'm connecting you here with Morgan who directs his scheduling in state to coordinate a time.

I know it's sensitive - if you're able to share anything in advance about the general topic, I'll make sure to prep Sen. Coons for the conversation. You can reach me any time at Ex. 6 Personal Privacy (PP)

Thanks again and hope you have a great weekend!
Anna

Anna Yelverton
Energy & Environment Legislative Assistant
U.S. Senator Chris Coons (D-DE)
202.224.2487

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 2/21/2021 7:13:29 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to connect tomorrow AM?

Great, thanks.

Sent from my iPhone

On Feb 21, 2021, at 12:14 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Thanks Jackie- book us! It'll be me or our AA for air Joe Goffman.
>
> Sent from my iPhone
>
>> On Feb 21, 2021, at 12:13 PM, Cohen, Jacqueline <jackie.cohen@mail.house.gov> wrote:
>>
>> Sure. I can talk around 8:15.
>>
>> Sent from my iPhone
>>
>> On Feb 21, 2021, at 10:31 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>>
>>> Hi Jackie,
>>>
>>> Do you have 10 minutes tomorrow AM to chat with EPA about an issue we want you to have on your radar? Between 8-9 would be ideal if that works for you.
>>>
>>> Looking forward to hearing from you,
>>> Radha

Appointment

From: Charney, Alyssa (Casey) [Alyssa_Charney@casey.senate.gov]
Sent: 2/21/2021 7:00:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/Senator Casey's office connect
Location: Microsoft Teams Meeting

Start: 2/21/2021 11:30:00 PM
End: 2/22/2021
Show Time As: Busy

Recurrence: (none)

Appointment

From: McCracken, Jonathan (Brown) [Jonathan_McCracken@brown.senate.gov]
Sent: 2/21/2021 7:49:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/Brown Connect
Location: Microsoft Teams Meeting

Start: 2/22/2021
End: 2/22/2021 12:30:00 AM
Show Time As: Busy

Recurrence: (none)

Message

From: McCracken, Jonathan (Brown) [Jonathan_McCracken@brown.senate.gov]
Sent: 2/21/2021 7:50:01 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]
Subject: Re: EPA/Brown Connect

Works well. Thanks!

Sent from my iPhone

> On Feb 20, 2021, at 9:54 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hey Jonathan, can you let me know if this time works ok for you? Thanks for making the time.
> _____
> Microsoft Teams meeting
> Join on your computer or mobile app
> Click here to join the meeting Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

> Or call in (audio only)
> Ex. 6 Personal Privacy (PP) United States, Washington DC
> Phone Conference ID: Ex. 6 Personal Privacy (PP)
> Find a local
number Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

> By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
> Learn

Ex. 6 Personal Privacy (PP)

> _____
>

Message

From: Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Sent: 2/21/2021 11:37:58 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to connect tomorrow AM

That works for me. The best number to call me is 202-224-0602. Thanks, and hope you're also having a good weekend!

On Feb 21, 2021, at 6:29 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Thank you for taking the time Chloe. Would 9:15 work on your end? Our Acting AA for Air will be reaching out, Joe Goffman. If 9:15 woks for you, I hope you will share your best number,
>
> Hope you are having a wonderful weekend,
> Radha
>
> ---
>
> **From:** Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
> **Sent:** Sunday, February 21, 2021 6:27 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Time to connect tomorrow AM
>
> Hi Radha,
>
> I'd be happy to talk with you tomorrow morning. Could you do 9am? Appreciate any information you can share ahead of time regarding the topic of the call.
>
> Chloe Cantor
> Legislative Assistant | Office of Senator Roger F. Wicker(R-MS)
> 555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
>
> On Feb 21, 2021, at 10:22 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> > Hi Chloe,
> >
> > Hope you are having a wonderful weekend. I wanted to ask for your help- do you think you could squeeze EPA in to your schedule tomorrow AM? Between 8-9 if possible? We would like to touch base if you have some time.
> >
> > Looking forward to hearing from you,
> > Radha

Message

From: Wehrley, Lydia (Carper) [Lydia_Wehrley@carper.senate.gov]
Sent: 2/22/2021 12:22:21 AM
To: Utech, Dan [Utech.Dan@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]; Morgan, Ashley (Carper) [Ashley_Morgan@carper.senate.gov]; Cameron, Jacqueline (Carper) [Jacqueline_Cameron@carper.senate.gov]
Subject: Re: Call with Senator Carper and Dan Utech

Hello -

Conference line Ex. 6 Personal Privacy (PP) ID Ex. 6 Personal Privacy (PP) is open. I'll connect Senator Carper at 7:30 pm.

Thanks,
Lydia

On Feb 21, 2021, at 4:15 PM, Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov> wrote:

Great! Let's use the same conference line Ex. 6 Personal Privacy (PP), ID Ex. 6 Personal Privacy (PP)

Thank you,
Lydia

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Sunday, February 21, 2021 4:11 PM
To: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: Call with Senator Carper and Dan Utech

Yes that works fine. Thank you.

From: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Sent: Sunday, February 21, 2021 3:44 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Subject: RE: Call with Senator Carper and Dan Utech

Hello –

Senator Carper is no longer available at 5:00 pm today. Would it be possible to reschedule this call for 7:30 pm?

Thank you,
Lydia

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 7:50 PM
To: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Subject: Re: Call with Senator Carper and Dan Utech

Thank you all, appreciate your assistance. Hope you have a wonderful weekend.

Sent from my iPhone

On Feb 19, 2021, at 7:06 PM, Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov> wrote:

Thank you, Mary Frances and Hello Dan –

We are happy to arrange a call with Senator Carper for 5:00 pm on Sunday, February 21st. Please dial in to conference line Ex. 6 Personal Privacy (PP), ID Ex. 6 Personal Privacy (PP) and I will connect the Senator.

Thank you,
Lydia

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Friday, February 19, 2021 6:50 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Cc: Dan Utech (utech.dan@epa.gov) <utech.dan@epa.gov>; Adhar, Radha (Adhar.Radha@epa.gov) <Adhar.Radha@epa.gov>
Subject: Call with Senator Carper and Dan Utech

Scheduling team-

EPA Chief of Staff, Dan Utech, would like to speak with Senator Carper on Sunday around 5 pm regarding an announcement that EPA is making on an issue of importance to Senator Carper.

Might we arrange a conference line to do so?

I will staff.

Thanks so much,
Mary Frances

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]
Sent: 2/22/2021 12:42:18 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can I call you first thing

Sure thing. Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Feb 21, 2021, at 6:27 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Gotta give you an update on an issue you have been following around 8 if possible! Just send over your cell!

Message

From: Denis, Lydia (Portman) [Lydia_Denis@portman.senate.gov]
Sent: 2/22/2021 1:03:41 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to connect?

That works, thanks

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 8:03 AM
To: Denis, Lydia (Portman) <Lydia_Denis@portman.senate.gov>
Subject: RE: Time to connect?

Sorry Lydia, any way you can do around 10:15?

From: Denis, Lydia (Portman) <Lydia_Denis@portman.senate.gov>
Sent: Monday, February 22, 2021 7:58 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Time to connect?

Hi Radha - I have a call scheduled at 9:30 but am free before then.

My number is Ex. 6 Personal Privacy (PP)

Thanks,
Lydia

Sent from my iPhone

On Feb 22, 2021, at 7:52 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

And congrats to you! Lydia, could our acting AA for water give you a ring today at 945? We would like to give you and update on an issue and need about 10 minutes.

Sent from my iPhone

> On Feb 22, 2021, at 5:54 AM, Peery, Sarah (Portman) <Sarah_Peery@portman.senate.gov> wrote:
>
> Thanks Radha - congrats on the new job!
>
> I am including Lydia in this email, who is our energy/enviro LA as I have moved into the LD role for Senator Portman.
>
> Sent from my iPhone
>
>> On Feb 21, 2021, at 6:20 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>>
>> Hi Sarah,

I hope all is well with you and your family during these challenging times. I recently joined EPA and am looking forward to working with your office and chatting about your boss's priorities sometime soon.

In the meantime, I wanted to ask for your help- do you think you could squeeze EPA in to your schedule tomorrow AM? Before 10 if possible? We want to give you an update on an issue.

Looking forward to hearing from you,
Radha

Message

From: McDonough, Lindsay (Young) [Lindsay_McDonough@young.senate.gov]
Sent: 2/22/2021 1:25:59 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; 'acarlile@iu.edu' [acarlile@iu.edu]
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,

My apologies for the delay. Would 10:15 AM (EST) work for Tuesday, March 2?

Best,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:13 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lindsay,

I hope you are doing well. I'm reaching out to find time on Senator Young's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Wyckoff, Pete (Smith) [Pete_Wyckoff@smith.senate.gov]
Sent: 2/22/2021 1:38:08 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]
Subject: RE: Connecting Radha & Pete

Thanks Brian…

Hi Radha,

I am available now until 9:00. Could also chat 9:30-10:00 or after noon. 202-224-0706 is my direct.

-Pete

Dr. Pete Wyckoff
Energy & Environment Policy Advisor
Office of Senator Tina Smith
720 Hart Senate Office Building
Washington, DC 20510
Phone: 202-224-0706

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 8:14 AM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Wyckoff, Pete (Smith) <Pete_Wyckoff@smith.senate.gov>
Subject: RE: Connecting Radha & Pete

Thanks Brian! Dr. Pete! Can I give you a quick ring this morning? ASAP would be best but happy to work with your schedule.

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Monday, February 22, 2021 8:13 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Wyckoff, Pete (Smith) <Pete_Wyckoff@smith.senate.gov>
Subject: Connecting Radha & Pete

Good morning Pete! Connecting you to Radha in her new role.

Thanks,

Brian Werner
Senior Legislative Assistant
Senator Amy Klobuchar
@SenAmyKlobuchar

Message

From: Wyckoff, Pete (Smith) [Pete_Wyckoff@smith.senate.gov]
Sent: 2/22/2021 1:47:42 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Connecting Radha & Pete

My cell: Ex. 6 Personal Privacy (PP)

Dr. Pete Wyckoff
Energy & Environment Policy Advisor
Office of Senator Tina Smith
720 Hart Senate Office Building
Washington, DC 20510
Phone: 202-224-0706

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 8:14 AM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Wyckoff, Pete (Smith) <Pete_Wyckoff@smith.senate.gov>
Subject: RE: Connecting Radha & Pete

Thanks Brian! Dr. Pete! Can I give you a quick ring this morning? ASAP would be best but happy to work with your schedule.

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Monday, February 22, 2021 8:13 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Wyckoff, Pete (Smith) <Pete_Wyckoff@smith.senate.gov>
Subject: Connecting Radha & Pete

Good morning Pete! Connecting you to Radha in her new role.

Thanks,

Brian Werner
Senior Legislative Assistant
Senator Amy Klobuchar
@SenAmyKlobuchar

Message

From: Harrington, Ashley (Markey) [Ashley_Harrington@markey.senate.gov]
Sent: 2/22/2021 1:51:05 PM
To: Butler, Sarah (Markey) [Sarah_Butler@markey.senate.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Carlile, Amy L [acarlile@iu.edu]; Adhar, Radha [Adhar.Radha@epa.gov]; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Of course. Please see below!

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile
Ex. 6 Personal Privacy (PP)

Best,
Ashley

From: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>
Sent: Saturday, February 20, 2021 7:24 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: Re: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Not a problem! Ashley can you set up/send around a Zoom link?

> On Feb 19, 2021, at 11:13 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:
>
> Hi Sarah,
>
> I know I sent a conf line – but can we make it a virtual meeting? We're finding a virtual meetings to be working well. Do you use Microsoft Teams? If so, I can send a link. If you prefer Zoom (or webex), would you mind sending your preferred link?
>
> Thanks so much!
>
> Karen.
>
> Karen Thundiyil
> Office of Congressional Affairs
> U.S. Environmental Protection Agency
> (202) 564.1142

From: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>
Sent: Thursday, February 18, 2021 2:21 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great- thanks! And you would prefer a call vs. a virtual meeting?

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 1:57 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Carlile, Amy L <acarlile@iu.edu>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! Let's plan to use this conf call line:
Phone number: Ex. 6 Personal Privacy (PP)
Conf ID: Ex. 6 Personal Privacy (PP)

Would you please share who will join Senator Markey on the call? Radha Adhar & I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>
Sent: Thursday, February 18, 2021 11:51 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great- we are confirmed. Do you need us to provide a Zoom link?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:49 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey)

<Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Yes, that is perfect!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Thursday, February 18, 2021 11:46 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Oh sorry I think we would want to meet prior to the meeting. Would 12:30pm on Monday March 1st work?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:28 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

That is the day of her confirmation hearing and we have not received a time for that as yet as far as I know. Perhaps Karen or Radha can let us know if 5:30 would be workable on the same day as the hearing.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541

acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Thursday, February 18, 2021 11:24 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Understood! Would 5:30pm on Wednesday March 3rd work instead?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:19 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah,

I just talked with Janet and that is the day she will be traveling from Indianapolis. She will likely drive due to COVID-19. Does Senator Markey have anything at all next week? I will make her available any time....

Thank you for your help with this.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Wednesday, February 17, 2021 1:03 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

Senator Markey has a window to meet virtually with Ms. McCabe at 4pm on Tuesday March 2nd. Does this time work on your end? If so, do you need us to provide a zoom link?

Best,

Sarah

Sarah E. Butler
Deputy Chief of Staff for Operations
Office of Senator Ed Markey
255 Dirksen Senate Building
Washington, DC 20510

e: sarah_butler@markey.senate.gov
p: 202-224-2742

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah & Ashley,

I hope you are doing well. I'm reaching out to find time on Senator Markey's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Markey's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]
Sent: 2/22/2021 1:57:17 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can you give me a ring to connect this morning

Todd_Atkinson@durbin.senate.gov
Ex. 6 Personal Privacy (PP)

Gina Mazzuca
Office of Senator Richard J. Durbin
Hart 711 Office Building

On Feb 22, 2021, at 8:15 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Want to give you an update on an issue.

Message

From: Burkett, Laura Lee (Fischer) [LauraLee_Burkett@fischer.senate.gov]
Sent: 2/22/2021 2:24:12 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to connect

Hi Radha, good to hear from you, of course. My cell is in signature

Laura Lee Burkett
Legislative Assistant
Senator Deb Fischer (NE)
202-308-0685

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 8:18 AM
To: Burkett, Laura Lee (Fischer) <LauraLee_Burkett@fischer.senate.gov>
Subject: Time to connect

Hey Laura Lee!

I hope all is well with you and your family during these challenging times. I want to give you an update on an issue front of mind for your boss, and wondering if you have time around 9:30. Do you mind letting me know?

Thanks in advance,
Radha

Message

From: Baha, Meris (Ernst) [Meris_Baha@ernst.senate.gov]
Sent: 2/22/2021 2:24:30 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Do you mind if I give you a ring

Hi Radha, sorry I missed this, I'm free for until 9:30 then again at 10. Ex. 6 Personal Privacy (PP)

Meris

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 8:32 AM
To: Baha, Meris (Ernst) <Meris_Baha@ernst.senate.gov>
Subject: Do you mind if I give you a ring
Importance: High

Hey Meris!

I hope you had a wonderful weekend. I want to give you an update on an issue important to your boss and am wondering, would you mind if I rang you at about 9?

Looking forward to hearing from you,
Radha

Message

From: Gardner, David (Energy) [David_Gardner@energy.senate.gov]
Sent: 2/22/2021 2:33:14 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Farr, Kate (Energy) [Kate_Farr@energy.senate.gov]
Subject: RE: Time to connect?

Hi Radha,

Unfortunately, Richard will not be able to make the call this morning. Richard asked that Kate Farr, counsel for the committee, stand in. She will be able to call in at 10am. I have sent her the call-in information.

Please let me know if this does not work.

Thanks,
David

David Gardner
Research Assistant
Committee on Energy and Natural Resources
United States Senate

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 7:52 AM
To: Russell, Richard (Energy) <Richard_Russell@energy.senate.gov>
Cc: Gardner, David (Energy) <David_Gardner@energy.senate.gov>
Subject: Re: Time to connect?

10 is great. Will send a conference line- thank you for taking the time.

Sent from my iPhone

> On Feb 21, 2021, at 10:08 PM, Russell, Richard (Energy) <Richard_Russell@energy.senate.gov> wrote:
>
> 10 am would be better. I have a 9:30 call
>
> Richard M. Russell
> Republican Staff Director
> Committee on Energy and Natural Resources
>
>> On Feb 21, 2021, at 8:32 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>>
>> Hi Richard,
>>
>> I hope all is well with you and your family during these challenging times. Tomorrow EPA is going to have an update that I know is important to Senator Barrasso. Do you think

you could find time for our Acting AA for Air to give you a ring tomorrow morning? Let me know if around 9:45 works.

Looking forward to hearing from you,
Radha

Message

From: Bauserman, Trent [Trent.Bauserman@mail.house.gov]
Sent: 2/22/2021 2:37:16 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Do you have a quick second to chat

Of course. I'm free until 1030 and again at 12

My cell is Ex. 6 Personal Privacy (PP)

> On Feb 22, 2021, at 8:16 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hey Trent! I want to give you an update on an issue this morning. Do you have a few minutes to fit me in?
>
> Let me know and looking forward to it,
> Radha

Message

From: Smith, Ashley [ashley.smith@mail.house.gov]
Sent: 2/22/2021 2:46:35 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat tomorrow AM

Talked to Joe. Thanks for keeping us updated. He didn't know if y'all had picked an Ag advisor yet. Please let me know what the timeline on that is.

Ashley Smith
Deputy Staff Director
House Agriculture Committee
Chairman David Scott
Ex. 6 Personal Privacy (PP)

Ashley

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, February 21, 2021 8:36 PM
To: Smith, Ashley <ashley.smith@mail.house.gov>
Subject: RE: Time to chat tomorrow AM

Thanks Ashley! Don't want to loose the job just one month is 😉

From: Smith, Ashley <ashley.smith@mail.house.gov>
Sent: Sunday, February 21, 2021 8:32 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Time to chat tomorrow AM

Ok, don't want to get anyone in trouble. I look forward to our chat.

Ashley

On Feb 21, 2021, at 8:28 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Hi Ashley, it is under "embargo" untill 11ish tomorrow but we would like to give you an update asap. I apologize I am unable to give you more background.
>
> ---
>
> **From:** Smith, Ashley <ashley.smith@mail.house.gov>
> **Sent:** Sunday, February 21, 2021 8:06 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Time to chat tomorrow AM
>
> What is the topic of the call?
>
> Ashley
>
> On Feb 21, 2021, at 8:00 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
>> Thanks Ashley, appreciate you taking the time.

From: Smith, Ashley <ashley.smith@mail.house.gov>
Sent: Sunday, February 21, 2021 7:58 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Time to chat tomorrow AM

I can.

Ashley
Ex. 6 Personal Privacy (PP)

On Feb 21, 2021, at 6:30 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Hi Ashley,
>
> By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administration for Congressional Affairs at EPA. Our Acting AA for Air would like to give you an update on an issue tomorrow morning on an issue I believe is important to Chairman Scott. Do you mind letting me know if we could find you time for ten minutes to chat tomorrow AM around 9:30?
>
> Looking forward to hearing from you,
> Radha

Message

From: McDonough, Lindsay (Young) [Lindsay_McDonough@young.senate.gov]
Sent: 2/22/2021 3:08:03 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Martinez, Nancy (Young) [Nancy_Martinez@young.senate.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Thank you Kathleen.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 10:05 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Joining Administrator Nominee Regan will be Ms. Radha Adhar, Deputy Associate Administrator for Congressional Affairs, and Mr. John Lucey, Special Assistant to the Administrator.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Monday, February 22, 2021 9:27 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Great, thank you Kathleen.

Would you be able to confirm who all will be on the call with Michael at that time?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 9:25 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Hi Lindsay – the Microsoft Teams link to join the video-call is as followed:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting
Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Washington DC
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
Learn More | Meeting options

Thank you for your help getting them connected!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Monday, February 22, 2021 9:15 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

A video call works for Senator Young. We would be happy to do that via Microsoft Teams or I can share a government Zoom link.

Please let me know which platform is preferred.

Thank you,

Lindsay

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 9:07 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Thank you, Lindsay. 10:15amEST this Wednesday, Feb. 24 works great! Would Senator Young prefer a video-call? I am happy to setup a Microsoft Teams link and share. If you would prefer to use Zoom, could you please share with me a link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Monday, February 22, 2021 8:42 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Kathleen,

Would 10:15 AM (EST) work for Wednesday, February 24?

I am adding Nancy Martinez who will be staffing the Senator for this meeting.

Best,

Lindsay

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 8:36 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Good morning Lindsay,

We unfortunately have a conflict tomorrow at 2:30pEST. I'm so sorry! Are there any additional windows of availability this week?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Monday, February 22, 2021 8:24 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Kathleen,

We just had a cancelation for tomorrow and I wanted to see if by any chance there was availability on your end for a call tomorrow at 2:30 PM or 2:45 PM (EST)?

Best,

Lindsay

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 7:06 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Young

Good evening Lindsay,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Young and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Young has availability this Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 2/22/2021 4:12:11 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Connecting you with HASC staff

Radha,

Can I connect you with the main PFAS staffer with the House Armed Services Committee? They are (as always) under a lot of pressure to include PFAS items in NDAA and would love to discuss timing and coordination.

Jacqueline G. Cohen
Chief Environmental Counsel
Committee on Energy and Commerce
202-225-4470

Message

From: Tomlinson, Adam (EPW) [Adam_Tomlinson@epw.senate.gov]
Sent: 2/22/2021 4:16:29 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Thank you note from Janet McCabe

Thanks, Radha. I appreciate the call and look forward to the briefing.

I will share the note with Senator Capito.

Adam

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 11:05 AM
To: Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov>
Subject: Thank you note from Janet McCabe

Hi Adam,

Thanks for chatting yesterday. I hope you will let me know if there's any further follow up or information EPA can share with you on the RFS. We have a staff briefing that your team should be invited to soon for today, and I'm happy to get our folks on the phone with you if it's helpful. Just let me know.

I also wanted to share the attached thank you note with you- can you please share it with Ranking Member Capito? We weren't sure if y'all had folks in the office sorting mail so I asked Janet to scan it.

Thanks in advance,
Radha

Message

From: DeGraff, Kenneth [kenneth.degraff@mail.house.gov]
Sent: 2/22/2021 4:48:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to connect?

Sorry, I thought I added you to my notifications to get alerts. My apologies. Ex. 6 Personal Privacy (PP)

+-+-+-+-+-+-+-+-+-+-+-+-+-
Kenneth DeGraff
Office of the Speaker of the House

On Feb 22, 2021, at 9:07 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey Kenneth, do you mind sending your number?

Sent from my iPhone

On Feb 21, 2021, at 3:35 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Thanks Kenneth. Book us for 9- our AA for air will give you a ring and if you have time I'll follow up later. Can you let me know what number is best for you?

Sent from my iPhone

On Feb 21, 2021, at 2:46 PM, DeGraff, Kenneth <kenneth.degraff@mail.house.gov> wrote:

I have an 830 but I can do anytime 9-930 or 10.

+-+-+-+-+-+-+-+-+-+-+-+-+-
Kenneth DeGraff
Office of the Speaker of the House

On Feb 21, 2021, at 10:31 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Kenneth!

I hope all is well with you and your family during these challenging times. I wanted to let you know that I recently joined EPA working on congressional affairs, and d when you're free would love to connect about how we can stay coordinated. In the meantime though, do you have 10 minutes tomorrow AM to chat with EPA

about an issue we want you to have on your radar?
Between 8-9 would be ideal if that works for you.

Looking forward to hearing from you,
Radha

Message

From: James, Alice (L. Graham) [Alice_James@lgraham.senate.gov]
Sent: 2/22/2021 4:51:34 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: RE: Scheduling Senator Graham - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Senator Graham is all set for now but if that changes, I will let you know.

Best,
Alice

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Graham - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Alice,

I hope you are doing well. I'm reaching out to find time on Senator Graham's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Kungel, Wes (Manchin) [Wes_Kungel@manchin.senate.gov]
Sent: 2/22/2021 5:32:24 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Black, Renae (Energy) [Renae_Black@energy.senate.gov]
Subject: RE: Seeking to connect with Senator Manchin Sunday

Awesome. Thanks Radha. Please don't hesitate to reach out to us either if we can be helpful. My cell is Ex. 6 Personal Privacy (PP)

Wes

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 12:25 PM
To: Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey Wes!

Finally, some southerns! Hallelujah!

The embargo just lifted minutes ago, and appreciate you checking in on that. Also flagging this briefing below in case its of interest. My cell is Ex. 6 Personal Privacy (PP) and I hope you don't hesitate to reach out if I can help with any issues on your end.

Radha

Subject: INVITE: EPA Briefing Call on Renewable Fuel Standard (RFS) Update

Dear Congressional Offices:

You are invited to join a briefing call today for elected officials with EPA Acting Assistant Administrator for the Office of Air and Radiation, Joe Goffman, and Senior EPA Officials on a Renewable Fuel Standard (RFS) Update.

WHAT: Briefing Call for Elected Officials on an EPA RFS Update

WHO: EPA Acting Assistant Administrator Joe Goffman
Senior EPA Officials

WHEN: Monday, February 22, 2021
1:00 PM ET

DIAL: Ex. 6 Personal Privacy (PP)
CONFERENCE ID: Ex. 6 Personal Privacy (PP)

Given the large number of participants, **please plan to dial in at least 15 minutes** prior to call start time to ensure your office is connected through the operator before the call begins.

From: Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Sent: Monday, February 22, 2021 12:01 PM

To: Adhar, Radha <Adhar.Radha@epa.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey Radha –

First and foremost – it's downright tremendous to see "y'all" front and center on the email thread. You're talking to two proud Louisianians right here.

Second, thanks for closing the loop. It was our understanding that we could do some positive press today on the announcement before the announcement is officially made. We have a release drafted up, but would greatly appreciate any additional perspective you may have on that.

We'd prefer not to be the source of an unpleasant surprise if at all possible. ☺

Wes

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 11:50 AM
To: Black, Renae (Energy) <Renae_Black@energy.senate.gov>; Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey y'all,

Thanks again for helping us connect with Senator Manchin yesterday evening. I hope you will let us know if we can discuss this issue further with your team and ensure y'all have the information you need on this decision. Also wanted to flag there will be a staff briefing that your team should be invited to later today.

Thanks again,
Radha

From: Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Sent: Saturday, February 20, 2021 12:12 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Subject: Re: Seeking to connect with Senator Manchin Sunday

Hey Radha -

I hope you managed to get out of town for the weekend after all! I'm looping in our LD, Wes, here. I filled him in on our conversation and he'll help coordinate connecting Dan and Senator Manchin tomorrow. If there's anything else about the topic you can share ahead of time (with understanding that it's a very close hold) we'd appreciate it.

Thanks,
Renae

Renae Black
Democratic Staff Director
U.S. Senate Committee on Energy and Natural Resources
(202)697-3297

On Feb 19, 2021, at 8:46 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Renae,

I hope all is well with you and your family during these challenging times. I wanted to ask for your help. Do you have a second to chat tonight or this weekend? We would like to have our COS connect with Senator Manchin if possible to share with him some news that is important to West Virginia.

Do you mind letting me know? You can also reach me at Ex. 6 Personal Privacy (PP)

Thanks in advance,
Radha

Message

From: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Sent: 2/22/2021 6:18:37 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Sorry I wasn't able to ring you back before our brefing

No worries. Thanks for giving me a heads up that something was coming.

Great to have you at the EPA!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 1:16 PM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: Sorry I wasn't able to ring you back before our brefing

BUT LOOKS LIKE YOU GOT THE NEWS! YAHOOOOOOOO!

Message

From: Hinojosa, Holly (Daines) [Holly_Hinojosa@daines.senate.gov]
Sent: 2/22/2021 7:17:19 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Thank you!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 2:09 PM
To: Hinojosa, Holly (Daines) <Holly_Hinojosa@daines.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Holly,
Wanted to flag this letter for you and thanks again for taking the time to chat.

From: Hinojosa, Holly (Daines) <Holly_Hinojosa@daines.senate.gov>
Sent: Monday, February 22, 2021 12:30 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Radha,

Great to connect and look forward to working with you. Sure do. I've free between 1:30-4:00pm. Let me know when might work for you or feel free to call whenever you have a moment: Ex. 6 Personal Privacy (PP)

-Holly

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 12:28 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Hinojosa, Holly (Daines) <Holly_Hinojosa@daines.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Thank you Caitlin! Holly, do you have a few minutes to chat today? Would love to introduce myself and get a sense of Senator Daine's priorities.

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Monday, February 22, 2021 12:24 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hinojosa, Holly (Daines) <Holly_Hinojosa@daines.senate.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Daines

Happy to! Looping in Holly.

Sent from my iPhone

On Feb 22, 2021, at 11:35 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Caitlin,

Do you mind connecting me to your colleague who will be staffing this meeting? Would love to introduce myself.

Thanks in advance,
Radha

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 1:49 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Shaffer Gabel, Caleigh (Daines) <Caleigh_Gabel@daines.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Certainly! We are in three different hearings Tuesday morning, unfortunately, I don't see any flexibility earlier.

Senator Daines prefers video and we are happy to coordinate the zoom. Caleigh, can you please send to Kathleen.

Regards,

Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:46 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Thank you, Caitlin. 2:30pmEST, Tuesday, Feb. 23 works great. If a window of availability opens sooner, would you please let me know?

Also, would Senator Daines prefer a video-call? I am happy to setup a Microsoft Teams link, or if you could share a zoom link that would be great!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 1:43 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

The Senator will be traveling to DC on Monday and unfortunately does not arrive until 5pm EST right before the vote. How about 2:30pm EST on Tuesday, February 23rd?

Regards,
Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:38 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Caitlin,

Of course! Could you please share Senator Daines' availability for Monday?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 12:35 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Kathleen,

Would it be possible to look to early next week instead?

Thanks,
Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 7:08 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Daines

Good evening Caitlin,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Daines and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Daines has availability this Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Kungel, Wes (Manchin) [Wes_Kungel@manchin.senate.gov]
Sent: 2/22/2021 7:28:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Black, Renae (Energy) [Renae_Black@energy.senate.gov]
Subject: RE: Seeking to connect with Senator Manchin Sunday

Awesome! Thank you!!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 2:22 PM
To: Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Thank you for flagging Wes, appreciate it. All clear from our end!

From: Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Sent: Monday, February 22, 2021 2:11 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey Radha –

Sorry for all the emails. The boss just said we were clear to send the below release in 20 minutes. Please let us know if any of it gives y'all any heartburn.

Wes

MANCHIN: EPA PROGRESS ON PFAS CHEMICALS GOOD NEWS FOR WEST VIRGINIANS

Washington, DC – Today, U.S. Senator Joe Manchin (D-WV) applauded the Environmental Protection Agency's (EPA) decision to move forward on the Final Regulatory Determination regarding two per- and polyfluoroalkyl substances (PFAS) chemicals, PFOA and PFOS. The regulation, initially issued on January 15th, has been on hold since January 20th due to an across the board review of ongoing federal regulations as is typical under a new Presidential Administration. Following today's decision, the EPA can resume the process of establishing a national primary drinking water regulation, including setting a Maximum Contaminant Level which Senator Manchin has been fighting for since 2016.

"I commend the Biden Administration for making these new safe drinking water regulations a top priority right out the gate. Far too many West Virginians in Parkersburg, Vienna, and Martinsburg know all too well how dangerous these PFAS chemicals can be, but today's decision isn't just about West Virginia. Today's announcement is good news for all Americans who live in communities that have been impacted by these forever chemicals. As I've always said, every American deserves clean air to breathe and clean water to drink. I look forward to continuing to work with EPA officials to update these safe drinking water standards to fulfill that promise," **said Senator Manchin.**

From: Kungel, Wes (Manchin)
Sent: Monday, February 22, 2021 12:52 PM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Turns out I should've read your email more carefully. My boss is focused on the PFAS Safe Drinking Water rule that I believe is being unfrozen in the near future. That's the one that he said we were going to announce before the official announcement.

Wes

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 12:25 PM
To: Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey Wes!

Finally, some southerns! Hallelujah!

The embargo just lifted minutes ago, and appreciate you checking in on that. Also flagging this briefing below in case its of interest. My cell is Ex. 6 Personal Privacy (PP) and I hope you don't hesitate to reach out if I can help with any issues on your end.

Radha

Subject: INVITE: EPA Briefing Call on Renewable Fuel Standard (RFS) Update

Dear Congressional Offices:

You are invited to join a briefing call today for elected officials with EPA Acting Assistant Administrator for the Office of Air and Radiation, Joe Goffman, and Senior EPA Officials on a Renewable Fuel Standard (RFS) Update.

WHAT: Briefing Call for Elected Officials on an EPA RFS Update

WHO: EPA Acting Assistant Administrator Joe Goffman
Senior EPA Officials

WHEN: Monday, February 22, 2021
1:00 PM ET

DIAL: Ex. 6 Personal Privacy (PP)
CONFERENCE ID: Ex. 6 Personal Privacy (PP)

Given the large number of participants, **please plan to dial in at least 15 minutes** prior to call start time to ensure your office is connected through the operator before the call begins.

From: Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Sent: Monday, February 22, 2021 12:01 PM

To: Adhar, Radha <Adhar.Radha@epa.gov>; Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey Radha –

First and foremost – it's downright tremendous to see "y'all" front and center on the email thread. You're talking to two proud Louisianians right here.

Second, thanks for closing the loop. It was our understanding that we could do some positive press today on the announcement before the announcement is officially made. We have a release drafted up, but would greatly appreciate any additional perspective you may have on that.

We'd prefer not to be the source of an unpleasant surprise if at all possible. ☺

Wes

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 11:50 AM
To: Black, Renae (Energy) <Renae_Black@energy.senate.gov>; Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Subject: RE: Seeking to connect with Senator Manchin Sunday

Hey y'all,

Thanks again for helping us connect with Senator Manchin yesterday evening. I hope you will let us know if we can discuss this issue further with your team and ensure y'all have the information you need on this decision. Also wanted to flag there will be a staff briefing that your team should be invited to later today.

Thanks again,
Radha

From: Black, Renae (Energy) <Renae_Black@energy.senate.gov>
Sent: Saturday, February 20, 2021 12:12 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Kungel, Wes (Manchin) <Wes_Kungel@manchin.senate.gov>
Subject: Re: Seeking to connect with Senator Manchin Sunday

Hey Radha -

I hope you managed to get out of town for the weekend after all! I'm looping in our LD, Wes, here. I filled him in on our conversation and he'll help coordinate connecting Dan and Senator Manchin tomorrow. If there's anything else about the topic you can share ahead of time (with understanding that it's a very close hold) we'd appreciate it.

Thanks,
Renae

Renae Black
Democratic Staff Director
U.S. Senate Committee on Energy and Natural Resources
(202)697-3297

On Feb 19, 2021, at 8:46 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Renae,

I hope all is well with you and your family during these challenging times. I wanted to ask for your help. Do you have a second to chat tonight or this weekend? We would like to have our COS connect with Senator Manchin if possible to share with him some news that is important to West Virginia.

Do you mind letting me know? You can also reach me at Ex. 6 Personal Privacy (PP)

Thanks in advance,
Radha

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/22/2021 8:02:21 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Today's call

Are you calling me? I'm at Ex. 6 Personal Privacy (PP)

Message

From: Kessler, Rick [Rick.Kessler@mail.house.gov]
Sent: 2/22/2021 9:25:18 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to chat?

Thanks

Rick Kessler
Senior Advisor
Committee on Energy and Commerce

On Feb 22, 2021, at 4:24 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Awesome, just sent Morgan an invite, looking forward to it!

From: Kessler, Rick <Rick.Kessler@mail.house.gov>
Sent: Monday, February 22, 2021 2:53 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat?

That would be great.
Could do after 5 tonight, or before 8:30 or in the 11-1pm timeframe tomorrow.

Rick Kessler
Senior Advisor &
Staff Director for Energy and Environment
Committee on Energy and Commerce
(202) 225-4407

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 1:13 PM
To: Kessler, Rick <Rick.Kessler@mail.house.gov>
Subject: Time to chat?

Hi Rick,

I hope all is well with you and your family during these challenging times! I was disappointed that we scheduled a call during our check in, but would love to touch base today or tomorrow if you have time. Do you mind letting me know when would work best for you?

Looking forward to it,
Radha

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 2/22/2021 9:33:31 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: New democratic member contacts

Hey Radha,

Here is the contact information that I have for the new democratic members on EPW. Note – Josh Esquivel is Padilla's LD, so he may not be the EPW staffer, but he can point you in the right direction.

Aaron Suntag (Stabenow) <Aaron_Suntag@stabenow.senate.gov>,

Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov

Esquivel, Joshua (Padilla) Joshua_Esquivel@padilla.senate.gov

Brian C. Eiler
Oversight Counsel (Democratic Staff)
U.S. Senate Committee on Enviroment and Public Works
202-224-8123

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 2/22/2021 10:55:11 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: case for McCabe confirmation

Sure. When do you want to do that?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 5:53 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Re: case for McCabe confirmation

YES I got you thank you!
Also can I drive over our hard copy notarized questionnaire?

Sent from my iPhone

> On Feb 22, 2021, at 5:36 PM, Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov> wrote:
>
> Thanks you. Also any TPs you have to defend her on the CPP / Obama air regs or anything the republicans will attack her on.
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Monday, February 22, 2021 5:33 PM
> **To:** Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
> **Subject:** Re: case for McCabe confirmation
>
> You got it.
>
> Sent from my iPhone
>
>> On Feb 22, 2021, at 5:32 PM, Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov> wrote:
>>
>> Actually, I'm working on TC's opening statement tomorrow. So tomorrow, if you can send me anything you have in terms of themes that you want highlighted for McCabe, please send them my way.
>>
>> ---
>>
>> **From:** Eiler, Brian (EPW)
>> **Sent:** Monday, February 22, 2021 5:29 PM
>> **To:** 'Adhar, Radha' <Adhar.Radha@epa.gov>
>> **Subject:** RE: case for McCabe confirmation
>>
>> It's okay.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 5:28 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: case for McCabe confirmation

I don't im sorry but I can help tomorrow/later tonight!

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Monday, February 22, 2021 5:24 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: case for McCabe confirmation

Ok. That's good. I was looking for something I could cut and paste into the top portion of a memo. But I can work with this. (unless you have something like that handy).

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 5:22 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: case for McCabe confirmation

Experienced, smart steady-hand returns to Agency that badly needs her.

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Monday, February 22, 2021 5:18 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: case for McCabe confirmation

What is the three-six sentence elevator pitch for McCabe's confirmation?

Brian C. Eiler
Oversight Counsel (Democratic Staff)
U.S. Senate Committee on Enviroment and Public Works
202-224-8123

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 2/23/2021 2:30:20 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Janet McCabe's bio

Can you please send me Janet's bio?

Brian C. Eiler
Oversight Counsel (Democratic Staff)
U.S. Senate, Committee on Enviroment and Public Works

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 2/23/2021 4:06:24 AM
To: Moody, Christina [Moody.Christina@epa.gov]
CC: Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Setting up a call - RMG/General Iron

Hi Christina,

We usually use Zoom but if that's a problem I'm sure we can work with Teams.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

On Feb 22, 2021, at 1:07 PM, Moody, Christina <Moody.Christina@epa.gov> wrote:

Lizzy/Gina:

I recently sent you both a Teams meeting invitation to discuss the EPA investigatory process related to RMG/General Iron. Do you all have MS Teams as a resource to use for meetings?

Please let me know. Thanks!

Christina J. Moody
United States Environmental Protection Agency
Appropriations|CrossCutting|Multi-Programmatic Initiatives
OCIR|Office of Congressional Affairs|Office of the Administrator
1200 Pennsylvania Avenue NW|Washington,DC 20460|MC-1301A
Moody.Christina@epa.gov

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 11:11 AM
To: Moody, Christina <Moody.Christina@epa.gov>
Subject: Staff

Olsen, Lizzy (Duckworth) Lizzy_Olsen@duckworth.senate.gov
Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>

Message

From: McDonough, Lindsay (Young) [Lindsay_McDonough@young.senate.gov]
Sent: 2/23/2021 1:48:01 PM
To: 'Carlile, Amy L' [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Amy,

Would 11:15 AM (EST) work for Monday, March 1?

Best,

Lindsay

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Monday, February 22, 2021 11:12 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Lindsey,

Janet will be traveling to Washington that day. I can find time this week or on March 1st if Senator Young has the availability to meet. We can also schedule it after 5pm or on the weekend if that makes it easier.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: McDonough, Lindsay (Young) [mailto:Lindsay_McDonough@young.senate.gov]
Sent: Monday, February 22, 2021 8:26 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

My apologies for the delay. Would 10:15 AM (EST) work for Tuesday, March 2?

Best,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:13 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lindsay,

I hope you are doing well. I'm reaching out to find time on Senator Young's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Bragin, Gideon [Gideon@mail.house.gov]
Sent: 2/23/2021 2:05:42 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Quick Phone Call

12:30 or 2:30 or 6 pm today all work.

Gideon Bragin | He, Him, His
Executive Director
House Democratic Caucus, Chairman Hakeem Jeffries

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 23, 2021 9:01 AM
To: Bragin, Gideon <Gideon@mail.house.gov>
Subject: RE: Quick Phone Call

Hi Gideon,

I'd be happy to chat. Do you mind throwing out some times that work on your end?

Looking forward to it,
Radha

From: Bragin, Gideon <Gideon@mail.house.gov>
Sent: Tuesday, February 23, 2021 8:52 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Quick Phone Call

Hi, Adhar:

Can you and I hop on the phone today? I have a constituent issues to discuss with you.

Thank you,

Gideon

Gideon Bragin | He, Him, His
Executive Director
House Democratic Caucus, Chairman Hakeem Jeffries

Message

From: Suntag, Aaron (Stabenow) [Aaron_Suntag@stabenow.senate.gov]
Sent: 2/23/2021 3:28:06 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Can you give me a call when you have a sec?

Thx!

Ex. 6 Personal Privacy (PP)

--

Appointment

From: Bragin, Gideon [Gideon@mail.house.gov]
Sent: 2/23/2021 4:18:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: Check in
Location: Microsoft Teams Meeting

Start: 2/23/2021 5:30:00 PM
End: 2/23/2021 6:00:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]
Sent: 2/23/2021 5:56:32 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: do you have a second today?

I have some time at 1:30/2, have some quick questions for you. If not, let me know a good time to chat.

Laura Haynes Gillam
Senior Policy Advisor for Clean Air and Climate
U.S. Senate Environment and Public Works Committee, Democratic Staff
Laura_gillam@epw.senate.gov

Message

From: Daimler-Nothdurft, Kristen (Murkowski) [Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: 2/23/2021 6:47:51 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Carlile, Amy L [acarlile@iu.edu]; Adhar, Radha [Adhar.Radha@epa.gov]; Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]; Lesofski, Emy (Appropriations) [Emy_Lesofski@appro.senate.gov]; Robertson, Ann (Murkowski) [Ann_Robertson@murkowski.senate.gov]
Subject: Re: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Sure

Sent from my iPhone

On Feb 23, 2021, at 1:47 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Yes, we can shift this meeting to later in the day. Any chance we could do 5:15pm tomorrow?

Thank you,

Karen.

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Tuesday, February 23, 2021 1:34 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Would you be able to shift to 5pm tomorrow? We now have a continuation of a hearing from today to contend with

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 12:31 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>; Lesofski, Emy (Appropriations)

<Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Kristen – Thank you for sharing the conf call info. We will use your line. I'll take that Annie Hoefler, Emy Lesofski and Ann Robertson will join Senator Murkowski – is that the case?
Radha Adhar and I will join Janet McCabe.

And, thanks for flagging the possible need to reschedule due to a hearing.

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Thursday, February 18, 2021 11:07 AM
To: 'Carlile, Amy L' ; Thundiyil, Karen
Cc: Adhar, Radha ; Hoefler, Annie (Murkowski) ; Lesofski, Emy (Appropriations) ; Robertson, Ann (Murkowski)
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 10:48 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Kristen, Janet is available @11am on 2/24. Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street

Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Daimler-Nothdurft, Kristen (Murkowski) [mailto:Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: Thursday, February 18, 2021 10:43 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

2/24 at 11:00 am EST for a virtual meeting? (I may have to reschedule if they book a hearing during that time but its currently open)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:33 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Kristen,

I hope you are doing well. I'm reaching out to find time on Senator Murkowski's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Bragin, Gideon [Gideon@mail.house.gov]
Sent: 2/23/2021 7:09:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Quick Phone Call

So great to meet! Appreciate your help!

Gideon Bragin
Executive Director
House Democratic Caucus, Chairman Hakeem Jeffries
B-245 Longworth House Office Building
202.225.1400 (Office)
www.dems.gov | Facebook | Twitter

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 23, 2021 9:01 AM
To: Bragin, Gideon <Gideon@mail.house.gov>
Subject: RE: Quick Phone Call

Hi Gideon,

I'd be happy to chat. Do you mind throwing out some times that work on your end?

Looking forward to it,
Radha

From: Bragin, Gideon <Gideon@mail.house.gov>
Sent: Tuesday, February 23, 2021 8:52 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Quick Phone Call

Hi, Adhar:

Can you and I hop on the phone today? I have a constituent issues to discuss with you.

Thank you,

Gideon

Gideon Bragin | He, Him, His
Executive Director
House Democratic Caucus, Chairman Hakeem Jeffries

Message

From: Hinojosa, Holly (Daines) [Holly_Hinojosa@daines.senate.gov]
Sent: 2/23/2021 7:59:09 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hey Radha—thanks for helping to coordinate this call! Wanted to flag one more item for ya.

We had reached out to some local stakeholders on EPA issues, items to bring up, etc. , and of course, an issue was raised late last night by a local official. I thought it a bit too preliminary and a bit too in-the-weeds for the call, but wanted to put on your radar now as opposed to months down the road if/when this does come up.

The Anaconda Superfund site has a 'partial' CD. There's concern that since this is partial and not full, the EPA could issue a unilateral order for the rest of the cleanup as opposed to working towards a full CD which (I'm told) is what the community prefers. We were asked to ask about Sec. Regan's views on partial vs. full CDs vs. unilateral orders. I haven't had time to dive into the particulars of this and don't believe there's actually any immediate concern or action expected, but wanted to put on your radar and just request that our office stay in the loop on developments on superfund sites in general. The local and regional EPA office has been fantastic to work with, so there's really no concern here.

If there is anything you can share on Regan's high-level views here, let me know, but again, I'm assuming it's case specific so really just flagging now since it was brought to the Senator's attention by a community leader.

-Holly
202-669-5628

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 12:28 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Hinojosa, Holly (Daines) <Holly_Hinojosa@daines.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Thank you Caitlin! Holly, do you have a few minutes to chat today? Would love to introduce myself and get a sense of Senator Daine's priorities.

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Monday, February 22, 2021 12:24 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hinojosa, Holly (Daines) <Holly_Hinojosa@daines.senate.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Daines

Happy to! Looping in Holly.

Sent from my iPhone

> On Feb 22, 2021, at 11:35 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hi Caitlin,

Do you mind connecting me to your colleague who will be staffing this meeting? Would love to introduce myself.

Thanks in advance,
Radha

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 1:49 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Shaffer Gabel, Caleigh (Daines) <Caleigh_Gabel@daines.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Certainly! We are in three different hearings Tuesday morning, unfortunately, I don't see any flexibility earlier.

Senator Daines prefers video and we are happy to coordinate the zoom. Caleigh, can you please send to Kathleen.

Regards,

Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:46 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Thank you, Caitlin. 2:30pmEST, Tuesday, Feb. 23 works great. If a window of availability opens sooner, would you please let me know?

Also, would Senator Daines prefer a video-call? I am happy to setup a Microsoft Teams link, or if you could share a zoom link that would be great!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 1:43 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

The Senator will be traveling to DC on Monday and unfortunately does not arrive until 5pm EST right before the vote. How about 2:30pm EST on Tuesday, February 23rd?

Regards,

Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:38 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Caitlin,

Of course! Could you please share Senator Daines' availability for Monday?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 12:35 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Kathleen,

Would it be possible to look to early next week instead?

Thanks,
Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 7:08 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Daines

Good evening Caitlin,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Daines and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Daines has availability this Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 2/23/2021 8:33:15 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Amy, so sorry but we will have to change the time on this. Is it possible to slide to Wednesday at 4:30p?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Friday, February 19, 2021 4:10 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet is available on March 1st @4pm. Thanks!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Friday, February 19, 2021 4:08 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Thank you for the phone call Karen. Confirming Monday, March 1st at 4:00p EST. Bre will send the webex invite.

Have a nice weekend!

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery & Bre,

I hope you are doing well. I'm reaching out to find time on Senator Sullivan's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Appointment

From: Kothari, Yogin (HSGAC) [Yogin_Kothari@hsgac.senate.gov]
Sent: 2/23/2021 8:41:30 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: HOLD for EPA/HSGAC touchbase
Location: Microsoft Teams Meeting

Start: 2/24/2021 6:00:00 PM
End: 2/24/2021 6:30:00 PM
Show Time As: Busy

Recurrence: (none)

Works for me, and looks like it should work for Allison but will let her respond!

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 2/23/2021 8:45:44 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

May we do 3:00p on Wednesday the 3d?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 3:43 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery,

Unfortunately, Janet is meeting with another senator at that time. She can meet from 2pm-4:30 on that same day. She can also meet after 6pm on Wednesday 2/24

Thanks!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Tuesday, February 23, 2021 3:33 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Amy, so sorry but we will have to change the time on this. Is it possible to slide to Wednesday at 4:30p?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Friday, February 19, 2021 4:10 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet is available on March 1st @4pm. Thanks!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Friday, February 19, 2021 4:08 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Thank you for the phone call Karen. Confirming Monday, March 1st at 4:00p EST. Bre will send the webex invite.

Have a nice weekend!

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery & Bre,

I hope you are doing well. I'm reaching out to find time on Senator Sullivan's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 2/23/2021 8:51:34 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

We have Tuesday the 2nd open from 4:30-6:00p if something within that works?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 3:48 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

That's the day of her confirmation hearing. Karen or Radha, your thoughts?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Tuesday, February 23, 2021 3:46 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

May we do 3:00p on Wednesday the 3d?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 3:43 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery,

Unfortunately, Janet is meeting with another senator at that time. She can meet from 2pm-4:30 on that same day. She can also meet after 6pm on Wednesday 2/24

Thanks!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Tuesday, February 23, 2021 3:33 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Amy, so sorry but we will have to change the time on this. Is it possible to slide to Wednesday at 4:30p?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Friday, February 19, 2021 4:10 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet is available on March 1st @4pm. Thanks!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Friday, February 19, 2021 4:08 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Thank you for the phone call Karen. Confirming Monday, March 1st at 4:00p EST. Bre will send the webex invite.

Have a nice weekend!

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery & Bre,

I hope you are doing well. I'm reaching out to find time on Senator Sullivan's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Appointment

From: Green, Allison (HSGAC) [Allison_Green@hsgac.senate.gov]
Sent: 2/23/2021 8:50:23 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: HOLD for EPA/HSGAC touchbase
Location: Microsoft Teams Meeting

Start: 2/24/2021 6:00:00 PM
End: 2/24/2021 6:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Green, Allison (HSGAC) [Allison_Green@hsgac.senate.gov]
Sent: 2/23/2021 8:50:51 PM
To: Kothari, Yogin (HSGAC) [Yogin_Kothari@hsgac.senate.gov]
CC: Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: touch base

That works for me, thanks!

On Feb 23, 2021, at 3:36 PM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:

Bumping this. Do folks have some time to connect tomorrow?

From: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Sent: Friday, February 19, 2021 12:00 PM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Green, Allison (HSGAC) <Allison_Green@hsgac.senate.gov>
Subject: RE: touch base

That works for me, I'm at Ex. 6 Personal Privacy (PP) and will put a reminder on my calendar to check-in with you all after Tuesday.

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Friday, February 19, 2021 10:09 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Green, Allison (HSGAC) <Allison_Green@hsgac.senate.gov>
Subject: RE: touch base

Hi Radha! Thanks so much! Looping in Allison on our end. We'd appreciate connecting after our Tuesday hearing if that works on your end.

Yogin

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 9:18 PM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: RE: touch base

Hi Yogin! So nice chatting with you earlier this week. I am copying our head of Public Affairs and I'm wondering if you could connect Lindsay to your comms director.

Thanks in advance,
Radha

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Tuesday, February 16, 2021 10:30 AM

To: Adhar, Radha <Adhar.Radha@epa.gov>; 'Michal Freedhoff' < Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Phone ok? I'm at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 10:29 AM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; 'Michal Freedhoff'
Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Awesome, whatever works for you works for me!

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Tuesday, February 16, 2021 10:27 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; 'Michal Freedhoff' Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Tomorrow at 10 AM would be perfect. What is your preference on how to connect?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 10:26 AM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; 'Michal Freedhoff'
Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Thank you for connecting us Michal! Yogin, I would love to chat. Do you mind sharing if you can fit me in tomorrow at 10?

Looking forward to it,
Radha

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Tuesday, February 16, 2021 10:22 AM
To: 'Michal Freedhoff' < Ex. 6 Personal Privacy (PP); Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Thanks Michal.

Radha - great to connect again! Do you have some time to connect this week? I'm speaking with GAO tomorrow @ 4 PM. If possible, would love to try and connect before then, but if not, happy to find some other time this week.

Thanks!
Yogin

From: Michal Freedhoff < Ex. 6 Personal Privacy (PP) >
Sent: Tuesday, February 16, 2021 8:31 AM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; Radha Adhar <Adhar.Radha@epa.gov>
Cc: freedhoff.michal@epa.gov
Subject: Re: touch base

Good morning Yogin and hope you had a great long weekend

I'm copying Radha Adhar, who you probably know from when she worked for Senator Duckworth, who can chat further about GAO

I'm also copying my epa email address so you have it.

Talk to you soon

Michal

Sent from my iPhone

> On Feb 11, 2021, at 10:08 AM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:
>
> We have placed a 30 day hold. Will come out February 26 or March 1 I believe – or earlier if we choose to.
>
> **From:** Michal Freedhoff < Ex. 6 Personal Privacy (PP) >
> **Sent:** Thursday, February 11, 2021 9:44 AM
> **To:** Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
> **Subject:** Re: touch base
>
> Quick question - when is it coming out? I'm trying to talk to a couple people internally and scheduling is a bit of a challenge.
>
> Sent from my iPhone
>
>> On Feb 10, 2021, at 5:02 PM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:
>>
>> Yes absolutely. That's actually why I am reaching out to you – we want to run the traps to make sure we do the release in the most useful way possible! Thanks Michal – appreciate it.
>>
>> **From:** Michal Freedhoff < Ex. 6 Personal Privacy (PP) >
>> **Sent:** Wednesday, February 10, 2021 4:16 PM
>> **To:** Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
>> **Subject:** Re: touch base

Let me run traps on that. Since it's a report in part about what I'm doing in my new role, I feel like I should make sure no one is concerned about me doing that before I do it.
That ok with you? I am sure people will want to be helpful.

M

Sent from my iPhone

> On Feb 10, 2021, at 3:30 PM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:
>
> Hi Michal – hope you are settling into your new role. Do you have some time to touch base over the next few days? I mostly wanted to check-in on some things regarding the GAO report, which will become public in a few weeks. Let me know if you have some time.
>
> Thanks,
> Yogin
>
> **Yogin Kothari**
> *Professional Staff Member*
> Committee on Homeland Security and Governmental Affairs
> Chairman Gary C. Peters

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 2/23/2021 9:12:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: bio

Who will be introducing Janet?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 23, 2021 8:39 AM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: FW: bio

Here you are Brian!

From: Ex. 6 Janet McCabe personal email
Sent: Monday, February 22, 2021 10:05 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: bio

How's this?

Janet McCabe is Professor of Practice at the Indiana University McKinney School of Law and Director of the IU Environmental Resilience Institute, where she started as Assistant Director for Policy and Implementation in 2017. In 2020, she was appointed Adjunct Professor of Practice at the IU O'Neill School of Public and Environmental Affairs. From July 2013 through January 2017, Janet McCabe was the Acting Assistant Administrator for the Office of Air and Radiation at the United States Environmental Protection Agency and was nominated by President Barack Obama to be Assistant Administrator of that office. She joined EPA in November 2009, serving as the Principal Deputy to the Assistant Administrator of OAR. Prior to joining EPA in November 2009, Janet McCabe was Executive Director of Improving Kids' Environment, Inc., a children's environmental health advocacy organization based in Indianapolis, Indiana and was an adjunct faculty member at the Indiana University School of Medicine, Department of Public Health, and at the School of Public and Environmental Affairs. From 1993 to 2005, Ms. McCabe held several leadership positions in the Indiana Department of Environmental Management's Office of Air Quality and was the office's Assistant Commissioner from 1998 to 2005. Before coming to Indiana in 1993, Ms. McCabe served as Assistant Attorney General for environmental protection for the Commonwealth of Massachusetts from 1984-1989 and Assistant Secretary for Environmental Impact Review from 1989-1993. Ms. McCabe clerked for Justice Neil L. Lynch of the Massachusetts Supreme Judicial Court from 1983-4. Ms. McCabe grew up in Washington, DC and graduated from Harvard College in 1980 and Harvard Law School in 1983.

Message

From: Lynch, Chris (Cardin) [Chris_Lynch@cardin.senate.gov]
Sent: 2/23/2021 9:15:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]
CC: Pasternak, Marli (Cardin) [Marli_Pasternak@cardin.senate.gov]
Subject: Letter question

Dan, Radha,
I hope you both are settling in, finding your way around a big place and enjoying EPA.
Senators Cardin and VanHollen are preparing to send a letter recommending former Maryland Governor Martin O'Malley to be named a Special Assistant to the Administrator for the Chesapeake Bay.
Obviously this letter is for nominee Regan once is he approved by the Senate, but we also want to be sure O'Malley is under consideration asap. We think he would be a huge asset to Bay restoration efforts.
Would you address the letter to Jane Nishida (who Marylanders and Bay advocates also know very well) at this point, to nominee Regan, or hold it until the Senate vote?
Thanks for this help. I look forward to working with you.
Chris

Christopher W. Lynch
Chief of Staff
Senator Ben Cardin
202-224-4524

Message

From: Wedgewood, Jessica (Braun) [Jessica_Wedgewood@braun.senate.gov]
Sent: 2/23/2021 9:21:01 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu; Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Subject: RE: Scheduling Senator Braun - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you!

Jessica Wedgewood
Director of Scheduling
Senator Mike Braun
(202) 228-5712

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 10:34 AM
To: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: Scheduling Senator Braun - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Jessica – Glad we could connect. You and Payne should have the Teams link now to join the Wednesday afternoon call with the Senator and Janet McCabe.

Thank you!

Karen.
202 564 1142

From: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>
Sent: Thursday, February 18, 2021 11:53 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: Scheduling Senator Braun - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Our LA Payne Griffin (copied) will join the call on our end. Thanks.

Jessica Wedgewood
Director of Scheduling
Senator Mike Braun
(202) 228-5712

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 11:38 AM
To: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Hishta, Tanner (Braun) <Tanner_Hishta@braun.senate.gov>
Subject: RE: Scheduling Senator Braun - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Jessica – Glad we could touch base on the phone. I just checked and the time you identified - Wednesday, 2/24 at 4:30pm - will work for Janet McCabe. Thank you!!

We can use this conference line:
Phone number: Ex. 6 Personal Privacy (PP)
Conf ID: Ex. 6 Personal Privacy (PP)

Would you please share who will join Senator Braun? Radha Adhar and I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>
Sent: Tuesday, February 16, 2021 3:25 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Hishta, Tanner (Braun) <Tanner_Hishta@braun.senate.gov>
Subject: Re: Scheduling Senator Braun - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thanks for reaching out. Let me see what we can do and I will circle back.

Jessica Wedgewood
Director of Scheduling
Senator Mike Braun

> On Feb 16, 2021, at 2:14 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:
>
> Hi Jessica & Tanner,
>
> I hope you are doing well. I'm reaching out to find time on Senator Braun's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?
>
> Thank you for your time,
>
> Karen.
>
> Karen Thundiyil
> Office of Congressional Affairs
> U.S. Environmental Protection Agency
> (202) 564.1142

Message

From: Stanski, Anne (Stabenow) [Anne_Stanski@stabenow.senate.gov]
Sent: 2/23/2021 10:50:41 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Rodman, Ellen (Stabenow) [Ellen_Rodman@stabenow.senate.gov]; Carlile, Amy L [acarlile@iu.edu]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great news! We can send over a Zoom link tomorrow. As for staff who will join, it will most likely be a combination of the following 3: Aaron Suntag, Enviro/ Energy LA, Emily Carwell, LD and Matt VanKuiken, COS. We'll wait for Amy to confirm.

Thanks again!
Anne

Sent from my iPhone

On Feb 23, 2021, at 5:46 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Anne – Thanks for finding a time. I believe March 1st at 2pm will work. I'm looping in Amy, who can confirm.

Would you please share who will join Sen Stabenow? Radha Adhar and I will join Janet McCabe. Would you mind sharing a Zoom link? Otherwise, I can share a Teams link if that works for your office.

All best,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Stanski, Anne (Stabenow) <Anne_Stanski@stabenow.senate.gov>
Sent: Tuesday, February 23, 2021 5:36 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Rodman, Ellen (Stabenow) <Ellen_Rodman@stabenow.senate.gov>
Subject: RE: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen –

Thanks for your patience. Could we look at Monday, March 1st for a virtual meeting between Sen. Stabenow and Ms. McCabe? 2:00 pm or 2:15 pm would work well. Please let me know if this could work for her schedule.

Thanks so much!

Anne

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Stanski, Anne (Stabenow) <Anne_Stanski@stabenow.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Anne,

I hope you are doing well. I'm reaching out to find time on Senator Stabenow's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit her schedule? We are happy to work around Senator Stabenow's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Martinez, Nancy (Young) [Nancy_Martinez@young.senate.gov]
Sent: 2/23/2021 11:02:13 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; McDonough, Lindsay (Young) [Lindsay_McDonough@young.senate.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Radha, I apologize that I am just now responding. It has been a busy day.

Senator Young may mention the President's climate proposal and job growth, and potentially small refinery exemptions.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 23, 2021 12:34 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

All good Lindsay! Nancy, so nice to be connected. When you have a second, could we touch base to discuss our boss's meeting?

Thanks in advance,
Radha

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Tuesday, February 23, 2021 12:29 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

My apologies – I thought I had responded.

It will be Nancy Martinez – looping her in now!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 23, 2021 11:33 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Hi Lindsay! Hope you don't mind me circling back. Can you please share who will be staffing this meeting?

From: Adhar, Radha
Sent: Monday, February 22, 2021 8:29 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Hi Lindsay,

Do you mind connecting me to your colleague who will staff this meeting? Thank you in advance.

Radha

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Monday, February 22, 2021 8:24 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Young

Kathleen,

We just had a cancelation for tomorrow and I wanted to see if by any chance there was availability on your end for a call tomorrow at 2:30 PM or 2:45 PM (EST)?

Best,

Lindsay

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 7:06 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Young

Good evening Lindsay,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Young and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Young has availability this Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 2/24/2021 3:47:11 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Carlile, Amy L [acarlile@iu.edu]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Sure thing. Confirmed for the 2nd at 4:30p. Bre will send the new webex. Thank you!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 24, 2021 10:30 AM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Carlile, Amy L <acarlile@iu.edu>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery – thanks for your patience!
As Amy said Janet flies to DC early March 2nd. How about we go for 4:30pm on March 2nd for the meeting with the Senator?

Can you send a new Webex? Or should we use the old one you sent earlier?

Thank you,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Tuesday, February 23, 2021 4:10 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Sure thing, I have the late afternoon on the 2nd held, thank you so much!

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 3:58 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

The 2nd is her travel day but she flies early in the morning. Unless something goes wrong with a delayed or cancelled flight, she should be able to schedule a meeting late in the afternoon.

I think it would be best to wait for Karen or Radha to confirm her availability that afternoon. So can we say "tentative" for Sen Sullivan?

Thanks for your help!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Tuesday, February 23, 2021 3:52 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

We have Tuesday the 2nd open from 4:30-6:00p if something within that works?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 3:48 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

That's the day of her confirmation hearing. Karen or Radha, your thoughts?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Tuesday, February 23, 2021 3:46 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

May we do 3:00p on Wednesday the 3d?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 3:43 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery,

Unfortunately, Janet is meeting with another senator at that time. She can meet from 2pm-4:30 on that same day. She can also meet after 6pm on Wednesday 2/24

Thanks!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Tuesday, February 23, 2021 3:33 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Amy, so sorry but we will have to change the time on this. Is it possible to slide to Wednesday at 4:30p?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Friday, February 19, 2021 4:10 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet is available on March 1st @4pm. Thanks!

Amy

Amy Carlile

Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Fogels, Avery (Sullivan) [mailto:Avery_Fogels@sullivan.senate.gov]
Sent: Friday, February 19, 2021 4:08 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: [External] RE: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Thank you for the phone call Karen. Confirming Monday, March 1st at 4:00p EST. Bre will send the webex invite.

Have a nice weekend!

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Sullivan - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Avery & Bre,

I hope you are doing well. I'm reaching out to find time on Senator Sullivan's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Sent: 2/24/2021 3:58:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat about woodstoves/pm2.5

Yeah, I am crashing this morning. But should be free around 1 pm and after.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:57 AM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: Time to chat about woodstoves/pm2.5

Hey Pierce,

Do you have a second to chat about woodstoves? Let me know and I'll ring you up!

Radha

Message

From: Shepherd, Meagan (Romney) [Meagan_Shepherd@romney.senate.gov]
Sent: 2/24/2021 4:45:20 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: RE: Scheduling Senator Romney - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thanks for reaching out.

Unfortunately, due to the current demands on the Senator's time, we will be unable to accommodate this request right now.

Thank you for understanding!

Best,
Meagan

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:27 PM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Romney - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Meagan,

I hope you are doing well. I'm reaching out to find time on Senator Romney's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Hinch, Jake (Inhofe) [Jake_Hinch@inhofe.senate.gov]
Sent: 2/24/2021 6:10:24 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat tomorrow AM

Hi Radha,

I just tried you on your cell. We got the question all figured out so it's no problem! I am happy to share this note with Sen. Inhofe and really appreciate Ms. McCabe's time yesterday.

Best,

Jake Hinch
Policy Advisor
U.S. Senator James M. Inhofe
205 Russell Senate Office Building
Washington, D.C. 20510
(202)224-4721

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 11:33 AM
To: Hinch, Jake (Inhofe) <Jake_Hinch@inhofe.senate.gov>
Subject: RE: Time to chat tomorrow AM

Hi Jake,

I want to apologize that we didn't get a chance to chat yesterday- do you mind letting me know if I can find you today? I also wanted to share the attached thank you note for Senator Inofe. Do you mind sharing it with him?

Thanks in advance,
Radha

From: Hinch, Jake (Inhofe) <Jake_Hinch@inhofe.senate.gov>
Sent: Tuesday, February 23, 2021 2:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat tomorrow AM

Hi Radha,

I just gave you a ring. Would you mind giving me a call back whenever convenient for you? Thank you!

-Jake
Direct: Ex. 6 Personal Privacy (PP)
Cell: Ex. 6 Personal Privacy (PP)

Jake Hinch
Policy Advisor
U.S. Senator James M. Inhofe
205 Russell Senate Office Building

Washington, D.C. 20510
(202)224-4721

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 1:34 PM
To: Hinch, Jake (Inhofe) <Jake_Hinch@inhofe.senate.gov>
Subject: RE: Time to chat tomorrow AM

Hey Jake,

Thank you again for taking the time to chat this morning. I hope you will let me know if connecting you with our experts here at EPA on this issue would be helpful. I would be happy to do that.

Thanks always,
Radha

From: Hinch, Jake (Inhofe) <Jake_Hinch@inhofe.senate.gov>
Sent: Sunday, February 21, 2021 11:07 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Time to chat tomorrow AM

Hi Radha,

Happy to connect. I have about 15 minutes at 8:30 if that works? My direct line is 202-224-6810. Mind sharing what the call will be regarding?

Thanks!

Jake Hinch
Policy Advisor
U.S. Senator James M. Inhofe
205 Russell Senate Office Building
Washington, D.C. 20510
(202)224-4721

> On Feb 21, 2021, at 10:23 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hi Jake,
>
> Hope you are having a wonderful weekend. I wanted to ask for your help- do you think you could squeeze EPA in to your schedule tomorrow AM? Between 8-9 if possible? We would like to touch base if you have some time.
>
> Looking forward to hearing from you,
> Radha

Message

From: Lynch, Chris (Cardin) [Chris_Lynch@cardin.senate.gov]
Sent: 2/24/2021 6:48:22 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: EPA

Just tried to call you back. I have no more long conference calls today, so hope we can connect. My question is in relation to our meeting with McCabe tomorrow. My cell is Ex. 6 Personal Privacy (PP)
Chris

Christopher W. Lynch
Chief of Staff
US Senator Ben Cardin of Maryland

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 11:40 AM
To: Spain, Emily (Carper) <Emily_Spain@carper.senate.gov>; Lynch, Chris (Cardin) <Chris_Lynch@cardin.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Subject: RE: EPA

Thank you for connecting us Emily.

Chris,

We are looking forward to working with you and I'd be happy to give you a ring when you have time. I was just chatting with Shannon this morning! Also, don't hesitate to try me at Ex. 6 Personal Privacy (PP)

Looking forward to hearing from you,
Radha

From: Spain, Emily (Carper) <Emily_Spain@carper.senate.gov>
Sent: Friday, February 5, 2021 11:13 AM
To: Lynch, Chris (Cardin) <Chris_Lynch@cardin.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
Subject: Re: EPA

Hi there,

I'm connecting you with Radha with the EPA OLA, who is formerly of Team Duckworth, and Dan, the EPA chief.

Team EPA this is Sen. Cardin's Chief.
Cheers,
Emily

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

On Feb 5, 2021, at 11:01 AM, Lynch, Chris (Cardin) <Chris_Lynch@cardin.senate.gov> wrote:

Emily –
Do you know who is running Congressional Affairs at EPA now?
Thanks
Chris

Christopher W. Lynch
Chief of Staff
US Senator Ben Cardin of Maryland

Message

From: Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Sent: 2/24/2021 7:20:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Woody Biomass

And didn't expect a speaking role?!?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 2:17 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Subject: RE: Woody Biomass

Hehe I am! Whats up Ryan!

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 24, 2021 2:15 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Woody Biomass

I guess I should have led with "I assume you are on this call"….happy to make that connection.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 2:14 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Subject: RE: Woody Biomass

Thank you Ryan, that would be wonderful.

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 24, 2021 2:09 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Woody Biomass

This was a PAD personal office/Pacific NW issue. Can get you in touch with their Deputy Chief if you need additional intel.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

Message

From: Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Sent: 2/24/2021 7:26:20 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Pratt, Kris [Kris.Pratt@mail.house.gov]
CC: Dedrick, Kathy [Kathy.Dedrick@mail.house.gov]
Subject: E-introduction for Chairman DeFazio/Administrator Regan call

Radha and KP:

Wanted to connect you both related to the Chairman's interest in woody biomass.

KP, Radha is the new head of EPA's Office of Congressional Relations – and a former Hill staffer.

Radha, Kris Pratt (KP) is Chairman DeFazio's Deputy Chief and following the woody biomass issue for the Chairman.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

Message

From: Kothari, Yogin (HSGAC) [Yogin_Kothari@hsgac.senate.gov]
Sent: 2/24/2021 6:16:41 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: touch base
Attachments: LJjn_d2137restricted.pdf; LJjn_d2137high.pdf

Bump!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 9:18 PM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: RE: touch base

Hi Yogin! So nice chatting with you earlier this week. I am copying our head of Public Affairs and I'm wondering if you could connect Lindsay to your comms director.

Thanks in advance,
Radha

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Tuesday, February 16, 2021 10:30 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; 'Michal Freedhoff' Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Phone ok? I'm at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 10:29 AM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; 'Michal Freedhoff' Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Awesome, whatever works for you works for me!

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Tuesday, February 16, 2021 10:27 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; 'Michal Freedhoff' Ex. 6 Personal Privacy (PP)
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Tomorrow at 10 AM would be perfect. What is your preference on how to connect?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 10:26 AM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; 'Michal Freedhoff' Ex. 6 Personal Privacy (PP)

Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Thank you for connecting us Michal! Yogin, I would love to chat. Do you mind sharing if you can fit me in tomorrow at 10?

Looking forward to it,
Radha

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Tuesday, February 16, 2021 10:22 AM
To: 'Michal Freedhoff' Ex. 6 Personal Privacy (PP) , Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: RE: touch base

Thanks Michal.

Radha - great to connect again! Do you have some time to connect this week? I'm speaking with GAO tomorrow @ 4 PM. If possible, would love to try and connect before then, but if not, happy to find some other time this week.

Thanks!
Yogin

From: Michal Freedhoff Ex. 6 Personal Privacy (PP)
Sent: Tuesday, February 16, 2021 8:31 AM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; Radha Adhar <Adhar.Radha@epa.gov>
Cc: freedhoff.michal@epa.gov
Subject: Re: touch base

Good morning Yogin and hope you had a great long weekend

I'm copying Radha Adhar, who you probably know from when she worked for Senator Duckworth, who can chat further about GAO

I'm also copying my epa email address so you have it.

Talk to you soon

Michal

Sent from my iPhone

> On Feb 11, 2021, at 10:08 AM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:
>
> We have placed a 30 day hold. Will come out February 26 or March 1 I believe – or earlier if we choose to.
>
> ---
>
> **From:** Michal Freedhoff Ex. 6 Personal Privacy (PP)
> **Sent:** Thursday, February 11, 2021 9:44 AM
> **To:** Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
> **Subject:** Re: touch base

Quick question - when is it coming out? I'm trying to talk to a couple people internally and scheduling is a bit of a challenge.

Sent from my iPhone

> On Feb 10, 2021, at 5:02 PM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:
>
> Yes absolutely. That's actually why I am reaching out to you – we want to run the traps to make sure we do the release in the most useful way possible! Thanks Michal – appreciate it.
>
> ---
>
> **From:** Michal Freedhoff < Ex. 6 Personal Privacy (PP)
> **Sent:** Wednesday, February 10, 2021 4:16 PM
> **To:** Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
> **Subject:** Re: touch base
>
> Let me run traps on that. Since it's a report in part about what I'm doing in my new role, I feel like I should make sure no one is concerned about me doing that before I do it.
> That ok with you? I am sure people will want to be helpful.
>
> M
>
> Sent from my iPhone
>
>> On Feb 10, 2021, at 3:30 PM, Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov> wrote:
>>
>> Hi Michal – hope you are settling into your new role. Do you have some time to touch base over the next few days? I mostly wanted to check-in on some things regarding the GAO report, which will become public in a few weeks. Let me know if you have some time.
>>
>> Thanks,
>> Yogin
>>
>> **Yogin Kothari**
>> *Professional Staff Member*
>> Committee on Homeland Security and Governmental Affairs
>> Chairman Gary C. Peters

United States Government Accountability Office

Report to Congressional Requesters

January 2021

MAN-MADE CHEMICALS AND POTENTIAL HEALTH RISKS

EPA Has Completed Some Regulatory-Related Actions for PFAS

This Report Is Temporarily Restricted Pending Official Public Release.

GAO@100

A Century of Non-Partisan Fact-Based Work

GAO-21-37

ED_013012_00002079-00001

GAO@100

Highlights

Highlights of GAO-21-37, a report to congressional requesters

January 2021

MAN-MADE CHEMICALS AND POTENTIAL HEALTH RISKS

EPA Has Completed Some Regulatory-Related Actions for PFAS

Why GAO Did This Study

Beginning in the 1940s, scientists developed a class of heat- and stain-resistant chemicals—PFAS—that are used in a wide range of products, including nonstick cookware, waterproof clothing, and some firefighting foams. PFAS can persist in the environment for decades or longer. The Centers for Disease Control and Prevention has found that most people in the U.S. have been exposed to two of the most widely studied PFAS, likely from consuming contaminated water or food. According to EPA, there is evidence that continued exposure above certain levels to some PFAS may lead to adverse health effects. In February 2019, EPA issued its *PFAS Action Plan*, which outlined 23 planned actions to better understand PFAS and reduce their risks to the public.

GAO was asked to examine the status of regulatory-related actions in EPA's plan. For six regulatory-related actions GAO selected in EPA's *PFAS Action Plan*, this report examines (1) the number of actions that are complete and the steps EPA took to complete them and (2) the number of actions that are ongoing and EPA's progress toward completing them. GAO first identified those actions in the *PFAS Action Plan* that may lead to the issuance of federal regulations or could affect compliance with existing regulations. GAO then assessed the status of the actions by reviewing EPA documents and examining EPA's response to related FY20 NDAA requirements.

View GAO-21-37. For more information, contact J. Alfredo Gómez at (202) 512-3841 or gomezj@gao.gov.

What GAO Found

The Environmental Protection Agency (EPA) has completed three of six selected regulatory-related actions for addressing per- and polyfluoroalkyl substances (PFAS) outlined in EPA's *PFAS Action Plan*. (See fig.) For two of the three completed actions, the steps EPA took were also in response to the National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA):

- After proposing a supplemental significant new use rule in February 2020, EPA met a June 2020 deadline set in the FY20 NDAA when the EPA Administrator signed the final rule. Among other things, under the final rule, articles containing certain PFAS as a surface coating, and carpet containing certain PFAS, can no longer be imported into the U.S. without EPA review.
- EPA incorporated 172 PFAS into the Toxics Release Inventory in June 2020. The FY20 NDAA directed EPA to take this action, extending EPA's original planned action to explore data for listing PFAS chemicals to the inventory.

Finally, in March 2020, EPA completed a third regulatory-related action, not required under the FY20 NDAA, when the agency proposed a preliminary drinking water regulatory determination for two PFAS—an initial step toward regulating these chemicals in drinking water.

Status of Six Selected Regulatory-Related Actions in the Environmental Protection Agency's (EPA) *Per- and Polyfluoroalkyl Substances (PFAS) Action Plan*

Planned action	Status
Propose a supplemental significant new use rule.	Complete
Explore data for listing PFAS chemicals to the Toxics Release Inventory.	Complete
Propose a drinking water regulatory determination.	Complete
Monitor PFAS in drinking water.	Ongoing
Explore industrial sources of PFAS that may warrant potential regulation.	Ongoing
Continue the regulatory process for a hazardous substances designation.	Ongoing

Source: GAO analysis of EPA's 2019 *PFAS Action Plan*. | GAO-21-37

Three of the six selected regulatory-related actions are ongoing, and EPA's progress on these actions varies. For example:

- As of August 2020, EPA was developing a proposed rulemaking for a nationwide drinking water monitoring rule that includes PFAS, which EPA officials said the agency intends to finalize by December 2021.
- EPA planned to continue the regulatory process for designating two PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act, would allow the agency to require responsible parties to conduct or pay for cleanup. On January 14, 2021, EPA issued an advance notice of proposed rulemaking for the hazardous substances designation to get public comment and data to inform the agency's ongoing evaluation of the two PFAS.

ED_013012_00002079-00002

Contents

Letter		1
	Background	7
	EPA Has Completed Three of Six Selected Regulatory-Related Actions Outlined in its *PFAS Action Plan*	17
	Three of Six Selected Regulatory-Related Actions Outlined in EPA's *PFAS Action Plan* Are Ongoing, and EPA's Progress in Completing the Actions Varies	22
	Agency Comments and Our Evaluation	26
Appendix I	Overview of the Environmental Protection Agency's Process for Regulating New Drinking Water Contaminants	28
Appendix II	Summary of Environmental Protection Agency (EPA) Actions on Unregulated Contaminants, 1998-2020	29
Appendix III	Comments from the Environmental Protection Agency	30
Appendix IV	GAO Contacts and Staff Acknowledgments	34
Tables		
	Table 1: Six Selected Planned Regulatory-Related Actions from the Environmental Protection Agency's (EPA) *Per- and Polyfluoroalkyl Substances (PFAS) Action Plan* and Relevant Federal Statutes	10
	Table 2: Selected Regulatory-Related Actions from the Environmental Protection Agency's (EPA) *Per- and Polyfluoroalkyl Substances (PFAS) Action Plan* That Are Complete	18
	Table 3: Selected Regulatory-Related Actions from the Environmental Protection Agency's (EPA) *Per- and Polyfluoroalkyl Substances (PFAS) Action Plan* That Are Ongoing	22
	Table 4: Summary of Environmental Protection Agency (EPA) Actions on Unregulated Contaminants, 1998–2020	29

ED_013012_00002079-00003

Figures

Figure 1: Examples of How Per- and Polyfluoroalkyl Substances (PFAS) Enter the Environment and Water 8
Figure 2: Overview of the Environmental Protection Agency's (EPA) Process for Regulating New Drinking Water Contaminants 28

ED_013012_00002079-00004

Abbreviations

CCL	Contaminant Candidate List
CDC	Centers for Disease Control and Prevention
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
DOD	Department of Defense
EPA	Environmental Protection Agency
FY20 NDAA	National Defense Authorization Act for Fiscal Year 2020
OMB	Office of Management and Budget
PFAS	per- and polyfluoroalkyl substances
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonate
ppt	parts per trillion
SNUR	significant new use rule
TRI	Toxics Release Inventory
TSCA	Toxic Substances Control Act
UCMR	Unregulated Contaminant Monitoring Rule

This is a work of the U.S. government and is not subject to copyright protection in the United States. The published product may be reproduced and distributed in its entirety without further permission from GAO. However, because this work may contain copyrighted images or other material, permission from the copyright holder may be necessary if you wish to reproduce this material separately.

ED_013012_00002079-00005

GAO@100 U.S. GOVERNMENT ACCOUNTABILITY OFFICE
A Century of Non-Partisan Fact-Based Work
441 G St. N.W.
Washington, DC 20548

January 27, 2021

The Honorable Tom Carper
United States Senate

The Honorable Ron Johnson
United States Senate

The Honorable Gary C. Peters
United States Senate

Beginning in the 1940s, scientists developed a class of heat- and stain-resistant chemicals that are used in a wide range of commercial and consumer products, including carpet, food packaging, nonstick cookware, waterproof clothing, and firefighting foams that suppress petrochemical fires typically used at airports and on military bases.[1] These chemicals are per- and polyfluoroalkyl substances (PFAS) and have a carbon-fluorine bond that is one of the strongest organic bonds in existence. Some have characterized PFAS as "forever chemicals," but persistence varies among different types of PFAS; some PFAS can persist in the environment for years, decades, or longer.[2] Little is known about most PFAS, but some have been shown to be pervasive and to pose potential risks to human health.[3] According to the Environmental Protection Agency (EPA), some PFAS are no longer produced in the U.S., but legacy uses and a lack of commercially viable alternatives for certain

[1]See our previous work on the Department of Defense's actions to address PFAS in drinking water from the use of firefighting foam at or near military installations: GAO, *Drinking Water: Status of DOD Efforts to Address Drinking Water Contaminants Used in Firefighting Foam*, GAO-18-700T (Washington, D.C.: Sept. 26, 2018); and *Drinking Water: DOD Has Acted on Some Emerging Contaminants but Should Improve Internal Reporting on Regulatory Compliance,* GAO-18-78 (Washington, D.C.: Oct. 18, 2017).

[2]PFAS are a class of fluorinated organic compounds. According to EPA documentation, over 4,000 PFAS may have been manufactured and used in a variety of industries worldwide since the 1940s; of these, fewer than 1,500 are known to have ever been in commerce in the U.S. and around 500 are known to have been commercially active within the last decade.

[3]According to EPA documents, health and occurrence data and validated analytical methods are available for only a few PFAS. For most PFAS, there is limited or no toxicity information.

ED_013012_00002079-00006

safety products (e.g., firefighting foams) have resulted in PFAS contamination across the country.

Since 1999, the Centers for Disease Control and Prevention's (CDC) National Health and Nutrition Examination Survey has measured some PFAS in the blood of a representative sample of Americans.[4] The survey has found that most people in the U.S. have been exposed to two of the most widely studied PFAS—perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS).[5] According to the CDC, people are most likely exposed to PFAS by consuming water or food that contains PFAS.[6] Water may become contaminated by PFAS as the result of chemical releases into surface or ground water from locations such as manufacturing sites, landfills, aviation fire training areas, or wastewater treatment facilities. In 2017, EPA reported that data collected from nearly 5,000 public water systems across the country demonstrated that PFOA, PFOS, or both were present for at least one public water system for 25 states, tribes, or territories.[7] Certain PFAS have been shown to pose hazards to human health. For example, according to EPA, exposure to

[4]The National Health and Nutrition Examination Survey assesses the health and nutritional status of adults and children in the U.S. The survey, which began in the 1960s, combines interviews and physical examinations and determines the prevalence of major diseases and risk factors for diseases. Results are shared online, and in scientific and technical journals, and the data are made available to researchers, risk assessors and regulators around the world.

[5]PFOA and PFOS are known to be persistent, bioaccumulative, and toxic; for example, see M Clara et al., "Emissions of perfluorinated alkylated substances (PFAS) from point sources—identification of relevant branches," *Water Science & Technology*, vol. 58, no. 1 (2008): pp. 59-66. See also, Agency for Toxic Substances and Disease Registry, *Per- and Polyfluoroalkyl Substances (PFAS) and Your Health: PFAS in the U.S. Population*, accessed March 25, 2020, https://www.atsdr.cdc.gov/pfas/pfas-in-population.html.

[6]Centers for Disease Control and Prevention, *Per- and Polyfluorinated Substances (PFAS) Factsheet*, accessed August 20, 2020, https://www.cdc.gov/biomonitoring/PFAS_FactSheet.html.

[7]According to EPA officials, these data were compiled from all large water systems serving populations over 10,000 and a representative sample of small water systems. According to EPA documents, PFOA, PFOS, or both were present in public water systems for 25 states, tribes, or territories and in 1.3 percent of the sampled water systems at a concentration above the lifetime health advisory of 70 parts per trillion (ppt) that EPA established in May 2016. (See footnote 8 for additional information about the lifetime health advisory.) At the time the data were collected, analytical methods for detecting PFOA and PFOS were only reliable at levels at or above 20 and 40 ppt, respectively. According to EPA officials, EPA plans to collect additional occurrence data in drinking water beginning in 2023, using newer analytical methods that can detect 29 different PFAS at levels as low as 1 ppt.

ED_013012_00002079-00007

PFOA and PFOS over certain levels may have a variety of adverse effects on human health, including effects on fetal development, the immune system, and thyroid, as well as cause liver damage and cancer.

EPA does not currently regulate PFAS in drinking water but has issued a nonenforceable drinking water lifetime health advisory.[8] Some states are adopting their own regulatory standards.[9] For example, New Jersey adopted drinking water standards of 14 parts per trillion (ppt)[10] for PFOA and 13 ppt for PFOS.[11] Michigan adopted drinking water standards of 8 ppt for PFOA and 16 ppt for PFOS.[12] Both states' standards are stricter than EPA's nonenforceable drinking water lifetime health advisory of 70 ppt for PFOA and PFOS, which was developed in 2016. Federal agencies use EPA federal drinking water standards to, among other things, guide investigation and cleanup decisions at Superfund sites and elsewhere. For example, in 2018, the Department of Defense (DOD) reported on how standards influence their efforts at Superfund sites. Specifically, DOD indicated that the lack of a federal drinking water standard for PFOS and PFOA—coupled with differing state standards—made it difficult for the

[8]In May 2016, EPA issued two lifetime health advisories—that are intended to be protective over a lifetime of daily exposure—for PFOA and PFOS at 70 ppt individually or combined. EPA, *Drinking Water Health Advisory for Perfluorooctane Sulfonate (PFOS)* (May 2016); and *Drinking Water Health Advisory for Perfluorooctanoic Acid (PFOA)* (May 2016). EPA health advisories provide information on contaminants not subject to drinking water regulations, including those that can cause human health effects and are known or anticipated to occur in drinking water. The advisories are nonenforceable and nonregulatory and provide technical information on the health risk of identified but unregulated chemicals to drinking water system managers and others with primary responsibility for overseeing water systems.

[9]According to EPA documents, even when there is a promulgated federal standard, states may choose to adopt standards that are more stringent. Further, according to EPA officials, states have taken approaches to deriving standards for various PFAS that may be different from EPA's process to develop EPA's health advisory levels for PFOA and PFOS.

[10]One ppt is comparable to one drop in a swimming pool covering the area of a football field 43 feet deep.

[11]N.J. Admin. Code §7:9C.

[12]Mich. Admin. Code r. 325.10604g (2020).

ED_013012_00002079-00008

department to plan, program, and budget its response actions at its Superfund sites.[13]

In February 2019, EPA released its *PFAS Action Plan*, which identified the need to expand the body of scientific knowledge to understand and effectively manage the risks PFAS pose to human health and the environment.[14] The plan outlined 23 actions EPA planned to implement, including identifying both human health effects and environmental risks of PFAS exposure, as well as methods to remediate contamination. The majority of the actions outlined in the plan consist of projects, studies, or steps to complete. The plan also included a number of regulatory-related actions—actions that may lead to the issuance of federal regulations or could influence or affect compliance. In addition to EPA's actions, more than 40 bills were introduced in the 116th Congress to address PFAS through various agencies and authorities.[15] For example, the National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA), enacted in December 2019, included language requiring that DOD take action to address contamination from firefighting foam containing PFAS.[16] The FY20 NDAA also required EPA to take specific steps on three of the regulatory-related actions outlined in its *PFAS Action Plan*, such as monitoring for certain PFAS in drinking water. In February 2020, EPA

[13]The report further states that federal drinking water standards would provide clear and consistent guidance and would assist DOD in providing clear communication to stakeholders on why certain actions and remedies are selected at its Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund) sites. Department of Defense, *Alternatives to Aqueous Film Forming Foam: Report to Congress* (Washington, D.C.: June 2018). See https://www.denix.osd.mil/derp/home/documents/alternatives-to-aqueous-film-forming-foam-report-to-congress/AFFF%20Alt%20Report%20to%20Congress_July2018%20(1).pdf. During a March 2020 hearing, a DOD senior official described PFAS as a national problem involving a wide array of industries and commercial applications as well as many federal and state agencies, and one that needs a nationwide solution. See Maureen Sullivan, Deputy Assistant Secretary of Defense for Environment, Department of Defense, testimony before the House Appropriations Committee Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, 116th Cong., 2nd sess., March 11, 2020.

[14]EPA, *EPA's Per- and Polyfluoroalkyl Substances (PFAS) Action Plan* (February 2019).

[15]Congressional Research Service, *Federal Role in Responding to Potential Risks of Per- and Polyfluoroalkyl Substances (PFAS),* R45986 (Washington, D.C.: Oct. 23, 2019): table 2.

[16]Pub. L. No. 116-92, § 3332, 133 Stat. 1198, 1313 (2019).

ED_013012_00002079-00009

issued an update to the *PFAS Action Plan*, which provided an overview of the status of some, but not all, actions in the plan.[17]

You asked us to provide information on the status of the regulatory-related actions in EPA's plan. For six selected regulatory-related actions we identified in EPA's February 2019 *PFAS Action Plan*, this report examines (1) the number of actions that are complete and the steps EPA took to complete them and (2) the number of actions that are ongoing and EPA's progress toward completing them.

To address both objectives, we reviewed the 23 actions outlined in EPA's February 2019 *PFAS Action Plan*. The actions can be described as regulatory-related, research-related, or related to risk-based communication.[18] We selected the six regulatory-related actions to review because they may lead to the issuance of federal regulations or could influence or affect compliance with existing regulations, such as permitting decisions. However, according to EPA officials, the actions in the *PFAS Action Plan* are interrelated; for example, some research initiatives could be used to support potential regulatory actions and to improve risk communications.[19] EPA also indicated that the agency has taken steps on many of its non-regulatory-related PFAS actions, which are not described in our report, such as compiling and assessing human

[17]EPA, *EPA PFAS Action Plan: Program Update* (February 2020).

[18]We developed these three categories to describe the general types of actions outlined in the *PFAS Action Plan*. When we asked EPA for input on the categories, an EPA official stated that the agency does not categorize the actions. In EPA's *PFAS Action Plan*, EPA organized the actions as either short-term, long-term, or priority actions. According to the plan, short-term actions are generally expected to be completed within 2 years. Actions classified as long-term, such as multistep research initiatives or regulatory actions, are generally expected to take more than 2 years. Although EPA did not define "priority action" in its action plan, the agency listed five actions as priority actions. For example, one priority action was to continue the regulatory development process to designate certain PFAS as hazardous substances.

[19]For example, we did not review actions, such as the development of toxicity values, that could eventually be used in future regulatory-related activities by EPA. However, as noted by EPA officials, EPA's regulatory-related actions are supported by scientific data and technical research, and research is required to improve understanding about the risks associated with PFAS and to support EPA in making informed decisions to protect public health. For more information about EPA's Integrated Risk Information System Program—which identifies and characterizes the health hazards of chemicals found in the environment——see GAO, *Chemical Assessments: Status of EPA's Efforts to Produce Assessments and Implement the Toxic Substances Control Act*, GAO-19-270 (Washington, D.C.: Mar. 4, 2019) and GAO, *Chemical Assessments: Annual EPA Survey Inconsistent with Leading Practices in Program Management*, GAO-21-156 (Washington, D.C.: Dec. 18, 2020).

ED_013012_00002079-00010

and ecological toxicity information on PFAS to support decision-making. Three of the selected six regulatory-related actions in the *PFAS Action Plan* address PFAS in water and are associated with federal statutes primarily addressing drinking water and surface water. The remaining three regulatory-related actions address industrial releases of PFAS to the environment, the use of certain PFAS in manufacturing or in imported goods, and the designation of certain PFAS as hazardous substances. These actions are associated with federal statutes primarily addressing risk communication, chemical management, and cleanup. For each of the selected regulatory-related actions, we assessed EPA's progress in implementing the action by collecting and reviewing documents from EPA and public sources that identified steps the agency had taken. We also asked EPA officials to identify which actions they thought were complete for the purposes of the *PFAS Action Plan*.

We then conducted an independent assessment to determine whether the selected actions were complete. During our assessment, two analysts first agreed upon three categories—completed, ongoing, and not started—to describe the status of the actions. Each analyst then independently reviewed information previously collected on the steps EPA had taken to address the six regulatory-related actions and compared the steps taken against what EPA officials had identified as the endpoint for the action. Based on the information, each analyst made their own assessment of whether the action was complete, ongoing, or not started. The analysts then compared their assessments against one another's and against EPA's. In all six cases, the analysts agreed with one another as well as EPA regarding the status of the six selected regulatory-related actions. Additionally, we collected supporting documentary evidence, interviewed EPA officials, and reviewed written answers provided by EPA in response to our questions. Finally, we assessed EPA's response to provisions of the FY20 NDAA that were relevant to three of the six selected regulatory-related actions.

We conducted this performance audit from December 2019 to January 2021, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

ED_013012_00002079-00011

Background

PFAS Pathways into the Environment

PFAS are used in consumer and industrial products and at manufacturing and processing facilities, airports, and military installations. According to scientific literature, some PFAS chemicals are pervasive in the environment and bioaccumulate[20] in humans and animals.[21] PFAS can enter the environment in a number of ways, including when sludge byproducts from wastewater treatment plants—called biosolids—are deposited on agricultural lands as fertilizer.[22] The PFAS in biosolids can then run off into surface waters or seep underground and contaminate groundwater.[23] PFAS can also enter source waters from the discharge of wastewater effluent or from rain contaminated by industrial facilities' air emissions.[24] Additionally, PFAS can enter groundwater from areas where firefighting foam was used or from landfill leachate when materials with high levels of PFAS are disposed (see fig. 1).[25]

[20]Bioaccumulation is defined as the accumulation of a substance and especially a contaminant (such as a pesticide or heavy metal) in a living organism.

[21]M Clara et al., "Emissions of perfluorinated alkylated substances (PFAS) from point sources—identification of relevant branches," *Water Science & Technology*, vol. 58, no. 1 (2008): pp. 59-66. Agency for Toxic Substances and Disease Registry, *Per- and Polyfluoroalkyl Substances (PFAS) and Your Health: PFAS in the U.S. Population*, accessed March 25, 2020, https://www.atsdr.cdc.gov/pfas/pfas-in-population.html.

[22]E. M. Sunderland et al., "A Review of the Pathways of Human Exposure to Poly- and Perfluoroalkyl Substances (PFASs) and Present Understanding of Health Effects," *Journal of Exposure Science and Environmental Epidemiology*, vol. 29 (2019).

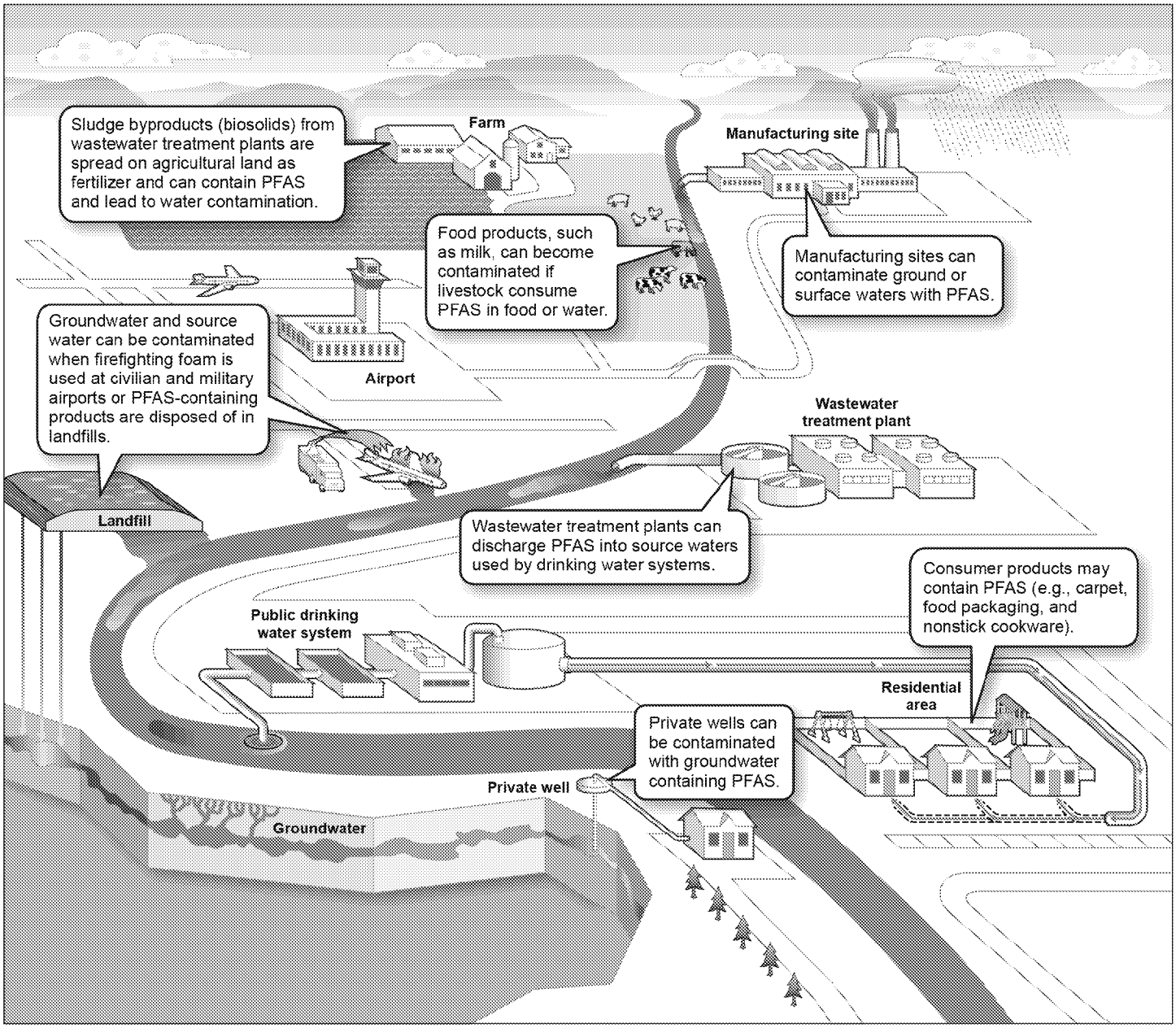
[23]Interstate Technology & Regulatory Council, *Technical/Regulatory Guidance: Per- and Polyfluoroalkyl Substances (PFAS)* (Washington, D.C: April 2020).

[24]EPA, *EPA's Per- and Polyfluoroalkyl Substances (PFAS) Action Plan* (February 2019); J. Ryan, "EPA PFAS Air Emission Measurements: Activities and Research". (paper presented at EPA Region 9 Laboratory Technical Information Group Meeting. San Francisco, CA. June 4-6, 2019).

[25]EPA, *EPA's Per- and Polyfluoroalkyl Substances (PFAS) Action Plan* (February 2019).

ED_013012_00002079-00012

Figure 1: Examples of How Per- and Polyfluoroalkyl Substances (PFAS) Enter the Environment and Water



Source: GAO. | GAO-21-37

ED_013012_00002079-00013

Human Exposure to PFAS

According to epidemiological research by CDC scientists and others, human exposure to PFAS occurs primarily by ingesting contaminated drinking water and food, and also by inhaling indoor air, using products that contain PFAS, and coming into contact with other contaminated media.[26] According to EPA and scientific studies, people can also be exposed to PFAS in their workplaces and homes. Workers can be exposed to PFAS at a workplace that produces or uses PFAS. While some companies in the U.S. have voluntarily phased out certain PFAS from their production processes and replaced them with chemicals that are generally less bioaccumulative and potentially less toxic, legacy uses and a lack of commercially viable alternatives for certain safety products, such as firefighting foams, have resulted in PFAS contamination in numerous locations in the U.S., according to EPA's *PFAS Action Plan*: *Program Update*. Further, the public can be exposed to PFAS by consuming meat, fish, or dairy from animals that have been exposed to PFAS. According to EPA's *PFAS Action Plan*, fetuses can be exposed to PFAS in utero, and nursing mothers can expose their children to PFAS through breastmilk.

EPA's *PFAS Action Plan*

Acknowledging PFAS's widespread use and persistence in the environment, and evidence that continued exposure to specific PFAS above certain levels may have adverse effects on human health, EPA released a *PFAS Action Plan* in February 2019. The plan responded to public input the agency received in 2018, during the PFAS National Leadership Summit, multiple community engagements, and through the public docket.[27] According to a February 2020 letter included in a *PFAS Action Plan*: *Program Update* from EPA's Administrator, the plan marked the first time that EPA had engaged all of its program offices to deal with emerging chemicals of concern and develop a multimedia, multiprogram,

[26]E. M. Sunderland et al., "A Review of the Pathways of Human Exposure to Poly- and Perfluoroalkyl Substances (PFASs) and Present Understanding of Health Effects," *Journal of Exposure Science and Environmental Epidemiology*, vol. 29 (2019): p. 132; and Centers for Disease Control and Prevention, *Per- and Polyfluorinated Substances (PFAS) Factsheet*, accessed August 20, 2020, https://www.cdc.gov/biomonitoring/PFAS_FactSheet.html.

[27]According to EPA documents, the PFAS National Leadership Summit included representatives from 13 federal agencies and over 40 states, tribes, and territories, as well as congressional staff, associations, industry groups, and nongovernmental organizations. These groups engaged in discussions about PFAS monitoring, risk characterization, near-term actions, and risk communication strategies.

ED_013012_00002079-00014

national research and risk communication plan.[28] The plan outlined 23 actions—identified as either priority, short-term, or long-term—that EPA intended to take to reduce exposure to and risk from PFAS and detailed EPA's commitment to understanding the potential impacts from a broad suite of PFAS.[29] For example, the plan outlined actions EPA intends to take in the near term to address current contamination by PFAS—such as identifying new treatment and remediation options—and steps the agency plans to take in the long term to prevent future contamination, including identifying sources of industrial discharges of PFAS into waterbodies.

Federal Statutes Relevant to the Six Selected EPA Regulatory-Related PFAS Actions

There are five primary federal statutes relevant to our review of six selected regulatory-related actions outlined in EPA's *PFAS Action Plan*: (1) Toxic Substances Control Act (TSCA); (2) Emergency Planning and Community Right-to-Know Act; (3) Safe Drinking Water Act; (4) Clean Water Act; and (5) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see table 1). In addition, the FY20 NDAA also contains provisions related to these actions.

Table 1: Six Selected Planned Regulatory-Related Actions from the Environmental Protection Agency's (EPA) Per- and Polyfluoroalkyl Substances (PFAS) Action Plan and Relevant Federal Statutes

Planned action	Description	Relevant statute(s)
Significant new use rule (SNUR)	Issue a supplemental proposed SNUR under the Toxic Substances Control Act.	Toxic Substances Control Act • National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA)[a]
Toxics Release Inventory (TRI)	Explore available data for listing PFAS chemicals to the TRI.	Emergency Planning and Community Right-to-Know Act • FY20 NDAA
Drinking water regulatory determination	Propose a drinking water regulatory determination for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS).	Safe Drinking Water Act
Monitor PFAS in drinking water	Propose a nationwide drinking water monitoring rule for additional PFAS under EPA's Unregulated Contaminant Monitoring Rule 5.	Safe Drinking Water Act • FY20 NDAA[a]
National Effluent Limitations Guidelines	Explore industrial sources of PFAS that may warrant potential regulation through EPA's National Effluent Limitations Guidelines to include in EPA's *Effluent Guidelines Program Plan 14.*	Clean Water Act

[28]EPA, *EPA PFAS Action Plan: Program Update* (February 2020).

[29]According to the plan, short-term actions are generally expected to be completed within 2 years. Actions classified as long-term, such as multistep research initiatives or regulatory actions, are generally expected to take more than 2 years.

ED_013012_00002079-00015

Planned action	Description	Relevant statute(s)
Hazardous substances designation	Continue the regulatory process for listing PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).	CERCLA

Source: GAO analysis of EPA's 2019 *PFAS Action Plan*. | GAO-21-37

[a]While not the primary statute governing this EPA action, the FY20 NDAA also contains provisions related to this action.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 (TSCA), as amended, authorizes EPA to review chemicals already in commerce (existing chemicals) and chemicals yet to enter commerce (new chemicals), obtain more information on the effects of chemicals on human health and the environment, and regulate those that EPA determines pose unreasonable risks to human health or the environment.[30] For existing chemicals, Section 5 of TSCA allows EPA to issue significant new use rules (SNUR) that require companies to provide notice to EPA before chemical substances and mixtures are manufactured (including imported) or processed for significant new uses. Once notified, EPA must make a determination within 90 days and take any required actions in connection with that determination before the submitter may commence manufacturing (including importing) or processing for a significant new use.

Emergency Planning and Community Right-to-Know Act

Under Section 313 of the Emergency Planning and Community Right-to-Know Act, U.S. facilities in certain industry sectors are required to report annually to EPA's Toxics Release Inventory (TRI) program about the release and other waste management of specific chemicals into the environment.[31] The TRI program's mission is to provide the public with information about TRI chemicals from TRI-reporting facilities and offers multiple online tools to make these data available. The TRI program can also help EPA understand how industrial and federal facilities dispose of PFAS through releases or other waste management practices. TRI data

[30]The Frank R. Lautenberg Chemical Safety for the 21st Century Act amended TSCA to expand EPA's authority and responsibility related to regulating toxic chemicals, and established specific deadlines to promulgate new rules, conduct risk evaluations for existing chemicals, and review and make determinations for new chemical submissions, among other responsibilities. Pub. L. No. 114–182, 130 Stat. 448 (2016).

[31]The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles) of any hazardous chemical, extremely hazardous substance, or toxic chemical. 42 U.S.C. § 11049(8).

ED_013012_00002079-00016

do not reveal whether or to what degree the public is exposed to listed chemicals, but the data can be used in conjunction with other information to evaluate the risks posed by exposure. According to the *PFAS Action Plan*, TRI helps support informed decision-making by companies, government agencies, nongovernmental organizations, and the public.[32]

Safe Drinking Water Act

The Safe Drinking Water Act includes a requirement that EPA establish legally enforceable standards for public water systems—called National Primary Drinking Water Regulations—that generally limit the levels of specific contaminants in drinking water based on three criteria, including that the contaminant can adversely affect public health.[33] EPA has issued primary standards addressing over 90 contaminants. States typically have the lead role in implementing and enforcing these federal drinking water regulations.

EPA established its Unregulated Contaminant Monitoring Rule (UCMR) program under the Safe Drinking Water Act to monitor drinking water for unregulated contaminants.[34] As part of the UCMR, the act requires EPA to publish a rule every 5 years, listing no more than 30 contaminants to be monitored by public water systems. The Safe Drinking Water Act also requires EPA to issue a list every 5 years—known as the Contaminant Candidate List (CCL)—which identifies unregulated contaminants that are

[32]TRI release forms are intended to provide information to federal, state, and local governments and the public, including citizens of communities surrounding covered facilities. The release form shall be available to inform persons about releases of toxic chemicals to the environment; to assist governmental agencies, researchers, and other persons in the conduct of research and data gathering; to aid in the development of appropriate regulations, guidelines, and standards; and for other similar purposes. 42 U.S.C. § 11023(h).

[33]Specifically, EPA makes regulatory determinations based on the following, all of which must be met for EPA to decide that a drinking water regulation is warranted: (1) a contaminant may have an adverse health effect; (2) it is known to occur or there is a substantial likelihood that it will occur in public water systems with a frequency and level of public health concern; and (3) in the sole judgment of the EPA Administrator, regulation of the contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems. 42 U.S.C. § 300g-1(b)(1)(A).

[34]Unregulated drinking water contaminants include chemical and microbial substances that are not currently subject to National Primary Drinking Water Regulations under the Safe Drinking Water Act. States may regulate some of these contaminants. Under state laws, some state environmental agencies have the authority to regulate additional contaminants or establish more stringent standards than federal regulations, while others do not have such authorities.

ED_013012_00002079-00017

known or anticipated to occur in public water systems that may require regulation, and make regulatory determinations for at least five of the contaminants on the list every 5 years. The Safe Drinking Water Act directs EPA to select contaminants that pose the greatest public health

Contaminants That Have Received Positive Regulatory Determinations under the Safe Drinking Water Act

The Safe Drinking Water Act, as amended in 1996, requires the Environmental Protection Agency (EPA) to make regulatory determinations every 5 years for at least five unregulated contaminants. EPA has issued regulatory determinations for 34 contaminants—24 were negative, six were preliminary negative, three were preliminary positive, and one was a final positive regulatory determination.

Specifically, EPA made preliminary positive regulatory determinations for strontium in 2014 and for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) in March 2020. As of December 2020, the agency had not issued final determinations for PFOA, PFOS, or strontium.

EPA published a final positive regulatory determination to regulate perchlorate in 2011, but did not propose a maximum contaminant level within the 24-month statutory deadline. This resulted in a lawsuit that led to a consent decree requiring EPA to do so by 2019; in June 2019, EPA issued the proposed rule. However, in a July 2020 *Federal Register* notice, EPA announced the decision not to regulate perchlorate based on data and analysis obtained since the issuance of the 2011 determination. Specifically, EPA determined that the occurrence of perchlorate in public water systems was not at a frequency or level of public health concern. As such, perchlorate no longer met the statutory criteria for regulation and EPA did not have authority to regulate. EPA now seeks to terminate the consent decree, but environmental group plaintiffs argue that the Safe Drinking Water Act prohibits EPA from revoking a positive regulatory determination.

Sources: GAO analysis of EPA documents; GAO (photo).
GAO-21-37

ED_013012_00002079-00018

concern for consideration for the CCL and regulatory determinations. EPA is currently preparing for its fifth CCL and UCMR cycle (UCMR5).[35]

If EPA makes a positive determination to regulate a contaminant, the Safe Drinking Water Act requires EPA to propose a National Primary Drinking Water Regulation rule within 24 months and to finalize that proposed rule within 18 months (see app. I for an overview of EPA's process for regulating new drinking water contaminants under the Safe Drinking Water Act). When proposing an initial drinking water regulation, EPA proposes a nonenforceable maximum contaminant level goal at which no known or anticipated adverse health effects are expected to occur. The final rule generally includes an enforceable maximum contaminant level, which EPA sets as close as is feasible to the maximum contaminant level goal or a treatment technique requirement that prevents adverse health effects to the extent feasible.[36]

Regulations generally take effect 3 years after promulgation, but EPA may allow up to 2 additional years for the rule to take effect if the agency determines that more time is needed for public water systems to make the necessary capital improvements. EPA is required to review these regulations every 6 years.[37] EPA has not regulated any new contaminants through the regulatory determination process since 1996, when the Safe Drinking Water Act was amended to establish the current process (see app. II for additional information on EPA's regulatory determinations, including the number of contaminants that have been monitored and regulated under the Safe Drinking Water Act).[38] According to an EPA official from EPA's Office of Water, since 1996, the agency has issued a

[35]UCMR 5 will run from 2022 to 2026 and will collect data from public water systems from 2023 to 2025.

[36]42 U.S.C. § 300g-1(b)(4)(B), (b)(7). EPA must set maximum contaminant-level goals at levels at which no known or anticipated adverse effects on the health of persons occur, including adequate margins of safety. 42 U.S.C. § 300g-1(b)(4)(A).

[37]42 U.S.C. § 300g-1(b)(9). For example, in November 2019, the agency proposed extensive changes to its regulation of lead in drinking water supplies. 84 Fed. Reg. 61684 (Nov. 13, 2019).

[38]We previously reported on EPA's process for regulating drinking water contaminants in GAO, *Drinking Water: EPA Has Improved Its Unregulated Contaminant Monitoring Program, but Additional Action Is Needed,* GAO-14-103 (Washington, D.C.: Jan. 9, 2014). Since 1999, EPA has monitored 111 contaminants under its UCMR program and has issued 24 negative determinations for contaminants, six preliminary negative determinations, three preliminary positive determinations, and one positive determination; however, EPA has not finalized the process to regulate any new contaminants.

ED_013012_00002079-00019

number of drinking water regulations outside of this process that were intended to strengthen public health protections, such as those designed to reduce risks from disinfection byproducts, surface water pathogens, and water served on board airplanes.[39]

Clean Water Act

The Clean Water Act aims to "restore and maintain the chemical, physical, and biological integrity of the nation's waters."[40] One of EPA's main responsibilities under the act is to regulate point source pollution—that is, pollution such as effluent or wastewater coming from a discrete point, such as a pipe from an industrial facility. EPA's actions to reduce point source pollution have included establishing national technology-based regulations—or effluent guidelines—for various industrial categories, such as petroleum refining, fertilizer manufacturing, coal mining, and metal finishing.[41] EPA issued the vast majority of these regulations in the 1970s and 1980s and has subsequently revised some of them. The revisions to the regulations have ranged from changes in testing methods to the establishment of more stringent standards. In EPA's 2016 *Effluent Guidelines Program Plan*, EPA identified PFAS as a

[39]National Primary Drinking Water Regulations: Disinfectants and Disinfection Byproducts, 63 Fed. Reg. 69,390 (Dec. 16, 1998) (codified at 40 C.F.R. pts. 9, 141, and 142); National Primary Drinking Water Regulations: Long Term 1 Enhanced Surface Water Treatment Rule, 67 Fed. Reg. 1,812 (Jan. 14, 2002) (codified at 40 C.F.R. pts. 9, 141, and 142); National Primary Drinking Water Regulations: Drinking Water Regulations for Aircraft Public Water Systems, 73 Fed. Reg. 53,590 (Oct. 19, 2009) (codified at 40 C.F.R. pt. 141). Additionally, according to EPA officials, the agency reviews existing national primary drinking water regulations and, as appropriate, revises them to improve public health protection.

[40]The Federal Water Pollution Control Act Amendments of 1972, Pub. L. No. 92-500, § 2, 86 Stat. 816, codified as amended at 33 U.S.C. §§ 1251-1388 (commonly referred to as the Clean Water Act). For consistency throughout this report, we refer to the statute and its amendments as the Clean Water Act.

[41]Technology-based effluent limitations require a minimum level of treatment of pollutants for point source discharges based on available treatment technologies, while allowing the discharger to use any available control technique to meet limits.

ED_013012_00002079-00020

topic for future investigation.[42] The plan stated that EPA's reviews of PFAS will include examination of surface water discharges from industrial categories that still may be using existing supplies of long-chain PFAS, as well as assessment of industrial categories that may be producing or using short-chain PFAS.[43]

Under the Clean Water Act, all facilities that discharge pollutants from any point source to a water of the U.S. must obtain a permit under the National Pollutant Discharge Elimination System program, which sets limits on pollutant discharges. Under the Clean Water Act, EPA can authorize state, tribal, and territorial governments to implement the National Pollutant Discharge Elimination System program, enabling them to develop permits and enact other administrative and enforcement aspects of the program.[44] According to EPA's *PFAS Action Plan*, PFAS can be considered pollutants under the Clean Water Act and, therefore, states can use pollutant discharge permits to control discharges containing PFAS from point sources into receiving waters, including sources of drinking water. However, in part because National Effluent Limitations Guidelines currently do not regulate PFAS, relatively few

[42]Environmental Protection Agency, *Final 2016 Effluent Guidelines Program Plan*, EPA-821-R-18-001 (Washington, D.C.: April 2018). Under the Clean Water Act, EPA is required to publish an Effluent Guidelines Program Plan every 2 years. According to EPA, the plan summarizes the agency's review of effluent guidelines. In establishing and revising effluent guidelines, EPA is to assess (1) the performance and availability of the best pollution control technologies or pollution prevention practices for an industrial category; (2) the economic achievability of those technologies; (3) non-water-quality environmental impacts, such as the energy required to reduce pollutants; and (4) other factors that the EPA Administrator deems appropriate, such as the risk posed by discharges. The legislative history of relevant provisions in the Clean Water Act suggests that effluent guidelines were expected to be revised and made more stringent over time to reflect technological advances.

[43]Long-chain PFAS are perfluoroalkyl carboxylic acids with eight or more perfluorinated carbons or perfluoroalkyl sulfonic acids with six or more perfluorinated carbons. Short-chain PFAS are perfluoroalkyl carboxylic acids with fewer than eight carbon molecules or perfluoroalkyl sulfonic acids with fewer than six carbon molecules.

[44]According to EPA's *Preliminary Effluent Guidelines Program Plan 14*, over 35,000 industrial facilities directly discharge wastewater into the waters of the U.S. Direct dischargers are subject to National Pollutant Discharge Elimination System permit limits on their discharges. Indirect dischargers, which discharge to sewer systems and not surface waters, do not require a permit. Instead, an indirect discharger must meet EPA's national pretreatment standards and may have to meet additional pretreatment conditions imposed by its local wastewater treatment plant. Under the national pretreatment standards and conditions, an indirect discharger is required to remove pollutants that may harm wastewater treatment plant operations or workers or, after treatment and discharge, cause violations of the wastewater treatment plant's permits.

ED_013012_00002079-00021

facilities have permit limits or monitoring requirements for PFAS, according to EPA documents we reviewed.[45]

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorizes EPA and federal agencies to respond to releases or threatened releases of hazardous substances and created a trust fund to provide for certain cleanup activities.[46] CERCLA defines hazardous substances to include chemicals and wastes listed as hazardous under any one of several environmental laws, including the Clean Water Act and TSCA. CERCLA also allows EPA to designate additional chemicals as hazardous substances.[47] No PFAS are currently designated as hazardous substances under CERCLA.

EPA Has Completed Three of Six Selected Regulatory-Related Actions Outlined in its *PFAS Action Plan*

Three of the six selected regulatory-related actions outlined in EPA's February 2019 *PFAS Action Plan* are complete (see table 2). Specifically, the EPA Administrator signed a final SNUR for PFAS, as required by the FY20 NDAA. In addition, in response to the FY20 NDAA, EPA incorporated 172 PFAS into the Code of Federal Regulations for the TRI, which, according to EPA, will require for the first time that the public be provided information about industrial releases of PFAS chemicals. EPA also published a notice in the *Federal Register* proposing a preliminary drinking water regulatory determination for two PFAS: PFOA and PFOS.

[45]To begin addressing PFAS discharges through EPA-issued National Pollutant Discharge Elimination System permits, EPA's Assistant Administrator for Water sent a November 2020 memo to all 10 EPA regions containing recommendations from an intra-agency workgroup. The memo provides an interim approach for including PFAS-related conditions in EPA-issued permits. See https://www.epa.gov/pfas/interim-strategy-and-polyfluoroalkyl-substances-federally-issued-national-pollutant-discharge.

[46]According to EPA's *PFAS Action Plan*, PFOA and PFOS are considered CERCLA pollutants or contaminants, not hazardous substances. Thus, federal response and cleanup authority exists where the federal agency with CERCLA authority has made a determination that the PFOA or PFOS release may present an imminent and substantial danger to public health or welfare. Under CERCLA, responsible parties are liable for the cleanup of releases of substances that have been designated as hazardous, but not for pollutants and contaminants, such as PFOA and PFOS. See 42 U.S.C. § 9607(a).

[47]EPA's *PFAS Action Plan* states that, consistent with CERCLA, the Agency for Toxic Substances and Disease Registry recently released draft toxicological profiles for multiple PFAS, which included minimal risk levels for four PFAS, including PFOA and PFOS. When finalized, these minimal risk levels will serve as screening tools to help public health professionals determine areas and populations potentially at risk for exposure, and the levels can be used as a mechanism to identify hazardous waste sites that are not expected to cause adverse health effects.

ED_013012_00002079-00022

Table 2: Selected Regulatory-Related Actions from the Environmental Protection Agency's (EPA) Per- and Polyfluoroalkyl Substances (PFAS) Action Plan That Are Complete

Planned action	Description	Relevant statute(s)	Status
Significant new use rule (SNUR)	Issue a supplemental proposed SNUR under the Toxic Substances Control Act.	Toxic Substances Control Act National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA)[a]	Complete
Toxics Release Inventory (TRI)	Explore available data for listing PFAS chemicals to the TRI.	Emergency Planning and Community Right-to-Know Act FY20 NDAA[a]	Complete
Drinking water regulatory determination	Propose a drinking water regulatory determination for perfluorooctanoic acid and perfluorooctane sulfonate.	Safe Drinking Water Act	Complete

Source: GAO analysis of EPA's 2019 *PFAS Action Plan*. | GAO-21-37

[a]While not the primary statute governing this EPA action, the FY20 NDAA also contains provisions related to this action.

ED_013012_00002079-00023

EPA Issued a Final Significant New Use Rule on PFAS in Response to the FY20 NDAA

EPA's 2019 *PFAS Action Plan* identified, as a priority action for the agency, issuing a supplemental proposed SNUR for PFAS after considering the new statutory requirements added to TSCA by the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act. SNURs require that companies notify EPA before chemical substances and mixtures are manufactured (including imported) or processed for significant new uses. On February 20, 2020, EPA issued a supplemental proposed SNUR. On June 22, 2020, EPA finalized the SNUR, a draft of which had been proposed in 2015, authorizing the agency to review new uses of certain PFAS in products before they could be manufactured, imported, or sold in the U.S.[48] The final SNUR was signed by the EPA Administrator on the June 22 deadline set by the FY20 NDAA, which required EPA to take final action on the 2015 proposed rule. The final rule regulates PFAS by requiring notice and EPA review before long-chain PFAS chemicals that had been previously phased out in the U.S. can be used again.[49] Additionally, under the final rule, articles containing certain long-chain PFAS as a surface coating, and carpet containing perfluoroalkyl sulfonate chemical substances, can no longer be imported into the U.S. without EPA review.[50]

[48]The EPA Administrator signed the rule on June 22, 2020. The final rule was published in July 2020. 85 Fed. Reg. 45,109, 45,124 (July 27, 2020).

[49]Under EPA's 2010/2015 PFOA Stewardship Program, eight major U.S. chemical manufacturers and processors voluntarily phased out the use of PFOA and PFOA-related chemicals in products and emissions from their facilities.

[50]Long-chain perfluoroalkyl carboxylates are chemical substances with perfluorinated carbon chain lengths equal to or greater than seven carbons and less than or equal to 20 carbons. Examples of articles that could contain these chemical substances as part of a surface coating include, but are not limited to, apparel, outdoor equipment, automotive parts, carpets, furniture, and electronic components. The *Federal Register* notice stated that EPA did not intend to finalize a definition of surface coating in the rule but that EPA would issue guidance within a reasonable time frame. The notice further stated that EPA believed this approach would ensure an opportunity to conduct a detailed consideration of potential exposures related to these uses when there is a specific condition of use to review. 85 Fed. Reg. 45,114. According to EPA officials, as of December 2020, EPA has developed this guidance and has submitted it to the Office of Management and Budget (OMB) for review. The guidance provides additional clarity on what is meant by "surface coating" and identifies which entities are regulated, among other things.

ED_013012_00002079-00024

EPA Added Certain PFAS Chemicals to the Toxics Release Inventory in Response to the FY20 NDAA

EPA's 2019 *PFAS Action Plan* identifies exploring available data for listing PFAS chemicals on the TRI as a long-term action for the agency.[51] EPA's *PFAS Action Plan* update noted that adding PFAS to the TRI would provide information on industrial releases of PFAS chemicals to the public for the first time. In December 2019, EPA published an advanced notice of proposed rulemaking to solicit information on possibly adding PFAS to the TRI,[52] which, according to EPA officials, completed EPA's *PFAS Action Plan* planned action to explore available data.[53] However, according to EPA officials, the FY20 NDAA expanded EPA's action to explore data by requiring EPA to add certain PFAS to the TRI list effective January 1, 2020.[54] EPA incorporated 172 PFAS into the *Code of Federal Regulations* on June 22, 2020 in response to the FY20 NDAA.[55] EPA officials consider this action complete. The FY20 NDAA adds PFAS to the

[51]U.S. facilities in certain industry sectors must submit information on releases of chemicals listed on the TRI to EPA. EPA then compiles the data and makes them available online to the public.

[52]84 Fed. Reg. 66,369 (December 4, 2019).

[53]According to EPA officials, the agency does not plan to follow up on its December 2019 advance notice of proposed rulemaking with a proposed rule. Instead, the agency is focusing on implementing the ongoing TRI requirements outlined in the FY20 NDAA.

[54]The FY20 NDAA specifically identified some of the PFAS to be added to the TRI, and other PFAS were added by EPA because the PFAS met criteria laid out in the act. Specifically, the FY20 NDAA identified 14 PFAS to be added to the TRI and directed EPA to add other PFAS to the TRI if they met two criteria: (1) they were subject to a significant new use rule at either 40 C.F.R. § 721.9582 or § 721.10536 on or before December 20, 2019; and (2) they were identified as active in commerce on the February 2019 TSCA inventory. As of July 2020, only PFAS directly added by the FY20 NDAA under section 7321(b)(1) ("immediate inclusion") have been added to the TRI. The FY20 NDAA further requires EPA to consider adding PFAS chemicals to the TRI in the future, in addition to the 172 that met the act's criteria.

[55]85 Fed. Reg. 37,354 (June 22, 2020) (codified at 40 C.F.R. pt. 372). In the final rule, EPA codified the TRI reporting threshold—the threshold at which facilities must report PFAS releases—for manufacturing, processing, and otherwise use reporting, at 100 pounds per PFAS, as provided by the NDAA. TRI-reporting facilities will be required to report on releases of the 172 PFAS added to the TRI for the 2020 calendar year. This reporting will be due by July 1, 2021. According to EPA officials, after receiving and analyzing data from the first year of reporting PFAS to the TRI, EPA will reassess the need for any further regulatory action.

ED_013012_00002079-00025

TRI any time EPA finalizes a toxicity value[56] or issues certain significant new use rules and, as a result, EPA will continue listing certain PFAS on the TRI into the future.[57]

EPA Proposed a Preliminary Drinking Water Regulatory Determination for PFOA and PFOS

EPA's 2019 *PFAS Action Plan* identified proposing a preliminary drinking water regulatory determination for two PFAS, PFOA and PFOS, under the Safe Drinking Water Act—an early step in regulating these PFAS in drinking water—as a priority action for the agency in 2019. According to EPA officials, the agency considers this action complete as of March 10, 2020, when EPA published a *Federal Register* notice proposing a preliminary drinking water regulatory determination to regulate PFOA and PFOS under the Safe Drinking Water Act.[58] According to EPA, the agency plans the following next steps in the process:

- Evaluate public comments received in June 2020 for information that could inform the agency's final regulatory determination.[59]
- Submit the final draft of the regulatory determination notice to the Office of Management and Budget (OMB) for interagency review in the fall of 2020.
- Publish a final notice in the *Federal Register* in early 2021.[60]

[56]EPA's *PFAS Action Plan* also includes a planned action to develop additional PFAS toxicity values and finalize draft toxicity assessments for certain PFAS. Draft toxicity assessments for two PFAS, GenX and perfluorobutane sulfonic acid, were published for public comment by EPA on November 21, 2018. According to EPA's February 2020 *EPA PFAS Action Plan: Program Update*, EPA expected to finalize these two toxicity assessments in 2020.

[57]The FY20 NDAA directed EPA to, no later than 5 years from the enactment of the act, determine whether revision of the 100-pound reporting threshold is warranted. If EPA determines a revision is warranted, EPA will initiate a revision under Emergency Planning and Community Right-to-Know Act section 313(f)(2) (42 U.S.C. § 11023(f)(2)).

[58]85 Fed. Reg. 14,098 (Mar. 10, 2020). According to EPA documents, in the proposed regulatory determination for PFOA and PFOS, the agency requested additional information on other PFAS substances and comment on potential monitoring requirements and regulatory approaches for PFAS chemicals. See 85 Fed. Reg. 14,135.

[59]The comment period for the proposed regulatory determination for PFOA and PFOS closed on June 10, 2020.

[60]In OMB's Fall 2020 Regulatory Agenda, EPA confirmed that publication of its final determination would occur by January 2021. Following notice of a final positive regulatory determination, EPA is required to propose a National Primary Drinking Water Regulation within 24 months and to promulgate the final rule within another 18 months. 42 U.S.C. § 300g-1(b)(1)(E).

ED_013012_00002079-00026

EPA officials did not indicate a time frame for when EPA might issue a final National Primary Drinking Water Regulation, which is the next step in the process to regulate PFAS in drinking water. The officials stated that the agency is working through the regulatory process outlined in the Safe Drinking Water Act and that the process typically takes a few years to complete. The officials further stated that EPA will follow the regulatory process established by Congress and mandated under the Safe Drinking Water Act, including meeting statutory deadlines and that their intent is to complete the process as expeditiously as possible.

Three of Six Selected Regulatory-Related Actions Outlined in EPA's *PFAS Action Plan* Are Ongoing, and EPA's Progress in Completing the Actions Varies

Three of the six selected regulatory-related actions outlined in EPA's February 2019 *PFAS Action Plan* are ongoing, and EPA's progress on the actions varies (see table 3). Specifically, EPA plans to (1) propose additional PFAS to monitor, (2) explore industrial sources that may warrant regulation, and (3) continue the process to designate certain PFAS as hazardous substances.

Table 3: Selected Regulatory-Related Actions from the Environmental Protection Agency's (EPA) Per- and Polyfluoroalkyl Substances (PFAS) Action Plan That Are Ongoing

Planned action	Description	Relevant statute(s)	Status
Monitor PFAS in drinking water	Propose a nationwide drinking water monitoring rule for additional PFAS under EPA's Unregulated Contaminant Monitoring Rule 5.	Safe Drinking Water Act National Defense Authorization Act for Fiscal Year 2020[a]	Ongoing
National Effluent Limitations Guidelines	Explore industrial sources of PFAS that may warrant potential regulation through EPA's National Effluent Limitations Guidelines to include in EPA's Effluent Guidelines Program Plan 14.	Clean Water Act	Ongoing
Hazardous substances designation	Continue the regulatory process for listing perfluorooctanoic acid and perfluorooctane sulfonate as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).	CERCLA	Ongoing

Source: GAO analysis of EPA's 2019 *PFAS Action Plan*. | GAO-21-37

[a]While not the primary statute governing this EPA action, the National Defense Authorization Act for Fiscal Year 2020 also contains provisions related to this action.

ED_013012_00002079-00027

EPA Plans to Propose Additional PFAS to Monitor in Drinking Water and Respond to the FY20 NDAA

EPA's 2019 *PFAS Action Plan* identified, as a long-term action, proposing a nationwide drinking water rule for monitoring additional PFAS under EPA's UCMR5 monitoring cycle. EPA anticipates publishing the final rule by December 2021.[61] According to the plan, monitoring results will improve EPA's understanding of the frequency and concentration of PFAS in U.S. drinking water.

According to EPA officials, this action will be complete when EPA publishes the proposed rule for UCMR5. In addition to EPA's planned actions under the *PFAS Action Plan*, the FY20 NDAA directed EPA to include all PFAS in UCMR5 that met two criteria: (1) the PFAS can be identified through a test method validated by the Administrator for measuring its level in drinking water and (2) the PFAS are not already subject to a national primary drinking water regulation.[62] EPA officials stated that the agency has developed methods to measure 29 PFAS in drinking water.[63] As of August 2020, the agency was developing a proposed rulemaking for UCMR5; EPA officials told us that in July 2020, the agency transmitted the proposed rulemaking for UCMR5 to OMB for

[61]EPA previously monitored some PFAS through its UCMR program. Specifically, six PFAS were monitored during the third UCMR cycle (UCMR3): PFOA, PFOS, perfluorobutane sulfonic acid, perfluorononanoic acid, perfluorohexane sulfonic acid, and perfluoroheptanoic acid. EPA included PFOA and PFOS on its fourth CCL, but did not require monitoring for them during its fourth UCMR. The *PFAS Action Plan* states that the monitoring will utilize newer methods available to detect more PFAS chemicals and at lower minimum reporting levels than previously possible in earlier UCMR monitoring cycles.

[62]The act further specified that the PFAS to be monitored under UCMR5 shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems under the Safe Drinking Water Act. Pub. L. No. 116-92, § 7311.

[63]EPA officials did not address whether the 29 PFAS they intend to include in UCMR5, per the FY20 NDAA provisions, would or would not be in addition to the 30 total unregulated contaminants they could otherwise test for. With the additional authority provided by the FY20 NDAA, EPA could test for 59 unregulated contaminants in its upcoming UCMR5 cycle. As we have previously reported, EPA has not always used its full statutory authority to test for the 30 contaminants allowed under each 5-year UCMR testing cycle. As a result, we recommended that the agency do so. See GAO, *Safe Drinking Water Act: EPA Should Improve Implementation of Requirements on Whether to Regulate Additional Contaminants,* GAO-11-254 (Washington, D.C.: May 27, 2011). Further, in 2014, we suggested Congress consider amending the Safe Drinking Water Act to allow EPA to monitor for more than 30 contaminants under certain circumstances. See GAO-14-103.

ED_013012_00002079-00028

interagency review.[64] According to EPA officials, the agency anticipates publishing the final rule by December 2021.

EPA Plans to Explore Industrial Sources of PFAS That May Warrant Potential Regulation through National Effluent Limitations Guidelines

EPA's 2019 *PFAS Action Plan* identified, as a long-term action, both examining available information and exploring additional information to identify industrial sources of PFAS that may warrant potential regulation through EPA's national Effluent Limitations Guidelines and describing those actions in EPA's *Effluent Guidelines Program Plan 14* (2019).[65] According to agency officials, EPA is currently examining available information about PFAS discharges to surface water to identify industrial sources that may warrant further study for potential regulation. If industrial discharges of PFAS are identified, EPA can promulgate technology-based standards to limit those discharges.[66] In October 2019, EPA published its *Preliminary Effluent Guidelines Program Plan 14* for public comment.[67] In the preliminary plan, EPA included initial analyses of industrial sources and discharges of PFAS and identified several industrial sources of PFAS, including airports, organic chemical manufacturers, paper and paperboard manufacturers, textile and carpet manufacturers, and semiconductor manufacturers. According to agency officials, this information is part of a multi-industry study to determine which industries are most likely to discharge PFAS into the environment and the specific PFAS compounds currently in use. EPA officials stated

[64]EPA officials stated that EPA's decisions regarding which contaminants to include in a UCMR cycle take into account many factors, including availability of occurrence data; potential for the contaminant to occur in drinking water; availability of a completed, validated drinking water method; availability of health assessments or other health-effects information; active use (e.g., pesticides that are registered for use); cost-effectiveness of the potential monitoring approaches; and implementation factors (e.g., laboratory capacity).

[65]EPA must prepare Preliminary Effluent Guidelines Program Plans pursuant to the Clean Water Act. 33 U.S.C. §1314(m). Preliminary plans provide a summary of the EPA's review of effluent guidelines and pretreatment standards. Based on these reviews, preliminary plans identify any new or existing industrial categories selected for effluent guidelines or pretreatment standards rulemakings and provide a schedule for such rulemakings. Additionally, preliminary plans present any new or existing categories of industry selected for further review and analysis.

[66]According to EPA, technology-based standards are based on the performance of treatment and control technologies; they are not based on risk or impacts upon receiving waters.

[67]EPA, *Preliminary Effluent Guidelines Program Plan 14* (Washington, D.C.: October 2019). EPA solicited comments on new analyses and tools announced in the preliminary plan, including analyses of industrial sources and discharges of PFAS. The public comment for the preliminary plan period closed on November 25, 2019.

ED_013012_00002079-00029

that the multi-industry study will provide EPA with data that will be used to inform next steps but did not identify what steps might remain to be taken. The officials told us that they will consider this action to be complete once EPA has published information on industrial sources of PFAS in a publicly available document. According to EPA officials, the agency expects to publish a final *Effluent Guidelines Program Plan 14* in early 2021 that will include an update on the current status of EPA's multi-industry study.

EPA Plans to Continue the Process to Designate Certain PFAS as Hazardous Substances

EPA's 2019 *PFAS Action Plan* identified continuing the regulatory development process for listing PFOA and PFOS as hazardous substances under CERCLA, which EPA began in 2018, as a priority action for the agency.[68] Designating PFOA and PFOS as hazardous substances under CERCLA would allow EPA to require responsible parties to respond to a release of either contaminant and would make them liable for the costs of response actions.[69] EPA officials did not indicate how they would determine when this action is complete for the purposes of the *PFAS Action Plan* and stated that the decision to continue or conclude this process could occur at any time. In OMB's 2020 Spring Regulatory Agenda, EPA indicated that it planned to issue a notice of proposed rulemaking for the hazardous substances designation in August 2020. On January 14, 2021, EPA issued an advance notice of proposed rulemaking for the hazardous substances designation to get public comment and data to inform the agency's ongoing evaluation of PFOA and PFOS.

[68]According to EPA, the agency has not designated any substance as hazardous under CERCLA since Congress enacted the statute in 1980. According to EPA documents provided to the Senate Committee on Environment and Public Works in March 2019, 180 Superfund sites had been identified by EPA as having PFAS contamination. Accessed June 16, 2020, https://www.epw.senate.gov/public/index.cfm?p=Superfund-Sites-Identified-by-EPA-to-have-PFAS-Contamination.

[69]According to agency documents, in the absence of the hazardous substances designation rule, EPA has used its existing authorities under CERCLA, Resource Conservation and Recovery Act, Safe Drinking Water Act, and TSCA to take enforcement actions. As of August 2020, EPA reported that it had taken 14 enforcement actions to specifically address PFAS use and contamination under various legal authorities and that EPA plans to continue to do so to protect public health and the environment.

ED_013012_00002079-00030

Agency Comments and Our Evaluation

We provided a draft of this report to EPA for review and comment. EPA provided written comments, which are reproduced in appendix III. EPA also provided technical comments, which we incorporated as appropriate.

In its written comments, EPA neither agreed nor disagreed with our findings; however, EPA made several statements related to the focus of our review on the plan's six regulatory-related actions. Specifically, EPA stated that it is important to consider the regulatory-related actions within the broader context of EPA's *PFAS Action Plan*. EPA expressed concern that separating scientific work from our discussion of regulatory-related actions could create misunderstandings within Congress, among the states, and the American public about what is required under statutory requirements from a science and research perspective. EPA also indicated that the agency has taken steps on many of its non-regulatory-related PFAS actions, such as compiling and assessing human and ecological toxicity information on PFAS to support decision-making.

As we describe in our report, EPA's plan includes 23 actions that can be grouped into three broad categories: regulatory-related, research-related, and risk-based communication. We agree that the actions are interrelated, as some research initiatives could be used to support potential regulatory actions and to improve risk communications. However, we chose to focus specifically on the six regulatory-related actions because they may lead to the issuance of federal regulations—a topic of interest to the Congress. We agree with EPA that the agency's research-related and risk-based communication-related actions are also important and that continued progress on its other efforts is important for supporting its regulatory-related actions. We made clarifications in the report to address these points and believe that our report provides Congress with useful information for considering options that can best support EPA's future actions to address PFAS.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies to the appropriate congressional committees and the Acting Administrator of the Environmental Protection Agency. In addition, the report is available at no charge on the GAO website at https://www.gao.gov.

ED_013012_00002079-00031

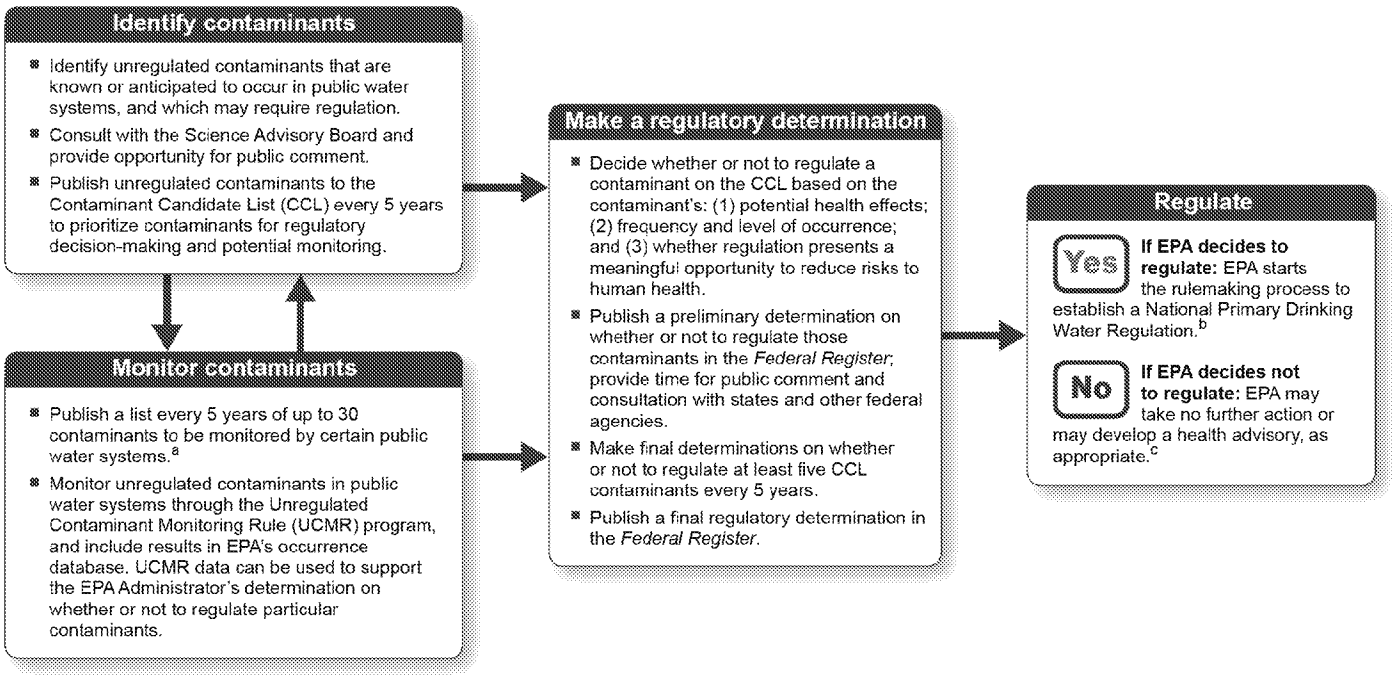
If you or your staff have any questions about this report, please contact me at (202) 512-3841 or GomezJ@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix IV.

J. Alfredo Gómez
Director, Natural Resources and Environment

ED_013012_00002079-00032

Appendix I: Overview of the Environmental Protection Agency's Process for Regulating New Drinking Water Contaminants

Figure 2: Overview of the Environmental Protection Agency's (EPA) Process for Regulating New Drinking Water Contaminants



Source: GAO analysis of EPA documents, including EPA infographic: https://www.epa.gov/sites/production/files/2017-12/documents/epa-regulate_drinking_water_contaminants-final-508.pdf. | GAO-21-37

[a]EPA's UCMR program collects data on the extent of the occurrence of some unregulated contaminants in all public water systems serving more than 10,000 people and in a nationally representative sample of smaller systems. The National Defense Authorization Act for Fiscal Year 2020 requires monitoring of certain PFAS chemicals for all public water systems serving 3,300 to 10,000 people, subject to laboratory capacity and appropriations. UCMR cycles generally last 5 years, and then new contaminants are selected for a new round of UCMR monitoring. According to EPA officials, while EPA considers contaminants from the most recent CCL when identifying analytes for the UCMR, EPA does not limit the UCMR to only CCL contaminants.

[b]EPA is required to propose a National Primary Drinking Water Regulation within 24 months and to issue a final rule within 18 months. EPA is also required to review all National Primary Drinking Water Regulations every 6 years to determine whether changes are needed.

[c]The Safe Drinking Water Act authorizes EPA to publish health advisories or take other appropriate actions for contaminants not subject to any National Primary Drinking Water Regulation. EPA need not wait until it makes a regulatory determination to take these actions. EPA health advisories provide information on contaminants that can cause human health effects and are known or anticipated to occur in drinking water. The advisories are nonenforceable and nonregulatory and provide technical information to drinking water system managers and others with primary responsibility for overseeing the water systems with information on the health risk of identified, but unregulated, chemicals.

ED_013012_00002079-00033

Appendix II: Summary of Environmental Protection Agency (EPA) Actions on Unregulated Contaminants, 1998-2020

Table 4: Summary of Environmental Protection Agency (EPA) Actions on Unregulated Contaminants, 1998–2020

	Contaminant Candidate List (CCL)	Unregulated Contaminant Monitoring Rule (UCMR) program	Regulatory determinations
Purpose	Identify unregulated contaminants that are known or anticipated to occur in public water systems, and which may require regulation.	Monitor unregulated contaminants in public water systems, and include results in EPA's National Contaminant Occurrence Database.	Decide whether or not to regulate contaminants on the CCL based upon whether a contaminant may have an adverse effect on the health of persons; occurs or is likely to occur in public water systems with a frequency and at levels of public health concern; and, in the sole judgement of the EPA Administrator, regulation provides a meaningful opportunity for health risk reduction for persons served by public water systems.
Safe Drinking Water Act procedure	After consulting with the Science Advisory Board and providing opportunity for public comment, publish a CCL every 5 years.	Establish a monitoring program for unregulated contaminants in all large public water systems and a representative sample of systems serving than 10,000 persons or fewer.[a] Every 5 years, publish a list of up to 30 contaminants to be monitored.	After a notice of a preliminary regulatory determination and providing opportunity for public comment, make determinations of whether or not to regulate at least five CCL contaminants every 5 years.
Outputs, including final actions	1998 (60 contaminants on CCL1) 2005 (51 contaminants on CCL2) 2009 (116 contaminants on CCL3) 2016 (97 contaminants on CCL4)	1999 (26 contaminants on UCMR1) 2007 (25 contaminants on UCMR2) 2012 (30 contaminants on UCMR3) 2016 (30 contaminants on UCMR4)	2003 (nine negative determinations for CCL1) 2008 (11 negative determinations for CCL2) 2011 (one positive determination for perchlorate for CCL3)[b] 2014 (one preliminary positive determination for strontium)[c] 2016 (four negative determinations for CCL3) 2020 (two preliminary positive determinations and six preliminary negative determinations for CCL4)[d]

Source: GAO analysis of EPA information. | GAO-21-37

[a]The National Defense Authorization Act for Fiscal Year 2020 requires monitoring for all PFAS in UCMR5 that (1) can be identified through a test method validated by the EPA Administrator for measuring its level in drinking water and (2) that are not subject to a national primary drinking water regulation. The act further provides that PFAS monitoring under UCMR5 shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems.

[b]According to EPA officials, this was the first regulatory determination for a CCL3 contaminant.

[c]According to EPA documents, the final determination for strontium was delayed to "consider additional scientific data and decide whether there is a meaningful opportunity for health risk reduction by regulating strontium in drinking water."

[d]EPA's two preliminary positive determinations were for perfluorooctanesulfonic acid and perfluorooctanoic acid.

ED_013012_00002079-00034

Appendix III: Comments from the Environmental Protection Agency

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

December 14, 2020

THE ADMINISTRATOR

Mr. Alfredo Gomez
Director
Natural Resources and Environment
U.S. Government Accountability Office
Washington, DC 20548

Dear Mr. Gomez:

Thank you for the opportunity to review and comment on U.S. Government Accountability Office's (GAO) draft report (GAO-21-37), *Man-Made Chemicals and Potential Health Risks*. The U.S. Environmental Protection Agency is pleased to provide the Agency's response to the draft report, along with technical comments that the Agency has previously provided GAO.

EPA appreciates the time and effort GAO has put into this report and learning the extensive efforts the Agency is undertaking to address per- and polyfluoroalkyl substances (PFAS). While GAO's draft report details that the Agency has completed three of the six GAO-identified regulatory related actions for addressing PFAS and that the other three actions are ongoing, the Agency continues to insist that it is very important to present those GAO-identified regulatory actions in the broader context of EPA's *PFAS Action Plan*. The *PFAS Action Plan* outlined 23 actions, the majority of which consist of various projects, assessments, studies, or steps to complete. Providing that context can help avoid any misunderstanding of the extent of EPA's PFAS work and would allow for more transparency in describing the Agency's unprecedented and historic steps taken to address PFAS.

It is important to reiterate that many of the actions in the *PFAS Action Plan* are closely inter-related. For example, all of EPA's actions are supported by scientific data and technical research, and EPA's PFAS research initiatives can be used to support regulatory actions and decisions. Robust research is a prerequisite to improving our understanding of the risks associated with these emerging chemicals of concern and helping the Agency make more informed decisions to protect public health. This is why the *PFAS Action Plan* has placed such a strong emphasis on scientific research. Detaching the vital scientific and technical research from the regulatory-related actions the research supports in this audit and a report for Congress detailing "EPA's progress on regulatory-related actions in its *PFAS Action Plan*" is a disservice to that scientific work. It risks creating further misunderstanding within Congress, among the states, and the

ED_013012_00002079-00035

American public of what is required under applicable statutory requirements from a science and research standpoint. Throughout this engagement, EPA has provided GAO with clarification to support GAO's work, explain EPA's work, and improve the accuracy of this report. We continue to believe that, while this audit focuses on these six GAO-identified regulatory-related actions, it is important to do so within the context of the much broader efforts the Agency is undertaking on PFAS. Many of these efforts are detailed below and are necessary initial steps to support any regulatory actions the Agency takes.

PFAS-related issues are an important priority for EPA, and we are working aggressively and cooperatively with our federal and state partners to take significant action in order to protect human health and the environment. In 2019, EPA issued the first-ever *PFAS Action Plan*—a historic step in our nation's efforts to address PFAS in the environment. The *PFAS Action Plan* represented a number of important firsts for the Agency. It was the first time EPA has used all of its program offices to address an emerging class of chemicals of concern. It was also the first time the Agency put together a multi-media, multi-program national research, management, and risk communication plan to respond to a challenge like PFAS. By prioritizing work on the *PFAS Action Plan*, EPA is delivering on President Trump's commitment to protect the health and well-being of communities across the country that are dealing with PFAS issues.

For close to two years, EPA has built on the momentum the *PFAS Action Plan* put in motion, and the Agency's efforts have been nothing short of unprecedented. The Agency has made progress in all program areas—from groundwater cleanup guidance, to new test methods that are helping to move research efforts forward, to updates to the Toxics Release Inventory, to progress on carrying out the Safe Drinking Water Act (SDWA) regulatory processes. These actions reflect the execution of the comprehensive and coordinated approach we outlined in the *PFAS Action Plan*.

Additionally, since the release of the *PFAS Action Plan*, the Agency has worked extensively to ensure it is accurately and effectively communicating this progress to Congress and the public. Key progress and accomplishments include:

- Technical Assistance and Support: Just as important as the progress on PFAS at the federal level are EPA efforts to form partnerships with states, tribes, and local communities across the country. EPA has provided assistance to more than 30 states to help address PFAS, and the Agency is continuing to build on this support. EPA has responded to requests for assistance from more than a dozen state and territorial governments by screening for PFAS at high priority sites and training local health agencies to test for PFAS on their own. EPA is also providing cleanup assistance to more than 30 states and the District of Columbia to address PFAS at contaminated groundwater and soil sites.

- Funding: As a leader in the nation's efforts to address PFAS in the environment, EPA recognizes that providing funding to external organizations is a critical component to successfully addressing these chemicals. Under this Administration, EPA's Office of Research and Development has awarded over $15 million through dozens of grants for PFAS research, including efforts to improve understanding of human and ecological exposure to PFAS, to assess and manage environmental risks posed by PFAS wastes, and to conduct research on PFAS in agriculture. States may also use capitalization grant funds from EPA to address PFAS under the Drinking Water State Revolving Fund.

- Risk Communications and Community Engagement: Risk communication and engagement are critical for EPA to effectively support communities across the United States that are

ED_013012_00002079-00036

addressing PFAS. As outlined in the *PFAS Action Plan*, EPA is actively working to enhance the way in which the Agency communicates about potential human health risks that may be associated with PFAS. EPA is working collaboratively to develop a risk communication toolbox that includes multimedia materials and messaging for federal, state, tribal, and local partners to use with the public. In 2020, EPA developed and launched a premier, scientifically-grounded risk communication training platform and trained over 100 EPA employees, including a training session focused specifically on PFAS issues. The 17.5 hour course covers governing principles from the science or risk communication, the science of science communication, and the process for risk communication at EPA.

- Research: EPA's goal under the *PFAS Action Plan* has been to develop and apply scientific information and tools to enable federal, state, local, and tribal governments to work together to make informed decisions to protect public health and the environment. Under the *PFAS Action Plan*, EPA has taken steps to prioritize PFAS research, including research to develop additional analytical methods, to evaluate toxicity and health effects, and to understand impacts to rural and agricultural communities. EPA continues to compile and assess human and ecological toxicity information on PFAS to support risk management decisions. The Agency is also validating analytical methods for surface water, groundwater, wastewater, soils, sediments and biosolids; developing new methods to test for PFAS in air and emissions; and improving laboratory methods to discover unknown PFAS. EPA is also developing exposure models to understand how PFAS moves through the environment to impact people and ecosystems. EPA is working to develop tools to assist officials with the cleanup of contaminated sites, and in July 2020, EPA added new treatment information for removing PFAS from drinking water. The full extent of EPA's research supporting the *PFAS Action Plan* and various program initiatives can be found at https://www.epa.gov/chemical-research/research-and-polyfluoroalkyl-substances-pfas.

- Environmental Cleanup: EPA has made considerable progress under the *PFAS Action Plan* as it relates to cleanups. In December 2019, EPA issued the Interim Recommendations for Addressing Groundwater Contaminated with PFOA and PFOS under federal cleanup programs, a priority action under the *PFAS Action Plan*. EPA also continues working on the proposed rule to designate PFOA and PFOS as hazardous substances under CERCLA, while developing analytical methods for environmental media and conducting treatment and disposal research. In July 2020, EPA submitted the Interim Guidance on the Destruction and Disposal of PFAS and Materials Containing PFAS to Office of Management and Budget (OMB) for interagency review. The guidance would provide information on technologies that may be feasible and appropriate for the destruction or disposal of PFAS and PFAS-containing materials and identify ongoing research and development activities related to destruction and disposal technologies.

- Drinking Water: EPA is following through on its commitment to evaluate and address PFAS in drinking water. The Agency's work includes efforts to expand drinking water test methods, to work under SDWA to propose maximum contaminate levels to regulate PFOA and PFOS, to produce new toxicity assessments, and to continue monitoring for PFAS.

- Monitoring: In July 2020, EPA transmitted the Unregulated Contaminant Monitoring Rule 5 (UCMR 5) proposal to OMB for interagency review. EPA anticipates proposing nationwide drinking water monitoring for PFAS that uses new methods that can detect PFAS at lower concentrations than previously possible.

ED_013012_00002079-00037

- Chemical Review and Disclosure: EPA has taken significant actions under the Toxics Release Inventory (TRI) and the Toxic Substances Control Act (TSCA) programs. Since releasing the *PFAS Action Plan*, the Agency has taken steps to update the TRI to include PFAS and to finalize a Significant New Use Rule (SNUR) for PFAS chemicals. In June 2020, EPA issued a final regulation that added a list of 172 PFAS chemicals to Toxics Release Inventory reporting. That same month, EPA issued a final regulation that can stop products containing certain PFAS reentering the marketplace without EPA's explicit permission.

- Enforcement: EPA continues to use enforcement tools, when appropriate, to address PFAS exposure in the environment and assist states in enforcement activities. EPA has already taken actions to address PFAS, including issuing SDWA orders and providing support to states. To date, across the nation, EPA has addressed PFAS in 15 cases using a variety of enforcement tools under SDWA, TSCA, RCRA, and CERCLA (where appropriate), and will continue to do so to protect public health and the environment.

Again, I want to thank you and your team for the efforts GAO has taken to understand the Agency's extensive work to address PFAS. EPA continues to aggressively implement the *PFAS Action Plan*—the most comprehensive cross-Agency plan ever to address an emerging chemical of concern. This first-of-its-kind plan and the progress that has been made under the *PFAS Action Plan* demonstrate the Agency's leadership role at the national level to address this emerging environmental concern.

If you have any questions, please contact Travis Voyles in the Office of Congressional and Intergovernmental Relations at (202) 564-6399 or voyles.travis@epa.gov.

Sincerely,

Andrew R. Wheeler

Enclosure: Technical Comments

ED_013012_00002079-00038

Appendix IV: GAO Contacts and Staff Acknowledgments

GAO Contact

J. Alfredo Gómez, (202) 512-3841 or gomezj@gao.gov.

Staff Acknowledgments

In addition to the individual named above, Diane Raynes (Assistant Director), Tanya Doriss (Analyst-in-Charge), Lauren Anderson, Antoinette C. Capaccio, John W. Delicath, Cindy K. Gilbert, Richard P. Johnson, and Dan C. Royer made key contributions to this report.

ED_013012_00002079-00039

GAO's Mission

The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

Obtaining Copies of GAO Reports and Testimony

The fastest and easiest way to obtain copies of GAO documents at no cost is through our website. Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. You can also subscribe to GAO's email updates to receive notification of newly posted products.

Order by Phone

The price of each GAO publication reflects GAO's actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO's website, https://www.gao.gov/ordering.htm.

Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537.

Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.

Connect with GAO

Connect with GAO on Facebook, Flickr, Twitter, and YouTube.
Subscribe to our RSS Feeds or Email Updates. Listen to our Podcasts.
Visit GAO on the web at https://www.gao.gov.

To Report Fraud, Waste, and Abuse in Federal Programs

Contact FraudNet:

Website: https://www.gao.gov/fraudnet/fraudnet.htm

Automated answering system: (800) 424-5454 or (202) 512-7700

Congressional Relations

Orice Williams Brown, Managing Director, WilliamsO@gao.gov, (202) 512-4400, U.S. Government Accountability Office, 441 G Street NW, Room 7125, Washington, DC 20548

Public Affairs

Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800
U.S. Government Accountability Office, 441 G Street NW, Room 7149
Washington, DC 20548

Strategic Planning and External Liaison

Stephen J. Sanford, Acting Managing Director, spel@gao.gov, (202) 512-4707
U.S. Government Accountability Office, 441 G Street NW, Room 7814,
Washington, DC 20548

Please Print on Recycled Paper.

GAO@100

Highlights

Highlights of GAO-21-37, a report to congressional requesters

January 2021

MAN-MADE CHEMICALS AND POTENTIAL HEALTH RISKS

EPA Has Completed Some Regulatory-Related Actions for PFAS

Why GAO Did This Study

Beginning in the 1940s, scientists developed a class of heat- and stain-resistant chemicals—PFAS—that are used in a wide range of products, including nonstick cookware, waterproof clothing, and some firefighting foams. PFAS can persist in the environment for decades or longer. The Centers for Disease Control and Prevention has found that most people in the U.S. have been exposed to two of the most widely studied PFAS, likely from consuming contaminated water or food. According to EPA, there is evidence that continued exposure above certain levels to some PFAS may lead to adverse health effects. In February 2019, EPA issued its *PFAS Action Plan*, which outlined 23 planned actions to better understand PFAS and reduce their risks to the public.

GAO was asked to examine the status of regulatory-related actions in EPA's plan. For six regulatory-related actions GAO selected in EPA's *PFAS Action Plan*, this report examines (1) the number of actions that are complete and the steps EPA took to complete them and (2) the number of actions that are ongoing and EPA's progress toward completing them. GAO first identified those actions in the *PFAS Action Plan* that may lead to the issuance of federal regulations or could affect compliance with existing regulations. GAO then assessed the status of the actions by reviewing EPA documents and examining EPA's response to related FY20 NDAA requirements.

View GAO-21-37. For more information, contact J. Alfredo Gómez at (202) 512-3841 or gomezj@gao.gov.

What GAO Found

The Environmental Protection Agency (EPA) has completed three of six selected regulatory-related actions for addressing per- and polyfluoroalkyl substances (PFAS) outlined in EPA's *PFAS Action Plan*. (See fig.) For two of the three completed actions, the steps EPA took were also in response to the National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA):

- After proposing a supplemental significant new use rule in February 2020, EPA met a June 2020 deadline set in the FY20 NDAA when the EPA Administrator signed the final rule. Among other things, under the final rule, articles containing certain PFAS as a surface coating, and carpet containing certain PFAS, can no longer be imported into the U.S. without EPA review.
- EPA incorporated 172 PFAS into the Toxics Release Inventory in June 2020. The FY20 NDAA directed EPA to take this action, extending EPA's original planned action to explore data for listing PFAS chemicals to the inventory.

Finally, in March 2020, EPA completed a third regulatory-related action, not required under the FY20 NDAA, when the agency proposed a preliminary drinking water regulatory determination for two PFAS—an initial step toward regulating these chemicals in drinking water.

Status of Six Selected Regulatory-Related Actions in the Environmental Protection Agency's (EPA) *Per- and Polyfluoroalkyl Substances (PFAS) Action Plan*

Planned action	Status
Propose a supplemental significant new use rule.	Complete
Explore data for listing PFAS chemicals to the Toxics Release Inventory.	Complete
Propose a drinking water regulatory determination.	Complete
Monitor PFAS in drinking water.	Ongoing
Explore industrial sources of PFAS that may warrant potential regulation.	Ongoing
Continue the regulatory process for a hazardous substances designation.	Ongoing

Source: GAO analysis of EPA's 2019 *PFAS Action Plan*. | GAO-21-37

Three of the six selected regulatory-related actions are ongoing, and EPA's progress on these actions varies. For example:

- As of August 2020, EPA was developing a proposed rulemaking for a nationwide drinking water monitoring rule that includes PFAS, which EPA officials said the agency intends to finalize by December 2021.
- EPA planned to continue the regulatory process for designating two PFAS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act, would allow the agency to require responsible parties to conduct or pay for cleanup. On January 14, 2021, EPA issued an advance notice of proposed rulemaking for the hazardous substances designation to get public comment and data to inform the agency's ongoing evaluation of the two PFAS.

ED_013012_00002080-00001

Message

From: Lewis, Holly (Boozman) [Holly_Lewis@boozman.senate.gov]
Sent: 2/24/2021 7:42:13 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

We have found a phone call works best given the uncertainty of the Senate schedule. I am happy to send a conference line if needed.

Holly Lewis
Director of Scheduling
Senator John Boozman
141 Hart Senate Office Building
Washington, DC 20510
Phone: 202-224-4843

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Wednesday, February 24, 2021 at 12:16 PM
To: Holly Lewis <Holly_Lewis@boozman.senate.gov>, "Carlile, Amy L" <acarlile@iu.edu>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Holly and Amy - thank you!

We'll go with 10:30am tomorrow (2/25). Radha Adhar and I will join Janet McCabe. Would you please share who will join the Senator?
I can send a Teams link for this virtual meeting. If you prefer Zoom, would you mind sending a link?

Thank you,

Karen.
202 564 1142

From: Lewis, Holly (Boozman) <Holly_Lewis@boozman.senate.gov>
Sent: Wednesday, February 24, 2021 12:07 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you so much for following up with me. Let's do 10:30 am EST tomorrow, February 25th. Work for you?

Holly Lewis
Director of Scheduling
Senator John Boozman
141 Hart Senate Office Building
Washington, DC 20510
Phone: 202-224-4843

From: "Carlile, Amy L" <acarlile@iu.edu>
Date: Wednesday, February 24, 2021 at 11:11 AM
To: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>, Holly Lewis <Holly_Lewis@boozman.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Holly,

Janet is available to meet with Senator Boozman from 10am to 12:00pm, except for a 15-minute window from 10:00am-10:15am. Janet can also meet from 2pm-3pm on Thursday.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Thundiyil, Karen [mailto:Thundiyil.Karen@epa.gov]
Sent: Wednesday, February 24, 2021 10:59 AM
To: Lewis, Holly (Boozman) <Holly_Lewis@boozman.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: [External] RE: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Holly – thank you for your message. I know she has a 12noon meeting, but I think she could be available other times around mid-day tomorrow. What time are you thinking?
Karen.

From: Lewis, Holly (Boozman) <Holly_Lewis@boozman.senate.gov>
Sent: Wednesday, February 24, 2021 10:53 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: Re: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

I am so sorry for the delay. The Senator has time available mid-day tomorrow. Would that work on your end?

Holly

Holly Lewis
Director of Scheduling
Senator John Boozman
141 Hart Senate Office Building
Washington, DC 20510
Phone: 202-224-4843

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Friday, February 19, 2021 at 3:50 PM
To: Holly Lewis <Holly_Lewis@boozman.senate.gov>
Subject: RE: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Holly – Just reaching out to see if there's anything you might need to help make this request happen. Please let me know at your earliest convenience.
Thank you,

Karen.
202 564 1142

From: Thundiyil, Karen
Sent: Tuesday, February 16, 2021 6:07 PM
To: holly_lewis@boozman.senate.gov
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Holly,

I hope you are doing well. I'm reaching out to find time on Senator Boozman's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Rodman, Ellen (Stabenow) [Ellen_Rodman@stabenow.senate.gov]
Sent: 2/24/2021 9:05:39 PM
To: Stanski, Anne (Stabenow) [Anne_Stanski@stabenow.senate.gov]; Carlile, Amy L [acarlile@iu.edu]
CC: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Below is a link we can use Monday afternoon.

Ellen Rodman is inviting you to a scheduled ZoomGov meeting.

Topic: McCabe/Stabenow Meeting
Time: Mar 1, 2021 02:00 PM Eastern Time (US and Canada)

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile
Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number: Ex. 6 Personal Privacy (PP)

Join by SIP
Ex. 6 Personal Privacy (PP)

Join by H.323
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

From: Stanski, Anne (Stabenow) <Anne_Stanski@stabenow.senate.gov>
Sent: Tuesday, February 23, 2021 6:26 PM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Rodman, Ellen (Stabenow) <Ellen_Rodman@stabenow.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Perfect! Thanks so much!

Sent from my iPhone

On Feb 23, 2021, at 5:51 PM, Carlile, Amy L <acarlile@iu.edu> wrote:

Janet is free to meet with Senator Stabenow on March 1st @2

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Thundiyil, Karen [mailto:Thundiyil.Karen@epa.gov]
Sent: Tuesday, February 23, 2021 5:46 PM
To: Stanski, Anne (Stabenow) <Anne_Stanski@stabenow.senate.gov>
Cc: Rodman, Ellen (Stabenow) <Ellen_Rodman@stabenow.senate.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: [External] RE: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Anne – Thanks for finding a time. I believe March 1st at 2pm will work. I'm looping in Amy, who can confirm.

Would you please share who will join Sen Stabenow? Radha Adhar and I will join Janet McCabe. Would you mind sharing a Zoom link? Otherwise, I can share a Teams link if that works for your office.

All best,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Stanski, Anne (Stabenow) <Anne_Stanski@stabenow.senate.gov>
Sent: Tuesday, February 23, 2021 5:36 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Rodman, Ellen (Stabenow) <Ellen_Rodman@stabenow.senate.gov>
Subject: RE: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen –

Thanks for your patience. Could we look at Monday, March 1st for a virtual meeting between Sen. Stabenow and Ms. McCabe? 2:00 pm or 2:15 pm would work well. Please let me know if this could work for her schedule.

Thanks so much!

Anne

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Stanski, Anne (Stabenow) <Anne_Stanski@stabenow.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Stabenow - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Anne,

I hope you are doing well. I'm reaching out to find time on Senator Stabenow's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit her schedule? We are happy to work around Senator Stabenow's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Suarez Del Real, Karissa (Durbin) [Karissa_SuarezDelReal@durbin.senate.gov]
Sent: 2/24/2021 9:16:18 PM
To: Moody, Christina [Moody.Christina@epa.gov]; Clark, Catherine (Durbin) [Catherine_Clark@durbin.senate.gov]; Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]; Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Duque, Clarisol (Durbin) [Clarisol_Duque@durbin.senate.gov]; Bales, Greg (Durbin) [Greg_Bales@durbin.senate.gov]
Subject: RE: Setting up a call - RMG/General Iron

Thank you, Christina! I received it. Can you confirm if the call is 10am CT or 10am ET?

From: Moody, Christina <Moody.Christina@epa.gov>
Sent: Wednesday, February 24, 2021 2:44 PM
To: Clark, Catherine (Durbin) <Catherine_Clark@durbin.senate.gov>; Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>; Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Duque, Clarisol (Durbin) <Clarisol_Duque@durbin.senate.gov>; Suarez Del Real, Karissa (Durbin) <Karissa_SuarezDelReal@durbin.senate.gov>; Bales, Greg (Durbin) <Greg_Bales@durbin.senate.gov>
Subject: RE: Setting up a call - RMG/General Iron

Sure – hold tight…..and please confirm receipt of the invitation. I don't want to wait until the last minute if there are technical issues and we may have to switch to another platform.

Thanks!

Christina J. Moody
United States Environmental Protection Agency
Appropriations|CrossCutting|Multi-Programmatic Initiatives
OCIR|Office of Congressional Affairs|Office of the Administrator
1200 Pennsylvania Avenue NW|Washington,DC 20460|MC-1301A
Moody.Christina@epa.gov

From: Clark, Catherine (Durbin) <Catherine_Clark@durbin.senate.gov>
Sent: Wednesday, February 24, 2021 2:30 PM
To: Moody, Christina <Moody.Christina@epa.gov>; Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>; Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Duque, Clarisol (Durbin) <Clarisol_Duque@durbin.senate.gov>; Suarez Del Real, Karissa (Durbin) <Karissa_SuarezDelReal@durbin.senate.gov>; Bales, Greg (Durbin) <Greg_Bales@durbin.senate.gov>
Subject: RE: Setting up a call - RMG/General Iron

Hi Christina,

Would you be able to send the invitation to the others on this email (myself included ☺)?

Thank you!

Catherine Clark (she/her)

From: Moody, Christina <Moody.Christina@epa.gov>
Sent: Wednesday, February 24, 2021 2:27 PM
To: Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>; Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Clark, Catherine (Durbin) <Catherine_Clark@durbin.senate.gov>; Duque, Clarisol (Durbin) <Clarisol_Duque@durbin.senate.gov>; Suarez Del Real, Karissa (Durbin) <Karissa_SuarezDelReal@durbin.senate.gov>; Bales, Greg (Durbin) <Greg_Bales@durbin.senate.gov>
Subject: RE: Setting up a call - RMG/General Iron

Hi Gina,

The call is still on. Please confirm you received the meeting invitation.

Thanks!

Christina J. Moody
United States Environmental Protection Agency
Appropriations|CrossCutting|Multi-Programmatic Initiatives
OCIR|Office of Congressional Affairs|Office of the Administrator
1200 Pennsylvania Avenue NW|Washington,DC 20460|MC-1301A
Moody.Christina@epa.gov

From: Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>
Sent: Wednesday, February 24, 2021 2:19 PM
To: Moody, Christina <Moody.Christina@epa.gov>; Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Clark, Catherine (Durbin) <Catherine_Clark@durbin.senate.gov>; Duque, Clarisol (Durbin) <Clarisol_Duque@durbin.senate.gov>; Suarez Del Real, Karissa (Durbin) <Karissa_SuarezDelReal@durbin.senate.gov>; Bales, Greg (Durbin) <Greg_Bales@durbin.senate.gov>
Subject: RE: Setting up a call - RMG/General Iron

Hi Christina:
Just checking to see this is still on and looping in some other colleagues in our office who may want to join.
Thanks!

Gina Mazzuca | *Legislative Assistant*
Tel: 202.224.2152

From: Moody, Christina <Moody.Christina@epa.gov>
Sent: Monday, February 22, 2021 1:07 PM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Setting up a call - RMG/General Iron

Lizzy/Gina:

I recently sent you both a Teams meeting invitation to discuss the EPA investigatory process related to RMG/General Iron. Do you all have MS Teams as a resource to use for meetings?

Please let me know. Thanks!

Christina J. Moody
United States Environmental Protection Agency
Appropriations|CrossCutting|Multi-Programmatic Initiatives
OCIR|Office of Congressional Affairs|Office of the Administrator
1200 Pennsylvania Avenue NW|Washington,DC 20460|MC-1301A
Moody.Christina@epa.gov

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 11:11 AM
To: Moody, Christina <Moody.Christina@epa.gov>
Subject: Staff

Olsen, Lizzy (Duckworth) Lizzy_Olsen@duckworth.senate.gov
Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>

Message

From: Woytcke, Holly [Holly.Woytcke@mail.house.gov]
Sent: 2/24/2021 10:15:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Simpson, Shayla [Shayla.Simpson@mail.house.gov]
Subject: RE: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

10am would be perfect. I've also looped in my District counterpart Shayla. We look forward to connecting with you on Friday!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 5:02 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>; Martin, Andrea <andrea.martin@mail.house.gov>
Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Yes ma'am, that would be wonderful. Can you please let me know when is best for you Friday and I"ll add something to our calendars?

From: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Sent: Wednesday, February 24, 2021 5:01 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Martin, Andrea <andrea.martin@mail.house.gov>
Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Hi Radha,

Absolutely, my number is Ex. 6 Personal Privacy (PP) March 3rd is the Dem Caucus 2021 Issues Conference, which is expected to start around 9am. I have a briefing tomorrow afternoon regarding the logistics of the conference, which will help give me a better picture of how to incorporate/plan for the hearing. Would you be free to connect Friday morning?

Omair's email is: Omair.Mirza@mail.house.gov

Have a wonderful afternoon!

Holly
Office of Congressman André Carson (IN-07)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 4:22 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>; Martin, Andrea <andrea.martin@mail.house.gov>
Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Hey y'all,

Thank you for your assistance getting this meeting on the books. We are so grateful for Congressman Carson's willingness to introduce Janet. Holly, would it be possible for me to give you a ring to discuss the logistics of the hearing? It is scheduled for March 3rd at 10:00am. If you can also copy your colleague Omair's email, I would be grateful. He passed his email to us and I failed to grab it before our zoom ended!

Thanks again,
Radha

Ex. 6 Personal Privacy (PP)

From: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Sent: Wednesday, February 24, 2021 12:35 PM
To: Martin, Andrea <andrea.martin@mail.house.gov>
Cc: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: Re: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Good Afternoon, Karen:

Thank you for contacting the office of Congressman Carson. Please accept this email as confirmation that your request has been received. Shayla, my District counterpart, and I will follow up with you regarding the Congressman's availabilities tomorrow. Thank you!

Holly Woytcke
Executive Assistant
Congressman André Carson (IN-07)

On Feb 24, 2021, at 12:19 PM, Martin, Andrea <andrea.martin@mail.house.gov> wrote:

Thank you! That's exactly what we needed to do our juggling. Please stand by 😊

Andrea D. Martin
Legislative Director & Counsel
Rep. André Carson (IN-07)
www.carson.house.gov
Sent from my MacBook Pro

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Wednesday, February 24, 2021 at 12:13 PM
To: "Martin, Andrea" <andrea.martin@mail.house.gov>, Holly Woytcke <Holly.Woytcke@mail.house.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Hi Andrea,

Thank you for responding while in the midst of a hearing. It is much appreciated!

There is a bit of urgency, but tomorrow could work. We wanted to make sure Rep Carson was fully aware of Janet McCabe's nomination. We also wanted to ask Rep Carson to introduce Janet McCabe at

her nomination hearing in front of Senate Environment & Public Works. Janet actually wanted to ask the Congressman herself (hopefully she won't be annoyed that I'm sharing!). Given that the hearing is next Wednesday (3/3), we wanted to get this on your radar sooner rather than later.

Please share any thoughts you have. Email or phone (202 564 1142) as you prefer.

Thanks again,

Karen.

From: Martin, Andrea <andrea.martin@mail.house.gov>
Sent: Wednesday, February 24, 2021 11:56 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Hi Karen,
Thanks for your voicemail message. But we're in a hearing now so this email is appreciated. I'll defer to Holly for the congressman's schedule, but please be aware that votes in the House will start around 1 pm and last for a while....
Is there an urgency for the conversation to happen today instead of tomorrow or later this week?
Thanks again,
Andrea

Andrea D. Martin
Legislative Director & Counsel
Rep. André Carson (IN-07)
www.carson.house.gov
Sent from my MacBook Pro

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Wednesday, February 24, 2021 at 11:45 AM
To: Holly Woytcke <Holly.Woytcke@mail.house.gov>, "Martin, Andrea" <andrea.martin@mail.house.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: Meeting with EPA Deputy Administrator nominee, Janet McCabe this afternoon

Hi Holly & Andrea,

I just left a vmail about connecting Rep Carson with fellow Hoosier and US EPA Deputy Administrator nominee, Janet McCabe. We would appreciate the chance for them to connect virtually sometime this afternoon. Janet is available from 2 to 4 this afternoon, or as early as 1pm if that works better for Rep Carson. Could something in that timeframe work?

Please let us know at your earliest convenience. I'm happy to share more. Please call or let me know a good time to reach out.

Looking forward,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Appointment

From: Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
Sent: 2/24/2021 10:41:00 PM
To: Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]; Burton, Larry (Sullivan) [Larry_Burton@sullivan.senate.gov]; Elam, Erik (Sullivan) [Erik_Elam@sullivan.senate.gov]; Gamble, Marcus (Sullivan) [Marcus_Gamble@sullivan.senate.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu
CC: McCabe, Janet G [jgmccabe@iu.edu]

Subject: Senator Sullivan to meet with Ms. McCabe, nominee to be Deputy Administrator of the EPA
Location: WEBEX

Start: 3/2/2021 9:30:00 PM
End: 3/2/2021 10:00:00 PM
Show Time As: Tentative

Recurrence: (none)

-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

Join meeting

More ways to join:

Join from the meeting link
Ex. 6 Personal Privacy (PP)

Join by meeting number
Meeting number (access code): Ex. 6 Personal Privacy (PP)
Meeting password: Ex. 6 Personal Privacy (PP)

Tap to join from a mobile device (attendees only)
Ex. 6 Personal Privacy (PP)

Join by phone
Ex. 6 Personal Privacy (PP)
Global call-in numbers

If you are a host, click here to view host information.

Need help? Go to https://help.webex.com

Message

From: Brown, Joe (Boozman) [Joe_Brown@boozman.senate.gov]
Sent: 2/25/2021 12:24:36 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Fwd: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Radha- so sorry I'm just getting back to you. I've been in back to back meetings since noon.

I didn't get the opportunity to brief Senator Boozman about the call. However, I assume he will be asking Ms. McCabe questions related to WOTUS, streamlining and programs such as WIFIA and SRF WIN. I'll be in the office early tomorrow, happy to hop on the phone whenever!

Begin forwarded message:

> **From:** "Lewis, Holly (Boozman)" <Holly_Lewis@boozman.senate.gov>
> **Date:** February 24, 2021 at 2:41:44 PM EST
> **To:** "Adhar, Radha" <Adhar.Radha@epa.gov>, "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>, "Carlile, Amy L" <acarlile@iu.edu>
> **Cc:** "Brown, Joe (Boozman)" <Joe_Brown@boozman.senate.gov>, "Kelley, Andrew (Boozman)" <Andrew_Kelley@boozman.senate.gov>
> **Subject: Re: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting**
>
> Happy to do so. Joe is copied on this e-mail.
>
> **Holly Lewis**
> Director of Scheduling
> Senator John Boozman
> 141 Hart Senate Office Building
> Washington, DC 20510
> Phone: 202-224-4843
>
> ---
>
> **From:** "Adhar, Radha" <Adhar.Radha@epa.gov>
> **Date:** Wednesday, February 24, 2021 at 12:49 PM
> **To:** "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>, Holly Lewis <Holly_Lewis@boozman.senate.gov>, "Carlile, Amy L" <acarlile@iu.edu>
> **Subject:** RE: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting
>
> Great news! Holly, do you mind connecting us with Joe in your office? Would love to connect before the boss's chat.
>
> ---
>
> **From:** Thundiyil, Karen <Thundiyil.Karen@epa.gov>
> **Sent:** Wednesday, February 24, 2021 12:16 PM
> **To:** Lewis, Holly (Boozman) <Holly_Lewis@boozman.senate.gov>; Carlile, Amy L <acarlile@iu.edu>
> **Cc:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** RE: Scheduling Senator Boozman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Holly and Amy - thank you!

We'll go with 10:30am tomorrow (2/25). Radha Adhar and I will join Janet McCabe. Would you please share who will join the Senator?
I can send a Teams link for this virtual meeting. If you prefer Zoom, would you mind sending a link?

Thank you,

Karen.
202 564 1142

Appointment

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 2/25/2021 1:56:46 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/Schumer touch base
Location: Microsoft Teams Meeting

Start: 3/2/2021 5:00:00 PM
End: 3/2/2021 5:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 2/25/2021 3:06:28 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Wanted to send this

Okay. If it's not ready in the next day or so, we can probably use 2020 numbers.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:03 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Wanted to send this

Its still being updated!

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Wednesday, February 24, 2021 10:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Wanted to send this

The article is interesting. I think I may have read this. And, we can use this to describe staffing shortfalls and agency deficiencies, but...

Based on what you describe, it's hard to make the employee attrition was because of low morale. It sounds more like budgeting issues and OMB policies.

Do you have the viewpoint survey information?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 9:53 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Wanted to send this

Gonna do some more over the weekend sorry I have been slow on what we discussed!

2017 – First pay period of calendar year: 15,126 onboarded employees
2021 – First pay period of calendar year: 14,310 onboarded employees

For a little more context – Shortly after the start of Trump's term, EPA was hit hard by a government-wide hiring freeze and then the agency had limited hiring when the freeze was lifted. The Agency experienced a low point in 2019 of 13,730 on-board staff.

And here is a helpful story about the morale issues that a Dem may ask about:
https://www.buzzfeednews.com/article/zahrahirji/epa-morale-trump-biden

Message

From: Womble, Jeanine [Jeanine.Womble@mail.house.gov]
Sent: 2/25/2021 1:42:11 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Connecting you

No worries! Happens to me all the time. Let's push to next week. How does Monday look for you?

Sent from my iPhone

> On Feb 25, 2021, at 8:34 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hi Jeanine,
>
> I apologize, but would you mind if we moved our meeting? Please let me know when is best for you and sorry again for the inconvenience.
>
> Best,
> Radha
>
> -----Original Message-----
> From: Womble, Jeanine <Jeanine.Womble@mail.house.gov>
> Sent: Monday, February 22, 2021 12:55 PM
> To: Adhar, Radha <Adhar.Radha@epa.gov>
> Subject: RE: Connecting you
>
> I think 1030 will work. I will be coming out of a classified meeting and will have to call you from my car, but I have Bluetooth so it will work. What number shall I call?
>
> -----Original Message-----
> From: Adhar, Radha <Adhar.Radha@epa.gov>
> Sent: Monday, February 22, 2021 12:51 PM
> To: Womble, Jeanine <Jeanine.Womble@mail.house.gov>
> Subject: RE: Connecting you
>
> That would be great. Does 10:30 Thursday work for you?
>
> -----Original Message-----
> From: Womble, Jeanine <Jeanine.Womble@mail.house.gov>
> Sent: Monday, February 22, 2021 12:49 PM
> To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
> Subject: RE: Connecting you
>
> Thanks, Jackie!
>
> Radha, Great to virtually meet you. My members are very engaged on PFAS issues. Would be great to touch base sometime soon by phone if you have time.
>
> Jeanine
>
> -----Original Message-----
> From: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
> Sent: Monday, February 22, 2021 12:21 PM
> To: Adhar.Radha@epa.gov; Womble, Jeanine <Jeanine.Womble@mail.house.gov>
> Subject: Connecting you
>
> Radha, meet Jeanine, who handles all things PFAS for HASC. Jeanine, Radha is the person to know at EPA.
>
> Sent from my iPhone

Message

From: Robertson, Ann (Murkowski) [Ann_Robertson@murkowski.senate.gov]
Sent: 2/25/2021 2:46:43 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]
Subject: RE: Sharing thank you letter

Hey Radha, we will get this printed and in front of the Senator. Many thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 9:45 AM
To: Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: Sharing thank you letter

Hi Ann and Annie,

I hope all is well with you both. I wanted to ask for your help- do you mind passing along the attached thank you note on behalf of Janet to Senator Murkowski?

Thank you in advance,
Radha

Message

From: Brody, Perry [Perry.Brody@mail.house.gov]
Sent: 2/25/2021 3:39:40 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Lower Laguna Madre Estuary

Radha – Congrats on your new position!

Congressman Vela asked me to reach out to touch base on an issue we are working on to secure a NEP designation for the Lower Laguna Madre Estuary. We were pleased that HR 4044 was passed and signed into law by the end of the year, and we are now trying to figure out what are the next steps. Do y'all need to come up with a new process? Does process still start with a letter from the governor?

Thanks in advance for your help!

Ms. Perry Finney Brody
Chief Counsel
Office of Rep. Filemon Vela
307 Cannon Building
(202) 225-9901 Office
(202) 225-4340 Cell

Sign up for Rep. Vela's e-newsletter here.

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the U.S. Congress, which may be privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is strictly prohibited. If you receive this communication in error, please notify us immediately at our e-mail, telephone or address listed above.

Message

From: Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Sent: 2/25/2021 3:48:37 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Thank you note and follow up

Thanks Radha. I'll be sure to share this with the Senator.

We are tracking that request and will be in touch on it shortly.

PG

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 9:36 AM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: Thank you note and follow up

Hi Payne,

Thanks to you and your boss for taking the time to chat with Janet. She wrote the attached thank you note for Senator Braun. Do you mind sharing it with him? Also, do you mind letting me know who I can follow up (I think its you!) regarding our request that Senator Braun introduce Janet? She would be honored and we would all be grateful.

Looking forward to hearing from you.

Radha

Message

From: Brown, Joe (Boozman) [Joe_Brown@boozman.senate.gov]
Sent: 2/25/2021 5:54:42 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Thank you note

Not a problem!

Joe Brown
Legislative Assistant
Office of U.S. Senator John Boozman
141 Hart Senate Office Building
Washington, D.C. 20510
Office 202.224.4843

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Thursday, February 25, 2021 at 12:54 PM
To: "Brown, Joe (Boozman)" <Joe_Brown@boozman.senate.gov>
Subject: Thank you note

Hey Joe,

Can you please share the note attached with Senator Boozman? Thanks for taking the time.

Radha

Message

From: Weisman, Matt [Matt.Weisman@mail.house.gov]
Sent: 2/25/2021 3:57:49 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Cooke, Corey [Corey.Cooke@mail.house.gov]; Hupman, Tara [Tara.Hupman@mail.house.gov]; Beaumont, Melissa [Melissa.Beaumont@mail.house.gov]; doug.pasternak@mail.house.gov; Dudley, Lauren [Lauren.Dudley@mail.house.gov]
Subject: Letter from House T&I Chair DeFazio re EO 13927
Attachments: 2021-02-25 - PAD Letter to EPA RE EO 13927 Records Request - FINAL.pdf; Attachment A - 117th Congress T&I Document Response Instructions.pdf; Attachment B - 2020-12-16 - PAD Letter RE EO 13927 EPA Records Request.pdf

Attached please find a letter form House Committee on Transportation and Infrastructure Committee Chair Peter DeFazio reinitiating his December 16, 2020 records request relating to President Trump's Executive Order 13927.

Matthew Weisman
Counsel
Committee on Transportation and Infrastructure
U.S. House of Representatives
matthew.weisman@mail.house.gov | 202-225-4472

Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman

Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member

Paul J. Sass
Republican Staff Director

February 25, 2021

Jane Nishida
Acting Administrator
Environmental Protection Administration (EPA)
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Acting Administrator Nishida:

I write to reiterate and renew for the 117th Congress the December 16, 2020, records request I sent to the U.S. Environmental Protection Agency (EPA) relating to President Trump's Executive Order 13927 on "Accelerating the Nation's Economic Recovery from the COVID-19 Emergency by Expediting Infrastructure Investments and Other Activities."[1] A response to this letter was due January 7, 2021. However, to date I have received no response to my original request letter.

On January 20, 2021, President Biden revoked this Executive Order.[2] However, this letter serves to reinitiate the original records request letter that the Committee sent to the EPA on December 16, 2020. For your convenience, a copy of that original request letter is attached to this letter and I expect the EPA to work diligently to respond to this request quickly and fully. Please also ensure that all the records requested in my December 16, 2020, letter includes searches of all responsive records up through the date of this new letter. In addition to responding to the original request letter please indicate the current status of all projects initiated as a result of President Trump's Executive Order 13927.

If you or your staff have any questions regarding these requests, please have your staff contact Lauren Dudley, Majority Staff Counsel of the House Committee on Transportation and Infrastructure at (202) 225-4472 or via e-mail at Lauren.Dudley@mail.house.gov.

---

[1] "Executive Order 13927 of June 4, 2020: Accelerating the Nation's Economic Recovery From the COVID–19 Emergency by Expediting Infrastructure Investments and Other Activities," *Federal Register*, Vol. 85, No. 111, June 9, 2020, accessed here: https://www.govinfo.gov/content/pkg/FR-2020-06-09/pdf/2020-12584.pdf

[2] "Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis," Section 7, January 20, 2021, accessed here: https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/

Thank you for your assistance.

Sincerely,

PETER A. DeFAZIO
Chair

Encl.:

Attachment A – Responding to House Committee on Transportation and Infrastructure Records requests in the 117th Congress

Attachment B – Chair DeFazio's December 16, 2020 letter to EPA Administrator Andrew Wheeler

cc: The Honorable Sam Graves, Ranking Member

Attachment A

Responding to House Committee on Transportation and Infrastructure Records Requests in the 117th Congress

Prepared by Majority Staff of the House Committee on Transportation and Infrastructure

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. No records, documents, data or information called for by this request shall be destroyed, modified, removed or otherwise altered or made inaccessible to the Committee.

2. Requested documents, data, records, etc. reasonably related to this request, shall not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.

3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.

4. The Committee's preference is to receive documents in electronic form (i.e. CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.

5. Documents produced in electronic format should be organized, identified, and indexed electronically.

6. Please produce documents in PDF and Concordance-format load files.

7. For PDFs, all PDF files must meet the following requirements:

    a. All PDFs must be unitized i.e. each PDF must represent a discreet document; a single PDF cannot contain multiple documents.
    b. All PDFs must contain embedded text to include all discernable words within the document, not selected text.
    c. The PDF file will be named as the Bates range, with all document text contained within.
    d. All PDFs must be term searchable.

8. Electronic document productions should be prepared according to the following standards:

    a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining fields and character lengths of the load file.

b. Document numbers in the load file should match document Bates numbers and TIF file names.
c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

Field Definitions – Email

Field	Comment/Description
BEGBATES	First Bates number of email
ENDBATES	Last Bates number of email
BEGATTACH	First Bates number of attachment range
ENDATTACH	Last Bates number of attachment range
PARENT_BATES	First Bates number of parent email
CHILD_BATES	First Bates number of "child" attachments; can be more than one Bates number listed
CUSTODIAN	Mailbox where the email was stored
FROM	Sender
TO	Recipient(s)
CC	Carbon copy recipient(s)
BCC	Blind carbon copy recipient(s)
SUBJECT	Subject of the email
DATE_SENT	Date the email was sent
TIME_SENT	Time the email was sent; must be a separate field and cannot be combined with the DATE-SENT field
HYPERLINK	Hyperlink to the email
FILE_EXTEN	The file extension of the email; will vary depending on the email format
AUTHOR	Empty for email
DATE_CREATED	Empty for email
TIME_CREATED	Empty for email
DATE_MOD	Empty for email
TIME_MOD	Empty for email
DATE_ACCESSD	Empty for email
TIME_ACCESSD	Empty for email
PRINTED_DATE	Empty for email
FILE_SIZE	Size of email in KB
INTFILEPATH	Folder location of email
MESSAGE ID	Unique identifier from the email system used to duplicate emails
CONVERSION ID	Identifier from the email system used to group and manage emails
CONVERSATION INDEX	Identifier from the email system used to group and manage emails
HASHVALUE	Value generated for deduplication
TEXT	Text of the email

Field Definitions – Attachment

Field	Comment/Description
BEGBATES	First Bates number of the attachment
ENDBATES	Last Bates number of the attachment
BEGATTACH	First Bates number of the attachment range
ENDATTACH	Last Bates number of the attachment range
PARENT_BATES	First Bates number of the parent email
CHILD_BATES	First bates number of "child" attachment(s); can be more than one bates number listed; depends on number of attachments
CUSTODIAN	Mailbox where the email was stored
FROM	Empty for attachment
TO	Empty for attachment
CC	Empty for attachment
BCC	Empty for attachment
SUBJECT	Empty for attachment
DATE_SENT	Empty for attachment
TIME_SENT	Empty for attachment
HYPERLINK	Hyperlink to the native attachment
FILE_EXTEN	The file extension will vary depending on the document type
AUTHOR	Attachment/native file metadata
DATE_CREATED	Attachment metadata
TIME_CREATED	Time the attachment was modified; must be separate field and cannot be combined with the DATE_CREATED field
DATE_MOD	Attachment metadata
TIME_MOD	Time the attachment was modified; must be a separate field and cannot be combined with the DATE_MOD field
DATE_ACCESSD	Attachment metadata
TIME_ACCESSD	Time the attachment was accessed; must be separate field and cannot be combined with the DATE_ACCESSD field
PRINTED_DATE	Attachment metadata
FILE_SIZE	Size of file in KB
INTFILEPATH	Path where attachment file was stored
HASHVALUE	Value generated for duplication
TEXT	Text of the attachment

Native Files

Field	Comment/Description
BEGBATES	First Bates number of native file
ENDBATES	Last Bates number of native file
CUSTODIAN	Individual from whom the documents originated
HYPERLINK	Hyperlink to native file
AUTHOR	
DATE_CREATED	

TIME_CREATED	Time the document was created; must be a separate field and cannot be combined with the DATE_CREATED field
DATE_MOD	
TIME_MOD	Time the document was modified; must be a separate field and cannot be combined with the DATE_MOD field
DATE_ACCESSD	
TIME_ACCESSD	Time the document was modified; must be separate field and cannot be combined with the DATE_ACCESSD field
PRINTED-DATE	
FILE_SIZE	Size of file in KB
PATH	Path where native file was stored
HASHVALUE	Value generated for duplication
TEXT	Text extracted from native file

9. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

10. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.

11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.

12. This request is continuing in nature and applies to any newly-discovered information. If the request letter indicates a specific time-period in which to search for certain records and that time-period includes the word "present," (i.e., January 1, 2000-to-present) than the term "present" shall refer to the date the records search is conducted and not the date the request letter was sent or received. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

13. All documents shall be Bates-stamped sequentially and produced sequentially.

14. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2165 Rayburn House Office Building and the Minority Staff in Room 2164 Rayburn House Office Building. However, Committee staff would prefer to receive document productions electronically. Committee staff will work with you to receive documents remotely via email or a secure, House-approved online system.

15. Upon completion of the production, submit a written certification signed by you, or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The terms "document," "data," and/or "record" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including but not limited to, the following: memoranda, reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matters, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation nota a part of original text is considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The term "any" means both any and all. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.

4. The term "including" shall be construed broadly to mean "including, but not limited to."

5. The term "concerning" means relating to, referring to, describing, evidencing, or constituting.

6. The term "Company" means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the names legal entity exercises control or in which the named entity has any ownership whatsoever.

7. The term "identify," when used in a question about individuals, means to provide the following information: (1) the individual's complete name and title; (b) the individual's business or personal address and phone number; and (c) any and all known aliases.

8. The term "related to" or "referring or relating to," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.

9. The term " employee" means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.

10. The term "individual" means all natural persons and all persons or entities acting on their behalf.

ED_013012_00002122-00006

Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman

Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member

Paul J. Sass
Republican Staff Director

December 16, 2020

The Honorable Andrew Wheeler
Administrator
Environmental Protection Administration (EPA)
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Administrator Wheeler:

On June 4, 2020, the President signed Executive Order 13927 on "Accelerating the Nation's Economic Recovery from the COVID-19 Emergency by Expediting Infrastructure Investments and Other Activities."[1] The Executive Order calls for agencies to "take all reasonable measures to speed infrastructure investments and to speed other actions in addition to such investments that will strengthen the economy…."[2] It also calls for each agency to generate a list of planned or potential actions they intend to take to expedite any relevant infrastructure or economic investments and to produce summary and status reports on these activities.[3]

In addition, Section 8 of the Executive Order, "Emergency Regulations and Nationwide Permits Under the Clean Water Act (CWA) and Other Statutes Administered by the Army Corps of Engineers," specifically references the EPA's role in helping to carry out any actions regarding Executive Order 13927.[4] "The Administrator of the EPA shall provide prompt cooperation to the Secretary of the Army and to agencies in connection with the discharge of the responsibilities described in this section," it says.[5]

---

[1] "Executive Order 13927 of June 4, 2020: Accelerating the Nation's Economic Recovery From the COVID–19 Emergency by Expediting Infrastructure Investments and Other Activities," *Federal Register*, Vol. 85, No. 111, June 9, 2020, accessed here: https://www.govinfo.gov/content/pkg/FR-2020-06-09/pdf/2020-12584.pdf
[2] Ibid.
[3] Ibid.
[4] Ibid.
[5] Ibid.

The House Committee on Transportation and Infrastructure has broad oversight authority and congressional jurisdiction over Federal transportation, water, marine, and other infrastructure related projects and programs.[6] The Committee's jurisdiction includes oversight of water quality and Clean Water Act-related infrastructure programs at the EPA as well as matters relating to water resources development, conservation and management, water pollution control and water infrastructure, and hazardous waste cleanup.[7] Executive Order 13927 directly impacts many of these areas. In order to assist the Committee in fulfilling its legitimate oversight authority, please provide the Committee with copies of:

1. All lists of planned or potential actions related to expedited infrastructure investments or other activities pursuant to Executive Order 13927;

2. All summary reports of planned or potential actions related to expedited infrastructure investments or other activities pursuant to Executive Order 13927;

3. All status reports of planned or potential actions related to expedited infrastructure investments or other activities pursuant to Executive Order 13927;

4. A list of all federal agencies, subagencies or departments that have consulted with or sought cooperation from the EPA in regard to Executive Order 13927. This should include a brief description of the issue EPA was consulted on regarding these matters, the date of the consultation, and copies of all records regarding the planned or proposed resolution of these issues.

These records may be limited to June 4, 2020, to the present. The term "present" should be interpreted as the date when the Environmental Protection Agency finalizes its complete response to the Committee and not the date this letter is sent or received by the agency.

Please see the attachment for instructions regarding the preparation of these records. We request that delivery of these records begin on January 7, 2021. We will consider a rolling production of these records if you are unable to fully complete this response by this date. However, for any delay beyond the January 7, 2021 deadline, your staff must coordinate a timeline with the Committee's Majority staff.

To make arrangements for electronic delivery of these records, or if you have any questions regarding this request, please have your staff contact Lauren Dudley, Majority Staff Counsel of the House Committee on Transportation and Infrastructure at (202) 225-4472 or via e-mail at Lauren.Dudley@mail.house.gov.

---

[6] "Jurisdiction and Rules," House Committee on Transportation and Infrastructure, accessed here: https://transportation.house.gov/about/jurisdiction-and-rules

[7] Subcommittee on Water Resources and Environment, House Committee on Transportation and Infrastructure, accessed here: https://transportation.house.gov/subcommittees/water-resources-and-environment-116th-congress

We appreciate your prompt attention to this matter.

Sincerely,

PETER A. DeFAZIO
Chair

Enclosure: Attachment A – Responding to House Committee on Transportation and Infrastructure Records requests in the 116th Congress

cc: The Honorable Sam Graves, Ranking Member

Message

From: Russell, Joe (Kelly) [Joe_Russell@kelly.senate.gov]
Sent: 2/25/2021 6:05:10 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Introduction

Sure – my morning is a little crazy, but I can do any time after 2:30pm tomorrow, if you have availability?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 12:03 PM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: RE: Introduction

So sorry to have to ask Joe, but could you squeeze me in tomorrow?

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Thursday, February 25, 2021 11:12 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Sorry for the slow reply – but yes 5pm today works great. Feel free to give me a call then at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:23 PM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: RE: Introduction

Thanks for your willingness to chat Joe! Can we do 5 tomorrow? Let me know!

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Wednesday, February 24, 2021 1:23 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Hi Radha – so great to meet you and thank you for reaching out – I'd love to find a time for a call.

I'm free to talk tomorrow any time after 4pm or can talk on Friday between 11am-1pm or after 2:30pm. Let me know if there's a time that works for you.

Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:34 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: Introduction

Hi Joe,

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs at EPA. I wanted to send a quick note congratulating you and your boss for joining the senate and share that we are all

very excited that y'all are on EPW. We are looking forward to working with you, and I'd love to give you a ring this week to discuss how we can work together.

Do you mind letting me know if you have a few minutes this week?

Thanks in advance,
Radha

Message

From: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]
Sent: 2/25/2021 6:13:30 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Dotson, Greg (EPW) [Greg_Dotson@epw.senate.gov]
Subject: Re: Do you mind copying Greg on this note

Cc'd. Thank you!

Sent from my iPhone

> On Feb 25, 2021, at 1:12 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Want to connect with him! Thanks always!
>
> Radha

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/25/2021 6:35:59 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Running 10 minutes behind. Sorry!

Message

From: Dotson, Greg (EPW) [Greg_Dotson@epw.senate.gov]
Sent: 2/25/2021 6:36:29 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can we connect later today?

Might be good to talk sooner for just three minutes if that works. I'm at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:34 PM
To: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Subject: RE: Can we connect later today?

Yes! Can I call you at 3:330? Just shoot over your number. Looking forward to it.

From: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:28 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Can we connect later today?

Are you clear before 2 or after 2:30?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:14 PM
To: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Subject: RE: Can we connect later today?

Happy too! Do you mind sharing when works for you?

From: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:09 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Can we connect later today?

Message

From: Esquivel, Joshua (Padilla) [Joshua_Esquivel@padilla.senate.gov]
Sent: 2/25/2021 6:52:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Introduction

Thanks! How about tomorrow after 4pm?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:35 AM
To: Esquivel, Joshua (Padilla) <Joshua_Esquivel@padilla.senate.gov>
Subject: Introduction

Hi Joshua,

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs at EPA. I wanted to send a quick note congratulating you and your boss for joining the senate and share that we are all very excited that y'all are on EPW. We are looking forward to working with you, and I'd love to give you a ring this week to discuss how we can work together.

Do you mind letting me know if you have a few minutes this week?

Thanks in advance,
Radha

Message

From: Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Sent: 2/25/2021 7:46:34 PM
To: Ex. 6 Janet McCabe personal email Adhar, Radha [Adhar.Radha@epa.gov]
CC: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: RE: URGENT: Need Janet McCabe's address

Thanks very much to you both.

Caroline Jones
Legislative Aide
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
202-224-8832

From: Ex. 6 Janet McCabe personal email
Sent: Thursday, February 25, 2021 1:56 PM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: RE: URGENT: Need Janet McCabe's address

Hi Brian—

Ex. 6 Personal Privacy (PP)

Thank you, and please let me know if you need anything else.

Janet

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:45 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>; Ex. 6 Personal Privacy (PP)
Subject: RE: URGENT: Need Janet McCabe's address

Absolutely, copying her here. Thanks Brian.

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:44 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: URGENT: Need Janet McCabe's address

Radha,

Can you please send me Janet's physical mailing/dwelling address as soon as possible. We need it for the witness invite.

Thanks,
Brian

Brian C. Eiler

Oversight Counsel (Democratic Staff)
U.S. Senate Committee on Enviroment and Public Works
202-224-8123

Message

From: Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Sent: 2/25/2021 7:48:34 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: URGENT: Need Janet McCabe's address

Yes I'll relay. Thank you!

Sent from my iPhone

On Feb 25, 2021, at 2:48 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Sorry I missed this Caroline! Hope you guys are all set now. Also do you mind if I ask if we can please save 2 seats for her family? I asked Brian for 3, but she just informed me it will be 2.

From: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:49 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: URGENT: Need Janet McCabe's address

Any chance you can call her for it? it's just for the formal letter which will be emailed anyway. Super urgent.

Caroline Jones
Legislative Aide
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
202-224-8832

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:45 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>; Ex. 6 Janet McCabe personal email
Subject: RE: URGENT: Need Janet McCabe's address

Absolutely, copying her here. Thanks Brian.

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:44 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: URGENT: Need Janet McCabe's address

Radha,

Can you please send me Janet's physical mailing/dwelling address as soon as possible. We need it for the witness invite.

Thanks,

Brian

Brian C. Eiler
Oversight Counsel (Democratic Staff)
U.S. Senate Committee on Enviroment and Public Works
202-224-8123

Message

From: Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Sent: 2/25/2021 7:57:00 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: URGENT: Need Janet McCabe's address

Great! Please email Brian and me with the final number of guests and names/relationships as soon as you can so we can make sure our staff/boss is aware and so our hearing room can be set up properly. Thank you!!

Caroline Jones
Legislative Aide
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
202-224-8832

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 2:52 PM
To: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: RE: URGENT: Need Janet McCabe's address

Yes absolutely. Will let you know on Tuesday if that is ok- just in case anything changes on her end! Right now we are planning on her husband and son.

From: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Sent: Thursday, February 25, 2021 2:49 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: URGENT: Need Janet McCabe's address

Sorry for the double email - would you confirm who in her family is coming so our staff and Chairman are aware?

Sent from my iPhone

> On Feb 25, 2021, at 2:48 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Sorry I missed this Caroline! Hope you guys are all set now. Also do you mind if I ask if we can please save 2 seats for her family? I asked Brian for 3, but she just informed me it will be 2.
>
> ---
>
> **From:** Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
> **Sent:** Thursday, February 25, 2021 1:49 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** RE: URGENT: Need Janet McCabe's address
>
> Any chance you can call her for it? it's just for the formal letter which will be emailed anyway. Super urgent.
>
> **Caroline Jones**
> *Legislative Aide*
> Senate Committee on Environment and Public Works
> Chairman Tom Carper (D-Del.)
> 202-224-8832

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:45 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>; Ex. 6 Janet McCabe personal email
Subject: RE: URGENT: Need Janet McCabe's address

Absolutely, copying her here. Thanks Brian.

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:44 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: URGENT: Need Janet McCabe's address

Radha,

Can you please send me Janet's physical mailing/dwelling address as soon as possible. We need it for the witness invite.

Thanks,
Brian

Brian C. Eiler
Oversight Counsel (Democratic Staff)
U.S. Senate Committee on Enviroment and Public Works
202-224-8123

Message

From: Berg, Kelsey (Romney) [Kelsey_Berg@romney.senate.gov]
Sent: 2/25/2021 8:57:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

How does 11:00 am ET work on your end?

Kelsey Berg
Deputy Chief of Staff
Senator Mitt Romney

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Thursday, February 25, 2021 at 1:50 PM
To: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

No worries Kelsey, nice to be connected. Do you mind letting me know if Thursday works on your end? I am fairly flexible that day.

From: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>
Sent: Thursday, February 25, 2021 3:38 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

Hi Radha,

I'm so sorry I missed this yesterday.

Please let me know if there's a good time for you tomorrow or next week to jump on the phone. Looking forward to connecting.

Kelsey Berg
Deputy Chief of Staff
Senator Mitt Romney

Sent from my iPhone

> On Feb 24, 2021, at 8:51 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Thank you Meagan! Kelsey, do you have a few minutes to chat today? Would love to introduce myself when you're free.
>
> ---
>
> **From:** Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
> **Sent:** Wednesday, February 24, 2021 10:49 AM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
> **Cc:** Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>
> **Subject:** RE: Michael Regan, EPA Administrator and Senator Romney

Yes, I've copied in Kelsey Berg who will be staffing the Senator. Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:26 AM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meghan,

Do you mind connecting me to your team that will be staffing this meeting?

Thank you in advance,
Radha

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Tuesday, February 23, 2021 5:45 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Microsoft Teams works well, thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 23, 2021 4:55 PM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan – thank you for the message! This Thursday, 2/25 at 3p works great. Would Senator Romney prefer a video-call? I am happy to share a Microsoft Teams link. If you prefer to use Zoom, could you please share a link?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Tuesday, February 23, 2021 3:42 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Kathleen,

Sorry for the delay.

Senator Romney is available to meet on Thursday, February 25th at 3:00pm.

Please let me know if this time will work on your end.

Thanks,
Meagan

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 6:50 AM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Good morning Morgan,

I hope you are having a great morning! Circling back on this request. I am happy to work with you to review potential dates and times for early next week.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Tuesday, February 16, 2021 3:54 PM
To: meagan_shepherd@romney.senate.gov
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Romney

Good afternoon Meagan,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Romney and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Romney has availability tomorrow, Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Baha, Meris (Ernst) [Meris_Baha@ernst.senate.gov]
Sent: 2/25/2021 9:10:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Thank you note

Thanks Radha, I'll make sure Sen. Ernst gets the note.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 9:33 AM
To: Baha, Meris (Ernst) <Meris_Baha@ernst.senate.gov>
Subject: Thank you note

Hi Meris,

Thank you to your boss for taking the time to chat with Janet yesterday. She wanted to share the attached note with Senator Ernst, do you mind passing it along?

Thanks in advance,
Radha

Message

From: Dotson, Greg (EPW) [Greg_Dotson@epw.senate.gov]
Sent: 2/25/2021 9:31:53 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can we connect later today?

Any word?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:34 PM
To: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Subject: RE: Can we connect later today?

Yes! Can I call you at 3:330? Just shoot over your number. Looking forward to it.

From: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:28 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Can we connect later today?

Are you clear before 2 or after 2:30?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 1:14 PM
To: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Subject: RE: Can we connect later today?

Happy too! Do you mind sharing when works for you?

From: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>
Sent: Thursday, February 25, 2021 1:09 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Can we connect later today?

Message

From: Blackburn, Christine (Schatz) [Christine_Blackburn@schatz.senate.gov]
Sent: 2/25/2021 10:24:31 PM
To: Rascoff, Jake (Schatz) [Jake_Rascoff@schatz.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: CAA emissions monitoring

Hey Radha

Just checking back to see if you can help connect us to the right people in EPA to talk about CAA monitoring and reporting.

Thanks
Chris

From: Rascoff, Jake (Schatz) <Jake_Rascoff@schatz.senate.gov>
Sent: Tuesday, February 23, 2021 6:39 PM
To: adha.radha@epa.gov
Cc: Blackburn, Christine (Schatz) <Christine_Blackburn@schatz.senate.gov>
Subject: CAA emissions monitoring

Hi Radha!!
Hello from the Schatz office—congratulations on the new role! I hope the transition has been smooth. Hitting the ground running here, we have a request for you. Chris and I are navigating the confusing world of the Clean Air Act, and we're hoping to get a sense of EPA's monitoring capacity for hazardous air pollutants and criteria pollutants from major sources. In other words, what sort of data is readily accessible to EPA on volumetric emissions (of both HAPs and criteria pollutants) from stationary sources, distinct from ambient monitoring? We've had some conversations with CRS, but we still don't have a good idea what sort of continuous monitoring goes on, and how much of that info filters up to EPA.

If you could connect us with the right people to discuss this with, we'd greatly appreciate it.
Thanks very much!
Jake

Jake Rascoff
Legislative Assistant
Office of U.S. Senator Brian Schatz
722 Hart Senate Office Building
Washington, DC 20510
202-224-3934 (Office)
202-224-3939 (Direct)
www.schatz.senate.gov

Appointment

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 2/26/2021 1:05:40 PM
To: McIntosh, Margarett G (Mackie) CIV USARMY CESAS (USA) [Margarett.G.McIntosh@usace.army.mil]; D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; McIntosh, Mackie (EPW) [Mackie_McIntosh@epw.senate.gov]

Subject: Canceled: Weekly EPA - Water Meeting
Location: Microsoft Teams Meeting

Start: 2/26/2021 3:00:00 PM
End: 2/26/2021 3:30:00 PM
Show Time As: Free

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Message

From: Williams, Alexa [Alexa.Williams2@mail.house.gov]
Sent: 2/26/2021 3:18:01 PM
To: Klasen, Matthew [Klasen.Matthew@epa.gov]; Seiger, Ryan [Ryan.Seiger@mail.house.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: FYI - T&I Alexa email

Thank you!

From: Klasen, Matthew <Klasen.Matthew@epa.gov>
Sent: Friday, February 26, 2021 10:11 AM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Cc: Williams, Alexa <Alexa.Williams2@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: FYI - T&I Alexa email

Thanks…my mistake yesterday. (I've fixed my earlier contact-list error.)

-Matt

Matt Klasen
U.S. Environmental Protection Agency
Office of Congressional Affairs
cell (202) 505-0787

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Friday, February 26, 2021 9:57 AM
To: Klasen, Matthew <Klasen.Matthew@epa.gov>
Cc: Williams, Alexa <Alexa.Williams2@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FYI - T&I Alexa email

FYI….there is more than one Alexa Williams on the Hill.

Our T&I Alexa is alexa.williams2@mail.house.gov.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 2/26/2021 3:49:26 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Will we have 2 rounds of questions?

Yes. But it will almost certainly be just like Regan. Only a handful will take the 2nd round and it will be usual suspects (Carper, Capito, Whitehouse, maybe Inhofe but probably not, maybe Sullivan) They whole second round will be 15-20 minutes.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 26, 2021 10:36 AM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Will we have 2 rounds of questions?

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/26/2021 6:40:45 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]
Subject: RE: Statement and 5 day letter

Thanks, just acknowledging receipt.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 26, 2021 1:39 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>; Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Cc: Utech, Dan <Utech.Dan@epa.gov>
Subject: Statement and 5 day letter

Hey y'all,

Attached, please find Janet's prepared statement and 5 day letter.

Please let me know if you have any questions.

Radha

Message

From: Woytcke, Holly [Holly.Woytcke@mail.house.gov]
Sent: 2/26/2021 6:05:16 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Simpson, Shayla [Shayla.Simpson@mail.house.gov]
Subject: RE: Follow up

Thanks so much for sharing this Radha. And yes, we will be sure the Congressman received the thank you note. We look forward to connecting with you more!

Respectfully yours,

Holly

Holly Woytcke | Executive Assistant
Office of Congressman André Carson (IN-07)
2135 Rayburn HOB | Washington, DC 20515
(202) 225-4011 | Carson.House.Gov

Click here to Sign Up for Rep. Carson's E-Newsletter

PLEASE NOTE: Meetings with Congressman Carson are subject to change due to the House voting schedule and official committee business. If a last minute schedule change occurs, the appropriate staff will be assigned to lead your meeting. Thank you in advance for your cooperation and understanding.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 26, 2021 12:47 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>; Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: Follow up

Hi Holly and Shayla,

Thank you again for taking the time to chat this morning. Attached, please find a thank you note from Janet to Congressman Carson. Can you please share this with him?

Below, please find Janet's bio, and attached please find a letter in support of Janet.

Janet McCabe is Professor of Practice at the Indiana University McKinney School of Law and Director of the IU Environmental Resilience Institute, where she started as Assistant Director for Policy and Implementation in 2017. In 2020, she was appointed Adjunct Professor of Practice at the IU O'Neill School of Public and Environmental Affairs. From July 2013 through January 2017, Janet McCabe was the Acting Assistant Administrator for the Office of Air and Radiation at the United States Environmental Protection Agency and was nominated by President Barack Obama to be Assistant Administrator of that office. She joined EPA in November 2009, serving as the Principal Deputy to the Assistant Administrator of OAR. Prior to joining EPA in November 2009, Janet McCabe was Executive Director of Improving Kids' Environment, Inc., a children's environmental health advocacy organization based in Indianapolis, Indiana and was an adjunct faculty member at the Indiana University School of Medicine, Department of Public Health, and at the School of Public and Environmental Affairs. From 1993 to 2005, Ms. McCabe held several leadership positions in the Indiana Department of Environmental Management's Office of Air Quality and was the office's Assistant Commissioner from 1998 to 2005. Before coming to Indiana in 1993, Ms. McCabe served as Assistant Attorney General for environmental protection for the Commonwealth of Massachusetts from 1984-1989 and Assistant Secretary for

Environmental Impact Review from 1989-1993. Ms. McCabe clerked for Justice Neil L. Lynch of the Massachusetts Supreme Judicial Court from 1983-4. Ms. McCabe grew up in Washington, DC and graduated from Harvard College in 1980 and Harvard Law School in 1983.

Message

From: Monger, Jon [Jon.Monger@mail.house.gov]
Sent: 2/26/2021 7:43:35 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Call

Hi Radha- Hope you are hanging in there. Are you free this afternoon for a quick phone call?

Thanks in advance, Jon

Jon Monger
Oversight Counsel, Committee on Energy and Commerce
(202) 308-3954 cell
Jon.Monger@mail.house.gov

Message

From: Suntag, Aaron (Stabenow) [Aaron_Suntag@stabenow.senate.gov]
Sent: 2/26/2021 9:42:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to chat?

Hey ...sorry. Just tried your cell

--

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Friday, February 26, 2021 at 3:49 PM
To: Aaron Suntag <Aaron_Suntag@stabenow.senate.gov>
Subject: Time to chat?

Let me know!

Radha

Message

From: Kothari, Yogin (HSGAC) [Yogin_Kothari@hsgac.senate.gov]
Sent: 2/26/2021 8:39:25 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Flagging Draft PFAS Release

Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 26, 2021 3:33 PM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Subject: RE: Flagging Draft PFAS Release

You bet, what number is best?

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Friday, February 26, 2021 2:04 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Flagging Draft PFAS Release

Have a minute to chat?

From: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Sent: Friday, February 26, 2021 1:02 PM
To: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Green, Allison (HSGAC) <Allison_Green@hsgac.senate.gov>
Subject: RE: Flagging Draft PFAS Release

Thanks so much!

Lindsay

From: Kothari, Yogin (HSGAC) <Yogin_Kothari@hsgac.senate.gov>
Sent: Friday, February 26, 2021 10:58 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Cc: Green, Allison (HSGAC) <Allison_Green@hsgac.senate.gov>
Subject: Flagging Draft PFAS Release
Importance: High

Hi Radha and Lindsay, flagging this below. We'll plan to have this out Monday AM. Please do not hesitate to reach out with any questions.

Peters Releases GAO Report Showing More Action is Needed to Address PFAS Contamination

Peters will Continue to Champion Efforts to Fight PFAS Crisis & Help Michigan Communities

FOR IMMEDIATE RELEASE
February XX, 2021
Jay Bhargava
(202) 235-4680
peterspress@hsgac.senate.gov

DETROIT, MI – U.S. Senator Gary Peters (D-MI), Chairman of the Homeland Security and Governmental Affairs Committee, released a report by the Government Accountability Office (GAO) that shows the federal government needs to take further action to clean up and prevent contamination from per- and polyfluoralkyl substances (PFAS). The report found that the Trump Administration made limited progress in protecting communities and drinking water resources from exposure to toxic "forever" chemicals known as PFAS, and much of the progress identified in the report was due to Congressional efforts. Peters originally requested the report in 2019, along with U.S. Senator Tom Carper (D-DE), to obtain information about ongoing federal agency efforts to address the PFAS contamination crisis and to ensure that taxpayer dollars are being used effectively.

"Exposure to PFAS chemicals continues to harm the health and wellbeing of families in Michigan and across America. This report clearly shows that while progress is being made, the federal government must step up their efforts to ensure our drinking water is safe and protect communities from these hazardous chemicals," **said Senator Peters.** "From establishing a national drinking water standard to securing the resources needed to cleanup affected communities– I will continue working with the Biden Administration to ensure we address PFAS contamination in Michigan and across the nation."

CARPER QUOTE

READ THE REPORT HERE

The report found that the Environmental Protection Agency (EPA) has made some progress on only three out of six regulatory actions laid out in a 2019 plan to address the PFAS crisis. This includes measures required by the 2020 *National Defense Authorization Act (NDAA),* including ensuring that products containing PFAS chemicals are not imported into the United States without first being reviewed by the EPA. However, the report also found that under the previous Administration, the EPA failed to complete three additional regulatory actions laid out in their plan to combat these harmful chemicals, including taking a step back on efforts to designate PFAS as a hazardous substance. Peters is committed to working with the Biden Administration to quickly implement science-based safeguards to address the PFAS crisis.

As the top Democrat on the Homeland Security and Governmental Affairs Committee, Peters has led Congressional efforts to address PFAS contamination in Michigan and across the country. Peters supported or led provisions in the 2019 national defense bill banning the Department of Defense from purchasing firefighting foams containing PFAS. The bill also immediately prohibited the use of firefighting foams containing PFAS in military training exercises, and enhanced state cooperation with the Department of Defense regarding clean-up due to PFAS contamination stemming from military-related activities. His bill to help protect firefighters and emergency responders from PFAS exposure in the line of duty passed the Senate last year. In September 2018, Peters helped convene the first hearing on PFAS in the Senate, assessing the federal response to contamination and remediation. He then convened a field summit in Grand Rapids in November 2018 to shine a light on how the local, state and federal governments are coordinating their response to PFAS.

###

Yogin Kothari
Professional Staff Member
Committee on Homeland Security and Governmental Affairs
Chairman Gary C. Peters

Message

From: Morgan, Ashley (Carper) [Ashley_Morgan@carper.senate.gov]
Sent: 2/26/2021 9:38:55 PM
To: Wehrley, Lydia (Carper) [Lydia_Wehrley@carper.senate.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Cameron, Jacqueline (Carper) [Jacqueline_Cameron@carper.senate.gov]
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Good afternoon – The Zoom is open! Senator Carper should be on within the next 10 minutes.

Thanks!

Topic: Virtual Meeting with Janet McCabe and Senator Carper
Time: Feb 26, 2021 04:45 PM Eastern Time (US and Canada)

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile
Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number: Ex. 6 Personal Privacy (PP)

Join by SIP
Ex. 6 Personal Privacy (PP)

Join by H.323
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

From: Morgan, Ashley (Carper)
Sent: Monday, February 22, 2021 10:50 AM
To: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Senator Carper will likely be joined by Mary Frances Repko, Brian Eiler, and Laura Hayes Gillam. Please let me know if you have any questions.

Thanks!
Ashley

From: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Sent: Friday, February 19, 2021 11:53 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Please find the zoom link below. I will check with staff and get back to you when I have a list of who will be joining from our team.

Thanks!

Lydia Wehrley is inviting you to a scheduled ZoomGov meeting.

Topic: Virtual Meeting with Janet McCabe and Senator Carper
Time: Feb 26, 2021 04:45 PM Eastern Time (US and Canada)

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile
Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number: Ex. 6 Personal Privacy (PP)

Join by SIP
Ex. 6 Personal Privacy (PP)

Join by H.323
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Friday, February 19, 2021 11:35 AM

To: Carlile, Amy L <acarlile@iu.edu>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Ugh – sorry for the extra email. Ashley- when you share the Zoom link, would you please let us know who will join Senator Carper on the line? Radha Adhar and I will join Janet McCabe.
Karen.

From: Thundiyil, Karen
Sent: Friday, February 19, 2021 11:33 AM
To: Carlile, Amy L <acarlile@iu.edu>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Thank you Amy & Ashley for confirming 2/26 at 4:45pm. Ashley – yes, if you could share your Zoom link, that would be much appreciated!

Take good care,

Karen.

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Friday, February 19, 2021 11:19 AM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Thanks Ashley, Janet can meet at 4:45pm on 2/26.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Morgan, Ashley (Carper) [mailto:Ashley_Morgan@carper.senate.gov]
Sent: Friday, February 19, 2021 11:16 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: [External] RE: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen –

Would it be possible to schedule this for Friday, February 26th at 4:45 pm? If so, we are happy to provide a zoom link for the meeting.

Thanks!
Ashley

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 9:25 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: [Senator Carper] RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley – It looks like 3/2 won't work because Janet will be driving to DC that day. She has a lot of availability on 3/1 and next week (week of 2/22). Janet said she can make time on the weekend as well.
Please let us know if any of that can be workable on your end.
Thanks for working through this with us!

Karen.
202 564 1142

From: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Sent: Thursday, February 18, 2021 7:08 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>; Cameron, Jacqueline (Carper) <Jacqueline_Cameron@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Oh goodness it is no trouble at all. Tomorrow works great! If 3/2 doesn't work we can try to set up a phone call instead of a zoom for next week.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 6:07 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley – I ***think*** Janet McCabe may be traveling (driving) to DC on 3/2.
Radha or Amy should know more about her plans by late today/tomorrow morning. Can we get back to you then? I really appreciate you dealing with our request!

Take care,

Karen.
202 564 1142

From: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Sent: Thursday, February 18, 2021 5:59 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper)

<Lydia_Wehrley@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Could you please share availability for 3/2 as well?

Thanks!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 11:43 AM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley – Glad we could talk on the phone and thank for sharing what a busy week you have ahead next week. Since we are focused on the first couple of days of March, I asked and Janet can make herself available Monday, March 1st. Just let us know if there's any time slot that works well for the Senator and we'll make that time slot work.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Sent: Tuesday, February 16, 2021 1:56 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: RE: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Karen –

Thank you so much for reaching out with this request. We are taking a look at Senator Carper's schedule and will circle back with you soon!

Thanks,
Lydia

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 12:53 PM
To: Morgan, Ashley (Carper) <Ashley_Morgan@carper.senate.gov>; Wehrley, Lydia (Carper) <Lydia_Wehrley@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Times to meet Janet McCabe (EPA nominee for Deputy Administrator)

Hi Ashley and Lydia,

I hope you are doing well. I'm reaching out to find time for Senator Carper to talk with Janet McCabe, the nominee for the post of Deputy Administrator of EPA. We would welcome anytime Senator Carper can make. Would you please share possible some times for a 30-minute slot that could work for Senator Carper? We would appreciate the opportunity for a meeting in the next week or so – is that possible?

If you have any questions, please reach out. Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]
Sent: 2/26/2021 9:36:27 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can I call you first thing

Here are the draft talking points that I'm submitting to my LD for the call on Monday:

Key Points

- Congratulations on your nomination! I have heard great things from my colleagues about your work in North Carolina and it is a pleasure to meet you.

- I look forward to being a partner in your work to restore science and transparency at the Environmental Protection Agency (EPA) and to take on urgent challenges like confronting the climate crisis.

- Can you tell me a bit about yourself and your family? How did you come to work in environmental policy?

Renewable Fuel Standard (RFS)

- I have been a leader in the Senate on upholding the Renewable Fuel Standard (RFS) – which has enabled farmers in my state to invest in renewable energy, create jobs, and reduce our dependence on fossil fuels.

- As you know, the previous Administration often undermined the RFS and took several actions that gave oil refineries an unfair advantage, infusing uncertainty into the biofuels sector.
    - Over four years, they approved 85 small refinery waivers. And then, just hours before the inauguration, they approved 3 more waivers.
        - For comparison, under the Obama Administration's eight years, only 23 waivers were granted.

- President Biden campaigned against these waivers – as did I – and I know that restoring integrity to the RFS is something he supports.

- I led a letter with Senator Grassley on February 3 alerting you to several outstanding policy decisions related to the RFS– including the need to adhere to the Tenth Circuit Court of Appeals' decision on small refinery waivers.

- That's why I was pleased that you announced last week that EPA would be supporting the Tenth Circuit Court of Appeals ruling placing limits on which refineries may receive

waivers. While I know we still need to get passed the Supreme Court, this announcement was a big deal. Thank you.

- *Can you talk a bit about how you see biofuels as assisting with rural economies and climate change?*
- *In your opinion, what actions related to the RFS should EPA prioritize under your leadership?*

Adopt GREET Act (S. 193) – Klobuchar-Thune Bill on Biofuels and Climate

- It is clear that biofuels are a key pathway toward decarbonizing the transportation sector. A recent Harvard study demonstrated that using corn ethanol in place of gasoline cuts greenhouse gas emission by almost half. Studies from USDA and the Argonne *[Ar – gone]* National Laboratory also show nearly a 50 percent reduction.

- However, EPA's process for modeling emissions for the RFS has not been revised since 2010 and currently shows that emissions from corn ethanol are only 20 percent lower than gasoline.

- I have a bipartisan bill with Senator Thune called the Adopt GREET Act, which would update the greenhouse gas modeling for ethanol and biodiesel to reflect the latest science.

  - *I hope we can work together to ensure that the modeling for greenhouse gases from biofuels are updated and reflect the latest science.*

Renewable Volume Obligations (RVO) for 2021

- Each year the EPA must set blending targets under the RFS through a rulemaking – the annual Renewable Volume Obligation. The rule setting blending targets is due in November of the preceding year.

- This rule has been late 50% of the time in the last eight years, creating significant uncertainty for all parties. The Trump Administration did not even issue a proposed rule for the 2021 RVO.

- And in 2022, when the statutory volumes for the RFS expire, the EPA has the authority to issue a rule – often referred to as a "set" rule - establishing a multiyear course for the RFS that would mitigate uncertainty.

  - *If confirmed, what steps will you take to ensure that the 2021 RVO is expeditiously released and to get the process of setting annual blending volumes back on track?*
  - *Given how far behind the process is, what steps do you intend to take to ensure that the 2022 rule is not delayed?*

- *How do you plan to handle post-2022 blending volumes?*

Renewable Fuel Infrastructure Investment Act (S. 227) (Klobuchar-Ernst)

- Lastly, I want to highlight another bill I introduced recently called the Renewable Fuel Infrastructure Investment and Market Expansion Act with Senator Ernst. This bill would authorize a USDA $500 million grant program for the installation of new fuel pumps or the conversion of existing fuel pumps for higher blends like E15.
- It would also codify a rule that EPA announced on January 15 to streamline or remove regulations that prevent retail stations from providing higher blends of biofuels – including E15 pump labeling and using existing underground storage tanks for higher blends.

  - *Do you have plans to continue the rulemaking process for the E15 Fuel Labeling and Underground Storage Tank proposal?*

- Thank you for agreeing to meet with me to discuss these important biofuel issues. I look forward to supporting your nomination when it comes to the full Senate.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 2:38 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Awesome thank you Brian!

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Wednesday, February 24, 2021 2:36 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Can I call you first thing

Of course. I think you know most of them – because they were in that letter we sent in early January. Off the top of my head are: Adopt GREET, RVOs for 2021, and a thank you on 10th circuit. I'll send a more formal list when I start the memo.

Mostly it's just a chance for her to say hello and meet him.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 1:11 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Hey homey, will you let me know what y'all are likely to raise so we can be prepared? Thank you in advance!

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Wednesday, February 24, 2021 1:06 PM

To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Kathleen – thank you. A video call would be great. Do you mind sending over the Teams link?

Appreciate it!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 23, 2021 11:25 AM
To: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Next Monday, March 1 at 2:30pEST works great. Would Senator Klobuchar prefer a video-call? I am happy to setup and share a Microsoft Teams Link. If you would prefer to use Zoom, could you please share a link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Sent: Tuesday, February 23, 2021 11:15 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Not to throw a wrench in things, but would next Monday between 2:30p – 4:30p or next Wednesday between 4p – 5p be an option?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 2:08 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Can I call you first thing

Hi Brian and Blair,

I am happy to work with you to connect Administrator Nominee Regan and Senator Klobuchar this week.

Please share the Senator's availability Wed, Thu and Fri.

Kindly,

Kathleen C. Lance

Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 1:29 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Can I call you first thing

Thanks for connecting us Brian!

Blair and Kathleen,

Brian and I would like your assistance finding time for Senator Klobuchar and Secretary Regan to chat this week, if possible. Do you mind letting us know if we could make that work?

Best,
Radha

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Monday, February 22, 2021 8:14 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thanks again Radha for the call this morning.

Looping you with Blair to schedule a call between Amy and Michael.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, February 21, 2021 6:26 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: Can I call you first thing

Gotta give you an update on an issue you have been following around 8 if possible! Just send over your cell!

Message

From: Suntag, Aaron (Stabenow) [Aaron_Suntag@stabenow.senate.gov]
Sent: 2/26/2021 11:09:18 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Senate GL Task Force Letter
Attachments: GLTF Letter to EPA and OMB re GLRI in FY22 Budget - Final Signed[1].pdf

Thanks for passing along!

--

February 25, 2021

The Honorable Rob Fairweather
Acting Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

The Honorable Jane Nishida
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Acting Director Fairweather and Acting Administrator Nishida:

As you develop the Administration's fiscal year (FY) 2022 budget, we write to encourage the Administration to request the authorized level of $375 million for the Great Lakes Restoration Initiative (GLRI).

The bipartisan Great Lakes Restoration Initiative Act of 2019 (P.L. 116-294) was signed into law in January 2021 to reauthorize the GLRI through FY 2026. The law authorizes $375 million for GLRI in FY 2022 and increases the authorization by $25 million per year through FY 2026. The Great Lakes are a national treasure and internationally important, providing drinking water for 40 million people and contributing $10 billion in tourism each year.

As you know, our region is successfully undertaking one of the nation's largest restoration efforts. A recent Great Lakes Restoration Initiative report to Congress found that GLRI "is protecting public health in the Great Lakes more than any other coordinated interagency effort in U.S. history, and helping to ensure that our children and their children live in safer, healthier communities." Since its inception in 2010, more than $2.7 billion has been used to fund over 5,400 projects to combat the greatest threats to the Great Lakes, including invasive species, harmful algal blooms and loss of fish and wildlife habitats.

However, there is still much work that needs to be done. Aging sewers, invasive species, harmful algal blooms, and toxic pollutants are just a few of the pervasive threats that impact the region. Historic high-water levels and unprecedented erosion is threatening public safety, shorelines, infrastructure, housing, tourism, and even one of our newest national parks. Robust funding for the GLRI is necessary to meet these challenges; and as result of the partnership we have with federal agencies, our region is making progress and seeing results.

The GLRI is a locally driven restoration effort and its success depends on the collaboration between all levels of government and private and non-governmental partners. We therefore ask that you include the authorized level of $375 million for the GLRI in the FY 2022 budget request.

Sincerely,

/s/ Debbie Stabenow

DEBBIE STABENOW
United States Senator

/s/ Rob Portman

ROB PORTMAN
United States Senator

/s/ Kirsten Gillibrand

KIRSTEN GILLIBRAND
United States Senator

/s/ Tammy Duckworth

TAMMY DUCKWORTH
United States Senator

/s/ Tina Smith

TINA SMITH
United States Senator

/s/ Sherrod Brown

SHERROD BROWN
United States Senator

/s/ Richard J. Durbin

RICHARD J. DURBIN
United States Senator

/s/ Robert P. Casey, Jr.

ROBERT P. CASEY, JR.
United States Senator

/s/ Gary C. Peters

GARY C. PETERS
United States Senator

/s/ Amy Klobuchar

AMY KLOBUCHAR
United States Senator

/s/ Todd Young

TODD YOUNG
United States Senator

Message

From: Suntag, Aaron (Stabenow) [Aaron_Suntag@stabenow.senate.gov]
Sent: 2/27/2021 1:19:10 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Senate GL Task Force Letter

No prob!

Sent from my iPhone

On Feb 26, 2021, at 8:18 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Thanks Aaron, I am sorry for all the phone tag gonna try and catch you this weekend if that's ok!

From: Suntag, Aaron (Stabenow) <Aaron_Suntag@stabenow.senate.gov>
Sent: Friday, February 26, 2021 6:09 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Senate GL Task Force Letter

Thanks for passing along!

--

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/28/2021 10:15:10 PM
To: Michael McCabe Ex. 6 Personal Privacy (PP)
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Hi from Emily Spain

Hi Michael,

Lovely to hear from you. Adding the talented Radha who is at the OLA team fro EPA. She's helping with Janet's nomination I believe.
Cheers,
Emily

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

On Feb 28, 2021, at 3:23 PM, Michael McCabe < Ex. 6 Personal Privacy (PP) > wrote:

Emily,

No follow-up needed. I just found out that KK is doing this. Nonetheless, I hope all is well with you.

Mike

W. Michael McCabe
Ex. 6 Janet McCabe personal email
Chadds Ford, PA
Ex. 6 Personal Privacy (PP)

On Feb 28, 2021, at 1:09 PM, Michael McCabe < Ex. 6 Personal Privacy (PP) > wrote:

Hi Emily,

I hope all is well with you and you're no longer devoting as much time navigating as in the past. I sincerely hope that you weren't asked to guide another nomination. Assuming that's the case, I'm sure you know who is helping Janet McCabe (no relation, that we are aware of), and that's why I'm writing.

Stan Meiburg, who was acting Deputy under Gina, has organized a letter of support for Janet signed by all former living deputy administrators to be sent to all members of the Committee. Not that it's a big deal, but the group represents Republicans and Democrats from a number of different states and regions. Not that Janet seems to be having any problems, but as you know every little bit helps.

In any case, I'm helping Stan, and we'd like to send this to whomever is navigating Janet for their files. Can you connect me?

Many thanks and continued best wishes,

Mike

W. Michael McCabe
Ex. 6 Janet McCabe personal email
Chadds Ford, PA
Ex. 6 Personal Privacy (PP)

> On Feb 3, 2021, at 9:39 PM, Spain, Emily (Carper) <Emily_Spain@carper.senate.gov> wrote:
>
> Thank you! Again we had such an amazing team. Really appreciate your help.
>
> Emily Spain
> Chief of Staff
> Senator Tom Carper (Delaware)

> > On Feb 3, 2021, at 9:10 PM, Michael McCabe <Ex. 6 Personal Privacy (PP)> wrote:
> >
> > Emily,
> >
> > Drop the mic! Great job helping him clear this big hurdle (I'm switching metaphors)! It was like he was conducting a master class on how to handle a confirmation hearing!
> >
> > Good luck on completing the rest of the journey!
> >
> > Mike
> >
> > W. Michael McCabe
> > Ex. 6 Janet McCabe personal email
> > Chadds Ford, PA
> > Ex. 6 Personal Privacy (PP)
> >
> > > On Feb 2, 2021, at 10:05 AM, Spain, Emily (Carper) <Emily_Spain@carper.senate.gov> wrote:

Thanks Mike!

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

On Feb 2, 2021, at 9:08 AM, Michael McCabe

Ex. 6 Personal Privacy (PP)

Hi Emily,

Things are going well and, as with so many folks, I'm glad to see the steps taken by Biden to get the country back on track. I hope you are doing well, too.

I contacted Christophe because I wanted to alert you and Michael to something I picked up from a former Cordan staffer about Chesapeake Bay concerns. However, I understand that the two senators have now had their issue addressed and don't feel it's necessary to push back on it.

Good luck in tomorrow's hearing. I know how hard you have worked to prepare the nominee and cover all bases. I suspect it won't be smooth sailing, but I'm confident he'll make it to shore.

All the best,

Mike

Sent from my iPhone

On Feb 1, 2021, at 9:52 PM, Spain, Emily (Carper) <Emily_Spain@carper.senate.gov> wrote:

Hi Mike,

How are you? I hope you are getting a bit of downtime after all of your hard ART work. Christophe mentioned you were trying to get a

hold of me? How can I help? Cheers, Emily

Emily Spain Chief of Staff Senator Tom Carper (Delaware)

Message

From: Suntag, Aaron (Stabenow) [Aaron_Suntag@stabenow.senate.gov]
Sent: 2/28/2021 10:55:05 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Meeting memo
Attachments: B 0200 Zoom Mtg w EPA Deputy Admin Nom Janet McCabe - Aaron .docx

--

TO: Senator Stabenow
FROM: Aaron, Christian, Milla
CC: Matt, Teresa, Emily
DATE: February 28, 2021
RE: Zoom Meeting with Janet McCabe for Deputy EPA Admin

Background: McCabe led EPA's Air Office between 2013 and 2017. During her time at EPA, she led a number of high-profile regulatory actions, including the Clean Power Plan rule on carbon emissions from electric utilities. EPW Republicans are expected to make her confirmation process more difficult than Michael Reagan's. Due to scheduling conflicts, it is unlikely that you'll be able to make it to McCabe's hearing in EPW this Wednesday.

Date and Time: Monday, March 1, 2–2:30 PM

Zoom Information:
[HYPERLINK
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP)

Attendees: Janet McCabe and Radha (*"Ra-dah"*) Adhar, who was Duckworth's enviro LA.

****

- You need word to get back to the White House on the importance of engaging with you on electric vehicle policy. You will be reaching out to White House climate advisors Gina McCarthy and Ali Zaidi (*Zay-dee*) on this point.
- Reiterate your leadership on Great Lakes issues, ag/climate, and electrifying the U.S. vehicle fleet.
    - McCabe is from Indiana and likely well versed on environmental matters important to the Great Lakes.
    - EPA will be working on GHG standards for vehicles (light-duty and heavy) and electric power plants.
    - GM, Ford, DTE, Dow, Consumers have net zero commitment. Highlight that CEOs of each company are personally engaged on climate.
    - You are the lead champion of EV tax incentives in the Senate. Working on modifying the 30D tax credit for EVs and legislation to advance public charging in Schumer's Clean Cars for America proposal.

- Preview Michigan / Flint request for EPA to join settlement.
    - Working with Kildee and Peters on.
    - Final approval of Michigan's $641M settlement is in July.
    - Short window for EPA to join and contribute to settlement.
    - Recognize complexity at EPA and Justice Dept. to join settlement.
    - So much more difficult to sign people up in Flint to receive settlement twice rather than at same time with the State and EPA.

- You might ask McCabe for her thoughts on where EPA goes on carbon. EPA must redo several regulatory actions the Trump Administration derailed, including the Clean Power Plan regulation on power plant emissions.

    - <u>In addition, greenhouse gas standards for model year vehicles 2025-2030 will be set by this Administration.</u>

    - EPA will be walking a tight rope to produce carbon regulations able to withstand conservative judicial reviews (at the Supreme Court and in lower courts).

- Need help on PFAS, particularly in working with Defense Dept. to fund remediation at Wurtsmith and other retired bases in Michigan.

    - Michigan has more PFAS contamination than any other state.

- Hoping EPA can get Renewable Fuels Standard back on track, and start approving cellulosic feedstocks that have been sitting at EPA for years.

****

Flint

- The State reached a $641.25 million settlement of all civil Flint water cases pending against them in all courts. EPA is not party to the settlement.
    - The settlement received preliminary approval on January 21 by the Eastern District Court of Michigan. A settlement registration and claims process will now commence, with a final settlement approval hearing scheduled for July 12, 2021.
    - EPA's attempt to dismiss the civil cases covering approximately 5000 individual plaintiffs have been rejected by the courts. While the court's opinion acknowledged the many hurdles facing plaintiffs in the suit against EPA, it cited many of EPA's own communications and

documents in holding that there is clearly enough for these cases to proceed against EPA.

- Staff does not believe the City has used all of the $100M in emergency funding Congress approved in 2016.
- Flint Mayor Sheldon Neely is receiving generally favorable reviews since he came to office in 2019.
- Flint nearing the end of its project to replace all lead service lines. Lead lines have been replaced at 9,700 homes, and fewer than 500 remain.

PFAS

- EPA will be looking to develop new drinking water standards for several PFAS compounds and establish a hazardous designation under CERCLA.
- In 2020, Michigan established new drinking and ground water, and clean-up standards for 7 PFAS compounds.

Sewers/Waste Water

- Combined sewer overflows (CSOs) contribute billions of gallons of raw sewage into Michigan waterways annually.
- Major problem in population centers across Michigan.

Bio

Janet McCabe was director of the Environmental Resilience Institute at Indiana University and a professor of practice at the IU McKinney School of Law. On Jan. 15, 2021, she was named as deputy director of the U.S. Environmental Protection Agency under the Biden administration.

Previously, from July 2013 to January 2017, she served as acting assistant administrator for the Office of Air and Radiation at the EPA, and from 2009 to 2013 as principal deputy in that office.

McCabe has also been air director at the Indiana Department of Environmental Management, and held other environmental policy and management positions at IDEM and in Massachusetts.

Washington Post
February 12, 2021

EPA to jettison major Obama climate rule, as Biden eyes a bigger push

The Clean Power Plan had been tied up in litigation, then replaced by President Donald Trump

The Biden administration indicated Friday it will not try to resurrect the Clean Power Plan, a controversial Obama-era policy that set climate pollution targets for every state's electricity sector and gave officials flexibility on how they would make those reductions by the end of the decade.

Instead, the Environmental Protection Agency said in a federal judicial filing, the Biden administration is seeking a court's blessing to propose a new rule aimed at limiting greenhouse gas pollution from the nation's power plants, which represent the second-largest source of emissions.

"As a practical matter, the reinstatement of the [Clean Power Plan] would not make sense," Joseph Goffman, the acting assistant administrator for the EPA's Office of Air and Radiation, wrote in an accompanying memo to the agency's regional offices. He noted that the deadline for states to submit their plans had passed and that "ongoing changes in electricity generation" mean the goals of the Obama-era regulation already had been met.

The EPA did not detail what type of oversight it might pursue instead of the Clean Power Plan and declined to comment further Friday. But the Biden administration has made no secret of his intention to aggressively curb greenhouse gas emissions from the power sector, which has done more to cut its carbon output than any other part of the U.S. economy.

Biden has [HYPERLINK "https://www.washingtonpost.com/climate-environment/2020/07/30/biden-calls-100-percent-clean-electricity-by-2035-heres-how-far-we-have-go/?arc404=true&itid=lk_inline_manual_9" \t "_blank"]. The Clean Power Plan, which mandated that power plants make 32 percent reductions in emissions below 2005 levels by 2030, would not put the nation on such a trajectory.

[HYPERLINK "https://www.washingtonpost.com/climate-environment/2020/07/30/biden-calls-100-percent-clean-electricity-by-2035-heres-how-far-we-have-go/?arc404=true&itid=lk_interstitial_manual_10"]
The Clean Power Plan ran into legal trouble in 2016, as Republican attorneys general and others joined a lawsuit arguing that the Obama EPA had overstepped its authorities under the Clean Air Act. The Supreme Court halted enforcement of the plan until a lower court ruled on its legality.

That legal fight remained unresolved when President Donald Trump took office in 2017. The Trump administration eventually replaced the Clean Power Plan with its own more lenient rule, which then-EPA Administrator Andrew Wheeler, a former coal lobbyist, signed in June 2019, saying that it would lower electricity costs. But the U.S. Circuit Court of Appeals for the District of Columbia vacated that effort, saying the goal of the Trump administration's EPA had been "to slow the process for reduction of emissions," and the court called that "arbitrary and capricious." The three-judge panel said "the central operative terms" of the Trump rule "hinged on a fundamental misconstruction" of the Clean Air Act.

President Biden had pitched the shift away from fossil fuels to cleaner forms of energy as a potential jobs boon for the United States, even as the oil, gas and coal industry has warned of the economic harm that some communities could face if the country moves too quickly. He also has begun a major effort to accelerate the transition to electric vehicles.

Transforming the American electric sector to produce power without carbon pollution will be a tremendous spur to job creation and economic competitiveness in the 21st century, not to mention the benefits to our health and to our environment," Biden said late last month as he signed far-reaching executive actions focused on climate.

In its filing on Friday, the EPA acknowledged that it is obligated to regulate emissions from electric-generating plants under the Clean Air Act and said it intends to "consider the question afresh." Biden's pick to lead the EPA, Michael Regan, made a similar point in his Senate confirmation hearing this month.
\
"Is it your understanding that the president intends to come back with a new version of the Clean Power Plan?" Sen. Shelley Moore Capito (R-W.Va.) asked him at the time.

"It's my understanding that we have to take a look at what [were] the plans for the Clean Power Plan and what were the plans for the ACE rule," Regan said. "The reality is that it presents a significant opportunity for the Environmental Protection Agency to take a clean slate and look at how do we best move forward."

Regan added that he plans to convene people from across the spectrum with a stake in how the EPA oversees the power sector to "think about how we harness the power and the statutory authority of the Clean Air Act in concert with major

investments that we should see government-wide and the input and the statements from those who will be impacted by any potential actions we take."

If the United States is to live up to Biden's ambitious plans for climate action, the country will need to tackle its largest sources of emissions.

[HYPERLINK "https://www.epa.gov/ghgemissions/draft-inventory-us-greenhouse-gas-emissions-and-sinks-1990-2019" \t "_blank"] released by the EPA on Friday shows that while emissions from the power sector continue to fall, declining 8.3 percent between 2018 and 2019, it remains the nation's second-largest source of greenhouse gas pollution. The biggest source, transportation, has continued to climb. Its emissions rose by 1 percent between 2018 and 2019, according to the draft report, while the carbon output of the country's agricultural, industrial and residential sector also increased.
Overall U.S. greenhouse gas emissions dipped just 1.7 percent between 2018 and 2019, according to the draft report. While carbon dioxide and nitrous oxide fell slightly, two other powerful greenhouse gases rose — including methane, which is released by animals and oil and gas operations.

And while the pandemic-induced economic slowdown is likely to lower the U.S. carbon footprint for 2020, experts expect emissions to start rising again as the economy recovers and Americans begin traveling more.

Ann Weeks, legal director for the Clean Air Task Force, said in an email that the EPA's filing on Friday shows the agency "is looking to erase any ambiguity in the Court's decision, to allow it to craft a rule that meets today's realities, rather than having the Clean Power Plan spring back to life."

The legal question of how aggressively the new administration can move to curb carbon emissions from the power sector is not entirely resolved, since the conservative-leaning Supreme Court could ultimately rule against the Biden administration if it pushes the boundaries of what's allowed under its executive authority.

Jeff Holmstead, a partner at Bracewell LLC who headed the EPA's air office under George W. Bush, said "there will be pressure from some environmental groups for them to do a more aggressive version" of the Obama-era rule, "but they know this is unlikely to pass muster in the Supreme Court."

Given the long-standing battles on this issue, he added, "anything the Biden administration does to regulate carbon emissions from power plants will almost certainly go to the Supreme Court."

West Virginia Attorney General Patrick Morrisey (R), who led the legal challenge to the Clean Power Plan and was able to get the Supreme Court to stay the rule, said in an email Friday that he will be watching carefully to see what the new administration does in the months ahead.

"There are clear limits to the EPA's authority in this area," Morrisey said, "and our state-based coalition will work vigorously to enforce those limits and ensure that West Virginian and American energy and manufacturing jobs are protected from unlawful federal overreach."
Anu Narayanswamy contributed to this report.

Message

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 3/1/2021 12:35:07 AM
To: Woytcke, Holly [Holly.Woytcke@mail.house.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Simpson, Shayla [Shayla.Simpson@mail.house.gov]
Subject: Re: REVISED Remarks | EPW/Congressman Carson connect

Got it. Thank you Holly

Sent from my iPhone

On Feb 28, 2021, at 7:34 PM, Woytcke, Holly <Holly.Woytcke@mail.house.gov> wrote:

Hi Brian,

Please use revised remarks here. Thanks so much!

From: Woytcke, Holly
Sent: Sunday, February 28, 2021 4:46 PM
To: 'Eiler, Brian (EPW)' <Brian_Eiler@epw.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: EPW/Congressman Carson connect

Good Afternoon Brian,

Please find Congressman Carson's remarks attached. If there's anything else you might need – please let us know. Enjoy the rest of your Sunday!

Kindest regards,

Holly
Office of Congressman André Carson (IN-07)

From: Woytcke, Holly
Sent: Saturday, February 27, 2021 7:35 PM
To: 'Eiler, Brian (EPW)' <Brian_Eiler@epw.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: EPW/Congressman Carson connect

Hi Brian,

It's a pleasure to meet you as well. We will do our best to provide you the Congressman's introductory remarks by 9am Monday. Should there be any issues or concerns, we'll reach out immediately.

All my best,

Holly

Office of Congressman André Carson (IN-07)

From: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Sent: Saturday, February 27, 2021 7:09 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Woytcke, Holly <Holly.Woytcke@mail.house.gov>; Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: Re: EPW/Congressman Carson connect

Thanks Radha,

Nice to meet you Shayla and Holly. We're looking forward to having Congressman Carson hearing at the hearing on Wednesday. Here's the tricky part. We need a copy of the Congressman's introductory remarks by 9:00 am on Monday, March 1. So, 38 hours from now. If you don't think you can make that, please let me know and I will see what I can do.

Thanks,

Brian

Sent from my iPhone

On Feb 26, 2021, at 4:19 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey y'all,

I wanted to make sure you were all connected. Brian, please meet Shayla and Holly who work in Congressman Carson's office. They have kindly agreed to help us support Janet. I have proposed a tiktok below for everyone's feedback and hope you won't hesitate to send over edits.

Brian, when you have a sec, can you please confirm we have seats reserved for Janet's family? Also, wanted to make sure you were aware we will have an agency photographer. Can you please let me know if that's cool?

Have a wonderful weekend,
Radha

Nomination Hearing of Janet McCabe
Proposed Tiktok

Wednesday, March 3, 2021
9:45-9:55: Congressman Carson arrives at Dirksen and is escorted to hearing room
9:55-10:00: Congressman Carson and Janet take photos, introduce Congressman to Janet's family and Chairman Carper
10:00-:10:10: Chairman and Ranking Member give opening statement; Congressman Carson is seated with Senator Blumenthal at the witness table
10:10-10:20: Congressman Carson and Senator Blumenthal give remarks
Congressman Carson is escorted out.

10:20-10:30: McCabe and Malloy give remarks

<Introductory Remarks for Janet McCabe (Rep. Carson).docx>

Message

From: Scheduling (Kelly) [Scheduling@kelly.senate.gov]
Sent: 3/1/2021 1:13:34 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Uter, Jordan (Kelly) [Jordan_Uter@kelly.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu
Subject: RE: Scheduling Senator Kelly - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thank you so much for reaching out and inviting Senator Kelly to speak with Nominee McCabe. Unfortunately at this time the Senator is unavailable, but if our situation changes I will certainly reach out.

Thank you for your understanding,
Jamie

The Scheduling Team
Office of Senator Mark Kelly
Kelly.Senate.gov

Please Note: All meetings with Senator Kelly are subject to change due to committee hearings, official business, or votes. If the Senator is unable to meet with your group, we will have a member of our staff meet with you on his behalf. Thank you for your time and understanding!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Friday, February 19, 2021 2:56 PM
To: Uter, Jordan (Kelly) <Jordan_Uter@kelly.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling (Kelly) <Scheduling@kelly.senate.gov>
Subject: RE: Scheduling Senator Kelly - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Jordan – I appreciate it. Please reach out if there's any additional info you need from us to make this meeting happen!

Looking forward,

Karen.

From: Uter, Jordan (Kelly) <Jordan_Uter@kelly.senate.gov>
Sent: Wednesday, February 17, 2021 5:36 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling (Kelly) <Scheduling@kelly.senate.gov>
Subject: Re: Scheduling Senator Kelly - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hey Karen thanks for reaching out. We've received your request for a meeting with the Senator and will circle back if there's time on the calendar for him to meet.

Sent from my iPhone

On Feb 16, 2021, at 5:10 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Jordan,

I hope you are doing well. I'm reaching out to find time on Senator Kelly's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We are happy to work around Senator Kelly's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: McDonough, Lindsay (Young) [Lindsay_McDonough@young.senate.gov]
Sent: 3/1/2021 4:09:31 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,

Is there a backup dial-in number and access information?

Nancy who is staffing the Senator is having some wireless issues and may try to dial-in.

Best,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 5:50 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you, Lindsay! I'll be the best day-of point of contact for Monday should anything come up. My number is 202 564 1142.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Tuesday, February 23, 2021 12:32 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great, thank you. Nancy Martinez and potentially our LD Lauren O'Brien will virtually staff the Senator.

Lastly, would you be able to confirm the best day-of point of contact for Monday should anything come up?

Thanks,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 12:25 PM

To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lindsay – Following up on Amy's confirmation and you letting me know Senator is comfortable with video calls, I'm sharing a Zoom link for the March 1st meeting:

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Who will join Senator Young in the virtual meeting? Radha Adhar and I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 10:19 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Lindsay, Janet is available on March 1st @11:15am.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: McDonough, Lindsay (Young) [mailto:Lindsay_McDonough@young.senate.gov]
Sent: Tuesday, February 23, 2021 8:48 AM
To: Carlile, Amy L <acarlile@iu.edu>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: [External] RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Amy,

Would 11:15 AM (EST) work for Monday, March 1?

Best,

Lindsay

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Monday, February 22, 2021 11:12 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Lindsey,

Janet will be traveling to Washington that day. I can find time this week or on March 1st if Senator Young has the availability to meet. We can also schedule it after 5pm or on the weekend if that makes it easier.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: McDonough, Lindsay (Young) [mailto:Lindsay_McDonough@young.senate.gov]
Sent: Monday, February 22, 2021 8:26 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

My apologies for the delay. Would 10:15 AM (EST) work for Tuesday, March 2?

Best,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:13 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lindsay,

I hope you are doing well. I'm reaching out to find time on Senator Young's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 3/1/2021 4:46:56 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

I think so but I likely will have more soon. I was a great meeting, thank you for setting up!

I think it just seems more informal than I expected with the voluntary resolution option and makes me interested in what the complaint filer would want outside of project moving.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 1, 2021 11:42 AM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Subject: RE: Time to chat

No apology needed! Want to make sure we get y'all what you need on Centreville.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Monday, March 1, 2021 11:35 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Time to chat

Sorry just saw this! I Can talk after this call or later tonight like 3:30 or 5:30

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

> On Mar 1, 2021, at 10:50 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Hey lady, will you let me know if you have time to chat?

Appointment

From: Womble, Jeanine [Jeanine.Womble@mail.house.gov]
Sent: 3/1/2021 4:44:32 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: PFAS discussion
Location: Jeanine calls Ex. 6 Personal Privacy (PP)

Start: 3/1/2021 5:00:00 PM
End: 3/1/2021 5:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 3/1/2021 7:26:06 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: circling back on our call from Friday

You are my fav person!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 1, 2021 1:29 PM
To: Kane, John (EPW) <John_Kane@epw.senate.gov>
Subject: RE: circling back on our call from Friday

Hey JK, am convening the heads of Water and Policy to discuss your hearing tomorrow and will circle right back.

From: Kane, John (EPW) <John_Kane@epw.senate.gov>
Sent: Monday, March 1, 2021 1:27 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: circling back on our call from Friday

For names and times to talk.

Thx.

John

Message

From: Skates, Mikalah (Lummis) [Mikalah_Skates@lummis.senate.gov]
Sent: 3/1/2021 3:13:20 AM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu; Stewart, Adam (Lummis) [Adam_Stewart@lummis.senate.gov]
Subject: Re: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

The same zoom will work. Thank you for your flexibility! We are confirmed for 3/2 at 12:00 pm ET.

Take care,

Mikalah

Mikalah Skates | Scheduler
U.S. Senator Cynthia M. Lummis (like "hummus"!)
202-224-0112 | lummis.senate.gov

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Friday, February 26, 2021 at 7:23 AM
To: Mikalah Skates <Mikalah_Skates@lummis.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>, "Stewart, Adam (Lummis)" <Adam_Stewart@lummis.senate.gov>
Subject: RE: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mikalah,

Thanks for your note. Janet McCabe can make Tuesday, 3/2 at 12:00pm work. Will the Zoom link below work for that time?

Take care,

Karen.

From: Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov>
Sent: Thursday, February 25, 2021 6:59 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Stewart, Adam (Lummis) <Adam_Stewart@lummis.senate.gov>
Subject: Re: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

The Senator has had a few changes in her schedule and I'm afraid is no longer available to meet on Monday, March 1. Is it possible that Janet McCabe is available to meet with Senator Lummis on Tuesday, March 2 at 12:00 pm? I apologize for any inconvenience! I look forward to hearing from you.

Mikalah Skates
Mikalah Skates | Scheduler
U.S. Senator Cynthia M. Lummis (like "hummus"!)

202-224-0112 | lummis.senate.gov

From: Mikalah Skates <Mikalah_Skates@lummis.senate.gov>
Date: Friday, February 19, 2021 at 4:14 PM
To: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>, "Stewart, Adam (Lummis)" <Adam_Stewart@lummis.senate.gov>
Subject: Re: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! We always seem to have a bit of difficulty logging in with video when using Teams so I've provided a zoom link below! We are good to go for Monday, March 1 at 2:30 pm ET. Adam Stewart, the Senator's Senior Policy Advisor will also be joining!

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Thank you! Have a great weekend!

Mikalah Skates | Scheduler
U.S. Senator Cynthia M. Lummis (like "hummus"!)
202-224-0112 | lummis.senate.gov

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Friday, February 19, 2021 at 4:01 PM
To: Mikalah Skates <Mikalah_Skates@lummis.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>
Subject: RE: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mikalah – Thanks again! March 1st at 2:30pm works. Do you use Zoom or Teams? If you use Zoom, would you please send a link? If you use Teams, I can send a link.

Would you please share who will join Senator Lummis? Radha Adhar & I will join Janet McCabe.

Have a great weekend,

Karen.

From: Thundiyil, Karen
Sent: Thursday, February 18, 2021 3:39 PM
To: Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: RE: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mikalah,

Thank you for also finding time for Janet McCabe on March 1st at 2:30pm. I'm looping in Amy Carlile who can confirm Janet's availability for that Monday time slot.

Take care,

Karen.

From: Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov>
Sent: Thursday, February 18, 2021 11:10 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Re: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thank you for your request on behalf of Janet McCabe to meet with Senator Lummis. I'm happy to get this scheduled. Would Janet be available to meet with Senator Lummis on Tuesday, March 9 at 3:30 pm ET? I look forward to hearing from you. Thank you!

Mikalah Skates | Scheduler
U.S. Senator Cynthia M. Lummis (like "hummus"!)
202-224-0112 | lummis.senate.gov

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Tuesday, February 16, 2021 at 5:20 PM
To: Mikalah Skates <Mikalah_Skates@lummis.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>
Subject: Scheduling Senator Lummis - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mikalah,

I hope you are doing well. I'm reaching out to find time on Senator Lummis's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Sent: 3/1/2021 7:37:44 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Thank you note

Thank you & yes of course! Was that you on the phone?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 1, 2021 2:19 PM
To: Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: Thank you note

Hey lady,

Thank you for the lovely call today. Can you please share the attached thank you note to Senator Markey from Janet?

Thanks in advance,
Radha

Message

From: Martinez, Nancy (Young) [Nancy_Martinez@young.senate.gov]
Sent: 3/1/2021 7:38:43 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Letter from IU

Yes!

Nancy Martinez
Legislative Assistant
Senator Todd Young
185 Dirksen Senate Office Building
202-224-5623

On Mar 1, 2021, at 2:22 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Nancy,

Sorry for all the letters today! Can you also share the attached letter with Senator Young? It is a thank you note from Janet to him.

Thanks in advance,
Radha

From: Adhar, Radha
Sent: Monday, March 1, 2021 11:25 AM
To: Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: Letter from IU

Hi Nancy,

I wanted to make sure y'all saw this letter from the President of IU. We are very grateful to have their support of Janet's nomination to be Deputy Adminstrator.

Best,
Radha
<Thank you Sen. Young.pdf>

Message

From: McDonough, Lindsay (Young) [Lindsay_McDonough@young.senate.gov]
Sent: 3/1/2021 9:53:15 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]; Martinez, Nancy (Young) [Nancy_Martinez@young.senate.gov]
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,

I was told that the Senator was asked to provide an introduction for Nominee McCabe at the hearing this week. I looked up the timing and unfortunately Senator Young has three other committee meetings all starting at the same time, so he will not be able to provide an introduction for her at this time.

I will be sure to let you know should any of the committee hearings shift their timing prior to Wednesday morning.

Best,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 5:50 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you, Lindsay! I'll be the best day-of point of contact for Monday should anything come up. My number is 202 564 1142.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Sent: Tuesday, February 23, 2021 12:32 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great, thank you. Nancy Martinez and potentially our LD Lauren O'Brien will virtually staff the Senator.

Lastly, would you be able to confirm the best day-of point of contact for Monday should anything come up?

Thanks,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 12:25 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lindsay – Following up on Amy's confirmation and you letting me know Senator is comfortable with video calls, I'm sharing a Zoom link for the March 1st meeting:

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Who will join Senator Young in the virtual meeting? Radha Adhar and I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 23, 2021 10:19 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Lindsay, Janet is available on March 1st @11:15am.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: McDonough, Lindsay (Young) [mailto:Lindsay_McDonough@young.senate.gov]
Sent: Tuesday, February 23, 2021 8:48 AM
To: Carlile, Amy L <acarlile@iu.edu>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: [External] RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Amy,

Would 11:15 AM (EST) work for Monday, March 1?

Best,

Lindsay

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Monday, February 22, 2021 11:12 AM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Lindsey,

Janet will be traveling to Washington that day. I can find time this week or on March 1st if Senator Young has the availability to meet. We can also schedule it after 5pm or on the weekend if that makes it easier.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: McDonough, Lindsay (Young) [mailto:Lindsay_McDonough@young.senate.gov]
Sent: Monday, February 22, 2021 8:26 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

My apologies for the delay. Would 10:15 AM (EST) work for Tuesday, March 2?

Best,

Lindsay

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:13 PM
To: McDonough, Lindsay (Young) <Lindsay_McDonough@young.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Young - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lindsay,

I hope you are doing well. I'm reaching out to find time on Senator Young's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Cayea, Devan (Padilla) [Devan_Cayea@padilla.senate.gov]
Sent: 3/1/2021 9:10:25 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu; Padilla, Scheduling (Padilla) [Scheduling_Padilla@padilla.senate.gov]; Schwartz, Leah (Padilla) [Leah_Schwartz@padilla.senate.gov]; Esquivel, Joshua (Padilla) [Joshua_Esquivel@padilla.senate.gov]
Subject: Re: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Yes, the Senator's Legislative Director, Josh Esquivel (cc'ed above) will join him for this call.

Thanks!

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Monday, March 1, 2021 at 4:07 PM
To: "Cayea, Devan (Padilla)" <Devan_Cayea@padilla.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>, "Padilla, Scheduling (Padilla)" <Scheduling_Padilla@padilla.senate.gov>, "Schwartz, Leah (Padilla)" <Leah_Schwartz@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Devan – absolutely. Let's use this conference line:
Phone number: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

Will anyone join Senator Padilla? Radha Adhar and I will join Janet McCabe.

Thank you,

Karen.

From: Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>
Sent: Monday, March 01, 2021 3:58 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Padilla, Scheduling (Padilla) <Scheduling_Padilla@padilla.senate.gov>; Schwartz, Leah (Padilla) <Leah_Schwartz@padilla.senate.gov>
Subject: Re: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Any chance we could do a phone call? If so, what is the best number to reach Ms. McCabe?

Appreciate your help, again!
Devan

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Monday, March 1, 2021 at 3:36 PM
To: "Cayea, Devan (Padilla)" <Devan_Cayea@padilla.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>, "Padilla, Scheduling (Padilla)" <Scheduling_Padilla@padilla.senate.gov>, "Schwartz, Leah (Padilla)"

<Leah_Schwartz@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Devan,

Thanks for your message. Yes, tomorrow (3/2) at 7:30pm will work for a meeting with Sen Padilla. I can send a Teams link. If you prefer Zoom, would you please send a link? Just let me know – thank you.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>
Sent: Monday, March 01, 2021 2:31 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Padilla, Scheduling (Padilla) <Scheduling_Padilla@padilla.senate.gov>; Schwartz, Leah (Padilla) <Leah_Schwartz@padilla.senate.gov>
Subject: Re: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Good afternoon Karen,

I hope you're well. Can you let us know if the nominee is available tomorrow, March 2nd at 7:30 PM ET for a brief phone call?

Thanks so much in advance,

Devan Cayea | Scheduling Director
Office of Senator Alex Padilla (D-CA)
112 Hart Senate Office Building
202-224-3553 | devan_cayea@padilla.senate.gov

From: "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
Date: Tuesday, February 23, 2021 at 7:47 AM
To: "Schwartz, Leah (Padilla)" <Leah_Schwartz@padilla.senate.gov>, "Cayea, Devan (Padilla)" <Devan_Cayea@padilla.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "acarlile@iu.edu" <acarlile@iu.edu>, "Padilla, Scheduling (Padilla)" <Scheduling_Padilla@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Leah – Thank you for your message.

I appreciate you making time to reach out in the midst of managing a very busy office right now. Please reach out as you'd like.

Take care,

Karen.

From: Schwartz, Leah (Padilla) <Leah_Schwartz@padilla.senate.gov>
Sent: Monday, February 22, 2021 5:41 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Padilla, Scheduling (Padilla) <Scheduling_Padilla@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Good afternoon Karen,

I hope this message finds you well.

Thanks again for reaching out about a meeting between nominee McCabe and Senator Padilla. As the senator transitions to his new role, his schedule is currently very busy and we're unable to make a meeting work at this time. We would love to try to coordinate a conversation in the future, and thanks for your understanding.

Have a great week!

Best,
Leah Schwartz

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Friday, February 19, 2021 3:36 PM
To: Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Schwartz, Leah (Padilla) <Leah_Schwartz@padilla.senate.gov>; Padilla, Scheduling (Padilla) <Scheduling_Padilla@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi there Devan – Just checking to see if there's any update on your end. Thank you for considering!

Karen.
202 564 1142

From: Thundiyil, Karen
Sent: Tuesday, February 16, 2021 6:09 PM
To: Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Schwartz, Leah (Padilla) <Leah_Schwartz@padilla.senate.gov>; Padilla, Scheduling (Padilla) <Scheduling_Padilla@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Fantastic. Thank you, Devan.

Karen.

From: Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>
Sent: Tuesday, February 16, 2021 5:29 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Schwartz, Leah (Padilla)

<Leah_Schwartz@padilla.senate.gov>; Padilla, Scheduling (Padilla) <Scheduling_Padilla@padilla.senate.gov>
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks, Karen. We'll be in touch shortly regarding the Senator's availability.

All the best,

Devan Cayea
Scheduling Director
Office of Senator Alex Padilla (D-CA)
(202) 224-3553

From: Montes, David (Padilla) <David_Montes@padilla.senate.gov>
Sent: Tuesday, February 16, 2021 5:15 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Cayea, Devan (Padilla) <Devan_Cayea@padilla.senate.gov>; Schwartz, Leah (Padilla) <Leah_Schwartz@padilla.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: RE: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Looping Devan and Leah on our scheduling team.

Thanks,
David

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:10 PM
To: Montes, David (Padilla) <David_Montes@padilla.senate.gov>; Cardenas, Joshua (Padilla) <Joshua_Cardenas@padilla.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Padilla - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi David & Joshua,

I hope you are doing well. I'm reaching out to find time on Senator Padilla's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around his schedule. (And if I should reach out to someone else in your office for scheduling, please let me know.)

Thanks for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Vandegrift, Carly (Merkley) [Carly_Vandegrift@merkley.senate.gov]
Sent: 3/1/2021 9:43:57 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu; Scheduling, Merkley (Merkley) [Merkley_Scheduling@merkley.senate.gov]
Subject: RE: CONFIRMED: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) (3/1)

Hi Karen,

Reconfirming today's meeting at 5:15pm.

In addition to Logan, Ben Schreber, who handles climate policy for the Senator, and Melissa Zimmerman, the clerk for the interior appropriations subcommittee, will join.

Best,

Carly

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Friday, February 19, 2021 10:16 PM
To: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling, Merkley (Merkley) <Merkley_Scheduling@merkley.senate.gov>
Subject: RE: CONFIRMED: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) (3/1)

Awesome. Thanks, Carly. I'll keep an eye out for a follow-up note in case other folks might join the Senator.

Have a great weekend!!

Karen.
202 564 1142

From: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Sent: Friday, February 19, 2021 5:30 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling, Merkley (Merkley) <Merkley_Scheduling@merkley.senate.gov>
Subject: CONFIRMED: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) (3/1)

Great, we're confirmed for 5:15pm on Monday, March 1. We prefer Zooms, so we can use the below link.

On our end, Logan Hollers, Sen. Merkley's energy/environment policy advisor, will join. I'll send a follow up note closer to the date if anyone else will join, too.

Join ZoomGov Meeting: **Ex. 6 Personal Privacy (PP)**

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile

Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number: Ex. 6 Personal Privacy (PP)

Join by SIP
Ex. 6 Personal Privacy (PP)

Join by H.323
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Best,

Carly

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Friday, February 19, 2021 5:26 PM
To: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling, Merkley (Merkley) <Merkley_Scheduling@merkley.senate.gov>
Subject: RE: PENDING: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Carly,

Thanks so much for checking! I think that will work. Amy, can confirm, but let's take the March 1, 2021 5:15pm slot for now.
Do you do Teams or Zoom? I can send a scheduler for Teams, but if you use Zoom, do you mind sending that?

Would you please share who will join Sen Merkley? Radha Adhar & I will join Janet McCabe.

Thanks again & have a great weekend,

Karen.

From: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Sent: Friday, February 19, 2021 5:20 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling, Merkley (Merkley) <Merkley_Scheduling@merkley.senate.gov>
Subject: RE: PENDING: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

It looks like we can make a 5:15pmET meeting on Monday, March 1st work, if that works on your end?

Best,

Carly

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:28 PM
To: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling, Merkley (Merkley)

<Merkley_Scheduling@merkley.senate.gov>
Subject: RE: PENDING: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Carly,

I appreciate your note. Thank you for taking the time to look at Senator Merkley's schedule for this week. Yes, please let know what could be possible for the week beyond or so.

Have a nice evening,

Karen.

From: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Sent: Tuesday, February 16, 2021 3:22 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu; Scheduling, Merkley (Merkley) <Merkley_Scheduling@merkley.senate.gov>
Subject: PENDING: Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thank you for the request. This week unfortunately won't work for the Senator, but I'll see what options for future weeks are and be in touch.

Best,

Carly

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:15 PM
To: Vandegrift, Carly (Merkley) <Carly_Vandegrift@merkley.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Merkley - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Carly,

I hope you are doing well. I'm reaching out to find time on Senator Merkley's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Huckleberry, Chris [huck@mail.house.gov]
Sent: 3/1/2021 10:41:22 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: introduction

Hi Radha,

Thank you very much. It's nice to meet you too. If you could provide any additional information you have on the WIFIA announcement for the Multnomah, Clackamas, and Washington County area in Oregon tomorrow I'd greatly appreciate it. Also, please let me know if this is embargoed and when that would be lifted. Many thanks!

Best,
Chris

Chris Huckleberry | Deputy Chief of Staff
Office of Congressman Kurt Schrader (OR-5)
huck@mail.house.gov | (202) 412-1960 cell

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 1, 2021 5:37 PM
To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>; Huckleberry, Chris <huck@mail.house.gov>
Subject: RE: introduction

Thank you for the connection Jackie. Chris, it's nice to meet you and I hope you won't hesitate to let me know how we can assist your office.

From: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Sent: Monday, March 1, 2021 5:15 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Huckleberry, Chris <huck@mail.house.gov>
Subject: introduction

Radha, meet Chris Huckleberry, who is Rep. Schrader's Deputy Chief and would appreciate any information you have on the WIFIA announcement coming tomorrow. Chris, meet Radha Adhar, who is the Deputy Associate Administrator for Congressional Affairs at EPA.

Jacqueline G. Cohen
Chief Environmental Counsel
Committee on Energy and Commerce
202-225-4470

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 3/1/2021 11:40:26 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Shrader has portland suburbs

In case this is useful context, Chris is very moderate but also easy to work. He will always be straight with you.

Sent from my iPhone

On Mar 1, 2021, at 5:36 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Thanks Jackie, appreciate it.
>
> **From:** Cohen, Jacqueline <jackie.cohen@mail.house.gov>
> **Sent:** Monday, March 1, 2021 5:12 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** RE: Shrader has portland suburbs
>
> I passed along the information to Chris Huckleberry, who is Schrader's Deputy Chief and LD. He would love to be connected with you, so look or an email coming your way shortly.
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Monday, March 1, 2021 4:10 PM
> **To:** Cohen, Jacqueline <jackie.cohen@mail.house.gov>
> **Subject:** Shrader has portland suburbs
>
> Hey lady, here is what I have for the WIFIA loan: EPA will announce a $727 million WIFIA loan to the City of Portland, Oregon to improve drinking water quality for nearly 1 million people in Multnomah, Clackamas, and Washington Counties. Do you mind sharing with Shrader's office? I don't know those folks yet, though I'm happy to introduce myself if that works better. Hope to get back to you soon re PFAS/TSCA.

Message

From: Martinez, Nancy (Young) [Nancy_Martinez@young.senate.gov]
Sent: 3/1/2021 11:58:05 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letter from IU

Received

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 1, 2021 4:58 PM
To: Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Letter from IU

Hey Nancy, hope you don't mind me sharing another note on behalf of Janet. So sorry for all the emails!

From: Adhar, Radha
Sent: Monday, March 1, 2021 3:02 PM
To: Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Subject: RE: Letter from IU

Thanks Nancy, and I hope you will let me know if you have any thoughts you can share re: Janet's request for the Senator to introduce her at our EPW hearing on Wednesday. Congressman Carson will be there giving introductory remarks.

From: Martinez, Nancy (Young) <Nancy_Martinez@young.senate.gov>
Sent: Monday, March 1, 2021 2:36 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Letter from IU

Yes, we received the letter over the weekend. Thanks for flagging!

Nancy Martinez
Legislative Assistant
Senator Todd Young
185 Dirksen Senate Office Building
202-224-5623

On Mar 1, 2021, at 11:26 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Nancy,

I wanted to make sure y'all saw this letter from the President of IU. We are very grateful to have their support of Janet's nomination to be Deputy Adminstrator.

Best,
Radha
<02.26.21 Janet McCabe EPA ltr of support_Young.pdf>

Message

From: Chambers, Micah (Cramer) [Micah_Chambers@cramer.senate.gov]
Sent: 3/2/2021 3:57:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: FW: URGENT TSCA PIP URGENT

Radha, below is the blurb AEM sent out. Bobcat HQ is in ND and they forwarded along. I would assume the other majors like John Deere and Cat would have similar issues, but new to me. This is what they sent me last night: "On February 25, 2021, Doosan Bobcat learned of the substantial negative consequences of new U.S. Federal regulations, published by the EPA, that ban five chemical substances (and products that contain those substances) from being manufactured and sold in the U.S. as of March 8, 2021. This new Regulation effectively prohibits the manufacturing and sale of all off-highway equipment and certain aftermarket parts. In addition to the off-highway equipment industry, the new Regulation negatively impacts dozens of other major industries encompassing thousands of companies. For example, we understand that representatives from the electronics industry were meeting with EPA on March 1, 2021 on this issue due to the negative and unexpected consequences on that industry." Any idea of path forward would be appreciated. Thanks in advance.

Micah Chambers
Legislative Director
Senator Kevin Cramer | North Dakota
Russell 400 | 202-224-2043
Email Website vCard

AEM Regulatory Compliance Steering Committee Members,

As you will recall in our regularly scheduled February meeting on the 9th we shared with the group that TSCA had published in the Federal register Final rules addressing two specific chemicals of concern to our industry PIP 1.3 and decaBDE. (see the except form the minutes all include information was in the agenda circulated ahead of the meeting).

PIP 1.3 was a new chemical to most of us and it has not been listed as a harmful chemical in EU REACH at this time. We have been researching this chemical its proliferation in our industry and what exemptions have been granted. Infact we began researching the situation of February 10th.

Finding that the Automotive industry had acquired an Exemption for all New and Replacement parts, I and my Co worker form the Washington Office Nick Tindall reached out to and met with representatives of the Alliance of Automobile Manufacturers on February 17th to understand what their exemption was and how it was arrived at. They recommended we talk directly to the EPA and provided a contact.

AEM met with Doug Parsons of the EPA and some of his team on Tuesday Feb 23rd. The feedback we received was mixed. The EPA now understands (and we are providing more evidence, as we discover it) that our industry is closely related to and follows the automotive industry which currently has an exemption for the use of PIP 1.3.

There is the possibility that we might be able to use the Motor vehicle exemption, however, we may not be able to rely on that. Our argument is that we share a multinational muti-layered supply chain with the automotive industry, however, because of our significantly lower volume design follows the needs of automotive and our access comes after them. This would be impacted by the exemption and the suppliers being slower to design out the PIP 1.3. This also leads to the areas where we would find PIP 1.3 present in our products including the cab environment. Another challenge is that PIP 1.3 can be added after the item is assembled so it does not always appear in the formulation.

As far as Impact on the industry one of our members has done an analysis which indicate as many as 50,000 part numbers could be impacted for them. If you figure the impact across the total industry this could be in excess of 1,000,000 part numbers.

We were advised to write a letter to the EPA on outlining our concerns. We are in the process of that.

In the meanwhile PIP 1.3 can be found (as a fire retardant and plasticizer) to be present in products/ articles including but not limited to: wiring and wiring Harnesses, foams, textiles, rubber hoses, anything in cab environment, sound insulation materials and plastics.

PIP 1.3 has not undergone the scrutiny in the European Union under EU REACH and has largely gone unnoticed by most in our Industry until now. It can be present in many critical safety related components.

There are some exemptions which help us namely Hydraulic oil, Greases and Lubricants, and adhesives.

Bottom line we need time to design out PIP, but that could take up to 3-5 years.

Finally we are aware the clock is ticking (we have 180 days to show compliance), but this issue impacts all of AEM members and we are not only talking to EPA but have reached out to other industry associations for help in this matter.

I hope this helps some.

We continue to work on this challenge.

Regards,

John W

John Wagner
Director, Materials Management
Association of Equipment Manufacturers (AEM)

6737 W. Washington St., Ste. 2400
Milwaukee, WI 53214
O: 414 298 4164
M: 414 526 8081

AEM
We Build Momentum

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 3/2/2021 5:31:52 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Lake County EtO updates

Roger that. Thanks!

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 12:23 PM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Subject: RE: Lake County EtO updates

Hey lady, will circle back but your gut to start with IEPA checks out with my team's instincts.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Tuesday, March 2, 2021 11:55 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FW: Lake County EtO updates

Hi,

The description below is very helpful so I won't re-summarize but this is regarding EtO. They would like to report an active lawsuit and some reporting issues to ILEPA as well as US EPA. How would you like me to proceed on this? Start with ILEPA?
Thanks!

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Tea Tanaka <Ex. 6 Personal Privacy (PP)
Sent: Tuesday, March 2, 2021 12:14 AM
To: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Danos, Peter (Duckworth) <Peter_Danos@duckworth.senate.gov>
Cc: Francesca <Ex. 6 Personal Privacy (PP)
Subject: Lake County EtO updates

Hi Chelsea and Peter,

Hope you're doing well. I wanted to bring to your attention an incident we uncovered:

In Nov 2018, an ex-contractor, who was hired to measure EtO stack emissions at Vantage, sued them in Cook Cty. The lawsuit alleges he and his co-workers were exposed to extremely high doses of EtO coming out of the

stack in Nov 2016. The instruments were reading 30,000 ppm. (OSHA limit for EtO exposure is 1ppm per 8-hour shift).

The lawsuit also alleges that Vantage didn't shut down production after they were told of the high emissions, which continued to be the same for a span of several days.

Vantage is countersuing the company who hired the contractor. The two companies are arguing in court over who should have warned the workers about the EtO exposure. Vantage is not disputing the high readings. The case is still active.

From the public records we obtained from Cook County Clerk's Office, we put this video together explaining what's happening in this case: https://youtu.be/y2Gx54jjns0

These emissions were never reported to ILEPA. Vantage fired the testing company and later hired another company to perform emission testing and report that to ILEPA instead.

The reason why I'm bringing this up to your attention, is two-fold:

1) US EPA is relying on the data these companies self-report to TRI database and what they tell the States. That reliance needs to end. Continuous fenceline monitoring needs to be mandated to know exactly when, how much, and for how long these kind of emissions occur. Could Senator Duckworth use her influence to advocate with the USEPA on this point? How could we help that case? Also, do you have any updates on Picarro testing method from your talks with USEPA? That testing method is designed for continuous fenceline monitoring.

2) We need to get in touch with the USEPA compliance Office to report this incident at Vantage. Would you be able to connect us with someone there who can open an investigation on what happened at Vantage in 2016? We've never done this before and don't know how to go about it. Your help is appreciated.

I also wanted to let you know Stop EtO thoroughly supports Senator Duckworth and Senator Markey's "EJ Mapping and Data Collection Act". Let us know if you need anything from us in this initiative. We'd love to help and be part of it.

Best regards and hope to hear from you soon!

Tea & Francesca

(Stop EtO)

Message

From: Rubio, Arian (Warren) [Arian_Rubio@warren.senate.gov]
Sent: 3/2/2021 5:39:06 PM
To: Richardson, RobinH [Richardson.RobinH@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]; Linsk, Abigail (Abbey) [Linsk.Abbey@epa.gov]; lauren.higgins@nih.hhs.gov; adrienne.hallett@nih.hhs.gov; brandtp@od.nih.gov; brandtp@od.nih.gov
CC: Tavar, Lauren (Booker) [Lauren_Tavar@booker.senate.gov]; Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]; Savage, Susannah (Warren) [Susannah_Savage@warren.senate.gov]; Aguilar, Laura (Warren) [Laura_Aguilar@warren.senate.gov]
Subject: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins
Attachments: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins.pdf

Hi all,

Please find attached a letter from Senators Warren, Booker, and Markey to Acting Administrator Nishida and Director Collins.

Thank you,
Arian

--
Arian Rubio
Office of U.S. Senator Elizabeth Warren
309 Hart Senate Office Building
arian_rubio@warren.senate.gov
(202) 224-4543

United States Senate
WASHINGTON, DC 20510

March 2, 2021

The Honorable Jane Nishida
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

The Honorable Francis Collins
Director
National Institutes of Health
9000 Rockville Pike
Bethesda, MD 20892

Dear Acting Administrator Nishida and Director Collins:

We write concerning the current status of the Environmental Protection Agency (EPA) and National Institutes of Health (NIH) portfolios of environmental justice grants and environmental health disparities research grants. As the nation continues to confront the novel coronavirus disease 2019 (COVID-19) pandemic, your agencies must address the environmental injustices that are disproportionately placed on the nation's frontline communities and that have been exacerbated by the pandemic.

The office of Massachusetts Attorney General Maura Healey recently found that, "[i]n communities of color across the United States, the painful legacy of environmental injustice and unequal access to healthcare are lethally compounding the effects of the COVID-19 pandemic."[1] These findings echo ongoing studies that have stated that "racial disparities in exposure to environmental pollutants are greater factors that remain even after controlling for income" and that middle-class Black Americans "are exposed to much higher levels of industrial chemicals, air pollution and poisonous heavy metals, as well as pathogens, than are profoundly poor white people" across urban and rural areas.[2] As the nation faces both a public health crisis and an economic crisis,[3] it is also notable that "Black workers are more likely to be in front-line jobs that are categorized as 'essential'—forcing them to risk their own and their families' health to earn a living" and that Black Americans "have disproportionately high COVID-19 death rates

[1] Office of Attorney General Healey, "COVID-19's Unequal Effects in Massachusetts: Remedying the Legacy of Environmental Injustice & Building Climate Resilience" report, May 12, 2020, https://www.mass.gov/doc/covid-19s-unequal-effects-in-massachusetts/download.
[2] Nature, "How environmental racism is fueling the coronavirus pandemic," Harriet Washington, May 19, 2020, https://www.nature.com/articles/d41586-020-01453-y.
[3] New York Times, "Anemic Jobs Report Reaffirms Pandemic's Grip on Economy," Sydney Ember and Ben Casselman, February 22, 2021, https://www.nytimes.com/2021/02/05/business/economy/january-2021-jobs-report.html.

and are more likely to live in areas experiencing outbreaks."[4] It is clear that now, more than ever, the federal government should be putting resources into programs that would research and identify ways to mitigate these environmental injustices and disparities.

We are concerned about the status of the Centers of Excellence on Environmental Health Disparities (EHD) Research program, a program jointly administered through the EPA and the National Institute of Minority Health and Health Disparities (NIMHD) and the National Institute of Environmental Health Sciences (NIEHS) at the NIH. The EHD Research program "encourages basic, biological, clinical, epidemiological, behavioral and/or social scientific investigations of disease conditions that are known to be a significant burden in low socioeconomic and health disparate populations," and the centers "support research efforts, mentoring, capacity building, research translation and information dissemination, and are designed to address program-specific research priorities."[5] As the nation faces a dire public health crisis with disproportionate impacts on low-income communities and communities of color, the research conducted by the EHD centers is more important than ever.

We were troubled by the NIMHD and NIEHS decision to reduce the number of EHD centers from five centers to three,[6] following the Trump-era EPA's decision to withdraw its support for the program. The 2019 grant for EHD through NIH stated that "NIMHD and NIEHS each intend to commit $2 million in FY2020 for a total of $4 million to fund up to 3 awards and NICHD intends to commit $300,000 in FY2020 for a total of $4.3 million to fund up to 3 awards."[7] This grant opportunity, however, contrasts with the 2014 grant opportunity, which stated that "NIH and EPA intend to fund approximately 5 awards, corresponding to $5.1 million per year, for 5 years beginning in fiscal year 2015. Future year amounts will depend on annual appropriations."[8]

The currently funded projects, located in Arizona, California, Maryland, Massachusetts, and New Mexico,[9] are researching cumulative effects of contaminant exposure and how they combine with social stressors, how different socioeconomic groups are differentially exposed to

---

[4] Economic Policy Institute, "Black workers face two of the most lethal preexisting conditions for coronavirus—racism and economic inequality," Elise Gould and Valerie Wilson, June 1, 2020, https://www.epi.org/publication/black-workers-covid/.

[5] Environmental Protection Agency, "Centers of Excellence on Environmental Health Disparities Research," July 16, 2019, https://www.epa.gov/research-grants/centers-excellence-environmental-health-disparities-research.

[6] National Institutes of Health and Environmental Protection Agency, "Centers of Excellence on Environmental Health Disparities Research (P50)," October 30, 2014, https://grants.nih.gov/grants/guide/rfa-files/RFA-ES-14-010.html; National Institutes of Health, "Limited Competition: Specialized Centers of Excellence on Environmental Health Disparities Research [P50 Clinical Trial Optional]," September 20, 2019, https://grants.nih.gov/grants/guide/rfa-files/RFA-MD-20-001.html.

[7] National Institutes of Health, "Limited Competition: Specialized Centers of Excellence on Environmental Health Disparities Research [P50 Clinical Trial Optional]," September 20, 2019, https://grants.nih.gov/grants/guide/rfa-files/RFA-MD-20-001.html.

[8] National Institutes of Health and Environmental Protection Agency, "Centers of Excellence on Environmental Health Disparities Research (P50)," October 30, 2014, https://grants.nih.gov/grants/guide/rfa-files/RFA-ES-14-010.html.

[9] Environmental Protection Agency, "Currently Funded Grantees: Centers of Excellence on Environmental Health Disparities Research," April 14, 2017, https://www.epa.gov/research-grants/currently-funded-grantees-centers-excellence-environmental-health-disparities.

ED_013012_00002250-00002

environmental hazards, and how land use contributes to environmental health disparities.[10] They are also studying how proximity to transportation infrastructure and poverty affects pollution exposure, how improvements in environmental health literacy enable sustainable lifestyles, and how researchers can convey findings to stakeholders and community members in culturally sensitive ways.[11] This research is critical, particularly given the NIH's acknowledgement that "climate variables may be useful to predict periods of lower or higher intensity of COVID-19 spread in local communities, which has significant policy, communication, and resource implications[,]" and that "the COVID-19 pandemic illuminates the special challenges to health systems of concurrent events and cumulative health hazards and stressors."[12]

Specifically, the Center for Research on Environmental and Social Stressors in Housing across the Life Course (CRESSH), located in Massachusetts and jointly administered by the Harvard T.H. Chan School of Public Health and Boston University School of Public Health, conducts "innovative interdisciplinary and multidisciplinary studies spanning epidemiology, exposure science, risk assessment, and quantitative disparities analysis, with strong community engagement" and examines "multiple health outcomes across the life course, operating within [the] Center's targeted low-income communities (Chelsea and Dorchester) as well as across Massachusetts."[13] The Trump-era action to reduce the available funding for EHD centers, along with the fact that the EPA appears to have ceased its participation in the next round of EHD center grant funding,[14] challenges the EPA's mission of "working to improve the environment and public health conditions of low-income and minority communities."[15]

Given reports that "Black and Latino people have been disproportionately affected by the coronavirus in a widespread manner that spans the country, throughout hundreds of counties in urban, suburban and rural areas, and across all age groups,"[16] the federal government should be taking every step to address environmental injustices and health disparities, which includes providing robust funding for programs that research these health disparities. It is disturbing that this funding would be reduced now, especially considering that "[p]oor air can also cause lung

---

[10] Environmental Protection Agency, "Centers of Excellence on Environmental Health Disparities Research," July 16, 2019, https://www.epa.gov/research-grants/centers-excellence-environmental-health-disparities-research.
[11] *Id.*
[12] National Institutes of Health, "Global Environmental Health Newsletter: The COVID-19 Pandemic from a Global Environmental Health Perspective," June 22, 2020, https://www.niehs.nih.gov/research/programs/geh/geh_newsletter/2020/6/articles/the_covid19_pandemic_from_a_global_environmental_health_perspective.cfm.
[13] Environmental Protection Agency, "2019 Progress Report: Center for Research on Environmental and Social Stressors in Housing across the Life Course," November 25, 2019, https://cfpub.epa.gov/ncer_abstracts/index.cfm/fuseaction/display.abstractDetail/abstract/10630/report/2019.
[14] National Institutes of Health, "Limited Competition: Specialized Centers of Excellence on Environmental Health Disparities Research [P50 Clinical Trial Optional]," September 20, 2019, https://grants.nih.gov/grants/guide/rfa-files/RFA-MD-20-001.html.
[15] Environmental Protection Agency, "EPA Provides Grant Funding to Support Environmental Justice Communities Impacted by COVID-19," April 30, 2020, https://www.epa.gov/newsreleases/epa-provides-grant-funding-support-environmental-justice-communities-impacted-covid-19.
[16] New York Times, "The Fullest Look Yet at the Racial Inequity of Coronavirus," Richard Oppell, Robert Gebeloff, K.K. Rebecca Lai, Will Wright, and Mitch Smith, July 5, 2020, https://www.nytimes.com/interactive/2020/07/05/us/coronavirus-latinos-african-americans-cdc-data.html.

ED_013012_00002250-00003

inflammation that could worsen the symptoms of covid-19."[17] Given the identification and development of the COVID-19 pandemic since the NIH released its solicitation, we urge your agencies to reverse the decision to limit EHD center funding, relative to previous levels, and to explain how your agencies will ensure that the important research being conducted by the program continues without unnecessary impediments or delays.

In order for us to understand your agencies' environmental justice programs, please provide the following information by Tuesday, March 16, 2021:

1. Please provide a summary of activities and grant programs under your agencies' environmental justice programs, including new funding opportunities or programs that would address environmental health disparities since the beginning of the COVID-19 pandemic.

2. Please provide information on any plans to restore the joint EPA and NIH program supporting the EHD centers, including the timing for EPA to rejoin the program.

Thank you for your consideration of these important matters, and we look forward to your responses.

Elizabeth Warren
United States Senator

Edward J. Markey
United States Senator

Cory A. Booker
United States Senator

[17] Washington Post, "The coronavirus is deadly enough. But some experts suspect bad air makes it worse.," Chris Mooney, March 15, 2020, https://www.washingtonpost.com/climate-environment/2020/03/15/smoking-air-pollution-coronavirus/.

ED_013012_00002250-00004

Message

From: Carlson, Steven [Steven.Carlson@mail.house.gov]
Sent: 3/2/2021 6:57:13 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Letter to Administrator Designate
Attachments: LTR_New England PFAS Letter 03-01-2021 Final.pdf; PFAS Letter to EPA_.Feb 1 2021.pdf

Hi Radha,

My boss wanted me to send this letter to the Administrator Designate. I hope you will be able to make sure it gets to the right person. And hope you are doing well, it's been a long time, I think last time we talked you were with Sierra Club.

Thanks,

Steven

Steven Carlson | *Deputy Chief of Staff/Legislative Director*
Congressman Chris Pappas (NH-01)
323 Cannon HOB, Washington, DC 20515
Phone: 202-225-5456 | Mobile: 703-380-1053 (Text or Call)

Congress of the United States
Washington, DC 20515

March 2, 2021

Michael S. Regan
Administrator Designate
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Designate Regan,

We write today on behalf of communities we represent across New England to urge the federal government to take decisive action to address harmful per- and polyfluoroalkyl substances (PFAS) that pose ongoing health risks to constituents.

Clean and safe drinking water is one of the most basic guarantees our government can ensure for its citizens. We join New England state environmental regulation agency leaders, serving under both Republican and Democratic governors, who are requesting aggressive steps at the federal level to address PFAS contamination in our region.

A lack of federal action has resulted in a patchwork approach state-by-state to address these toxic forever chemicals. New England has been a national leader in adopting tougher regulations, but we need federal leadership to fully protect families and communities here and across the country who remain at risk.

In light of the environmental and safety risks posed by this group of chemicals, we join our state environmental regulators in asking for strong federal leadership and coordination in taking on PFAS contamination, cleaning up pollution, expanding access to testing, and providing our families with the assurance that their government is working to keep them safe. With your partnership, we can protect the health and well-being of our constituents while safeguarding the quality of our air, drinking water, and environment.

Thank you for your attention to this request. We look forward to working with you to address PFAS contamination in New England.

Sincerely,

Chris Pappas

Chris Pappas
Member of Congress

/s/

Richard E. Neal
Member of Congress

/s/

John B. Larson
Member of Congress

/s/

Stephen F. Lynch
Member of Congress

/s/

Peter Welch
Member of Congress

/s/

David N. Cicilline
Member of Congress

/s/

Seth Moulton
Member of Congress

/s/

Jahana Hayes
Member of Congress

/s/

Lori Trahan
Member of Congress

/s/

James P. McGovern
Member of Congress

/s/

James R. Langevin
Member of Congress

/s/

Joe Courtney
Member of Congress

/s/

Chellie Pingree
Member of Congress

/s/

Ann McLane Kuster
Member of Congress

/s/

Jared Golden
Member of Congress

/s/

Ayanna Pressley
Member of Congress

/s/

Jake Auchincloss
Member of Congress

February 1, 2021

Michael Regan, Incoming Administrator
United States Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20160

Dear Incoming Administrator Regan:

We write to you today as the heads of state environmental regulatory agencies in New England to congratulate you on your nomination to head the U.S. Environmental Protection Agency (USEPA) and look forward to working with you on the important environmental issues facing all of us.

Over the years, our states have built partnerships with USEPA to advance work on key issues. We want to highlight, in particular, our partnerships with USEPA Region 1 (New England) and the Office of Research and Development.

An area of significant attention is the environmental and public health challenge posed by per- and polyfluoroalkyl substances (PFAS). We know that your experience as a state leader addressing contamination from PFAS while the Secretary of the North Carolina Department of Environmental Quality will serve the country well in addressing this critical environmental and public health challenge. Each of our states have dealt with significant PFAS contamination, and we look forward to working with you to advance our collective work.

Each of our states has taken significant action to clean up contaminated sites, to provide safe drinking water to our residents, and to address PFAS in past and current materials and commercial products. However, each state has different regulatory authority over PFAS. This creates a patchwork quilt of approaches to dealing with PFAS that generates confusion for our residents, complexity for regulated entities, and a significant duplication of effort. To effectively address this class of "forever chemicals" will require coordinated action at the national level. We look forward to that partnership. Below we have highlighted some specific efforts the USEPA can undertake to help federal, state, and local governments address PFAS.

Address current and future PFAS use through the Lautenberg Chemical Safety Act updates to the Toxic Substances Control Act

There are more than four thousand PFAS chemicals that have been approved for use in the United States, but we are just now gaining a greater understanding of the impacts of these chemicals on human health and the environment. The 2016 Lautenberg Act updates to the Toxic Substances Control Act (TSCA) give the USEPA more authority to review the safety of different chemicals and take actions to ban or confine the use of those chemicals. We ask that you direct your team to do a comprehensive review of long- and short-chain PFAS compounds to determine appropriate controls or, as warranted, the prohibition of their use. The Significant New Use Rule that covered certain long-chain PFAS issued by the USEPA in 2020 had too narrow a scope. The USEPA and all states will continue to struggle with addressing legacy PFAS contamination from industrial use and commercial products, and the only way we will make progress is to ensure the replacement compounds are safe and appropriate for use.

Expedite the Maximum Contaminant Level adoption process, including for a broader list of PFAS beyond PFOA and PFOS

Multiple states have developed Maximum Contaminant Levels (MCL) for PFAS compounds. The development of an MCL is a critical step in protecting the drinking water upon which all Americans rely. It also takes a significant amount of effort to develop the scientific and public health basis for establishing an MCL, which is why that process has typically been led by the USEPA under its Safe Drinking Water Act (SDWA) authority. Further, the current focus on PFOA and PFOS, the two PFAS chemicals the scientific community knows the most about, is insufficient to protect all Americans. We ask you to move forward with separate MCLs for as many PFAS chemicals as feasible or, if supported by the science, one cumulative PFAS MCL.

Designate PFAS chemicals as hazardous substances

Each state has different authority as it relates to the identification and remediation of contaminated sites. Designating PFOA, PFOS, and additional PFAS compounds as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) will ensure states have the consistent ability to pursue investigations and cleanups at contaminated sites. This will be especially significant for federally owned sites, which will be discussed in more detail below.

Evaluate regulating PFAS as a class

As mentioned above, there are more than four thousand PFAS compounds that have been developed for commercial use. Currently, we are only able to regulate a small handful of PFAS compounds because that is the limit of the full toxicology profile despite knowledge that similar chain length PFAS have similar properties. We urge the USEPA to explore how to develop regulatory standards to address PFAS at the class level. We standby to assist with that work, but we lack the capacity to do it independently. Doing so would have a significant impact on the other work addressed in this letter.

Expedite the development of toxicological profiles for additional PFAS compounds

Toxicological profiles form the basis for hazardous chemical regulation. Unfortunately, the funding and support for the development of toxicological profiles of the thousands of PFAS compounds has been insufficient. We urge you to partner with the Agency for Toxic Substances and Disease Registry to prioritize additional profile development. Doing so may contribute to the knowledge vital to addressing PFAS as a class, as discussed above.

Expedite the research necessary to develop a PFAS surface water standard and fish consumption guidance values

Developing a surface water standard and fish consumption guidance values requires scientific investigation that is beyond the capacity of most state budgets. Each state would benefit from the USEPA expediting the work to develop these standards by enabling states to effectively regulate the impact of PFAS in our waste streams. For example, because states lack these standards, we lack the ability to understand the impact of releases from wastewater treatment facilities. PFAS entering those facilities from commercial, industrial, waste, and residential sources is not removed from the effluent. Without surface water standards or fish consumption values, we lack a key tool for protecting our residents.

Expedite non-drinking water PFAS analytic methods
Identifying PFAS in various environmental media remains a top priority of our states. To do that, we must have effective methods to test for the presence of and quantify PFAS. We are grateful to the work the USEPA has done to date to develop improved and new methodologies for testing drinking water (Methods 537.1 and 533), but we urge you to expedite efforts to detect PFAS in other environmental media, including in various waste streams (e.g. – biosolids, septage, landfill leachate) and in air. Specifically, we urge you to expedite the fully review of and publish as an interim method the joint USEPA-Department of Defense isotope dilution method currently undergoing single laboratory validation and methods for ambient air and stack testing.

Develop guidance for the use management and disposal/destruction of PFAS-containing firefighting foam
Until new PFAS-free firefighting foams are broadly accepted as replacements for Aqueous Film-Forming Foam (AFFF), every state in the country requires guidance and best management practices on how to limit exposure and risk from the use of these lifesaving substances. The interim disposal guidance recently published by the USEPA cites insufficient data to evaluate destruction efficacy. Given the significant stocks of existing AFFF, it is critical that we work together to expedite final guidance. We look forward to working with you and partners such as the Interstate Technology and Regulatory Council (ITRC) and the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) to develop and validate disposal and/or destruction methods.

Develop guidance on the disposal or destruction of PFAS compounds and PFAS-containing products and for the treatment of PFAS in environmental media
While AFFF management and disposal are of particular importance, we urge you to consider the full range of PFAS uses and PFAS-containing products because regardless of how PFAS compounds are regulated now or in the future, there are existing quantities of PFAS and PFAS-containing products that will need to be disposed of or destroyed. Further, various environmental media will need to be treated for the presence of PFAS compounds. We urge you to continue the work with ITRC and ASTSWMO to develop and validate methods of disposal, destruction, and treatment.

Expedite risk assessment work for PFAS in biosolids
The EPA PFAS Action Plan February 2020 update highlighted action for biosolids which indicates that EPA is in the early scoping stages of risk assessments for PFOA and PFOS in biosolids. States are identifying significant PFAS groundwater contamination near historical biosolids land application sites. In the State of Maine, this contamination has been discovered in private drinking water supplies at levels that are orders of magnitude above the current USEPA Health Advisory of 70 ppt. Further, examples of PFAS uptake into crops and threats to livestock have been documented. We acknowledge the initial work that went into the interim disposal guidance, and we urge you to expedite finalizing that work and to look at a broader suite of PFAS compounds for risk assessment.

Recognize State-promulgated MCLs as ARARs
The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Contingency Plan, require that remedial actions conducted under CERCLA must comply with applicable or relevant and appropriate requirements (ARARs) in State environmental laws and regulations provided that the State requirements are promulgated, are more stringent than Federal

requirements, and are identified by the State in a timely manner. In the last Administration, the USEPA delay in formal recognition of several State-promulgated PFAS MCLs has allowed responsible parties to avoid implementation of response actions to address PFAS-contaminated drinking water below the unenforceable USEPA Health Advisory.

Thank you for your consideration of our concerns regarding this challenging class of contaminants. Again, our states look forward to working with you and your administration on these and other PFAS issues that affect the safety of our country's citizens.

Sincerely,

Peter Walke
Commissioner
VT Dept. of Environmental Conservation

Melanie Loyzim
Acting Commissioner
ME Dept. of Environmental Protection

Martin Suuberg
Commissioner
MA Dept. of Environmental Protection

Robert R. Scott
Commissioner
NH Dept. of Environmental Services

Katherine S. Dykes
Commissioner
CT Dept. of Energy & Environmental Protection

Janet Coit
Director
RI Dept. of Environmental Mgmt.

Message

From: Carlson, Steven [Steven.Carlson@mail.house.gov]
Sent: 3/2/2021 7:28:51 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letter to Administrator Designate

I wish my memory was that good, the secret to being a good staffer here is good email searching skills 😉

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 2:12 PM
To: Carlson, Steven <Steven.Carlson@mail.house.gov>
Subject: RE: Letter to Administrator Designate

And yes, what an amazing memory you have!

From: Adhar, Radha
Sent: Tuesday, March 2, 2021 2:11 PM
To: 'Carlson, Steven' <Steven.Carlson@mail.house.gov>
Subject: RE: Letter to Administrator Designate

Thank you Steven!

From: Carlson, Steven <Steven.Carlson@mail.house.gov>
Sent: Tuesday, March 2, 2021 1:57 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Letter to Administrator Designate

Hi Radha,

My boss wanted me to send this letter to the Administrator Designate. I hope you will be able to make sure it gets to the right person. And hope you are doing well, it's been a long time, I think last time we talked you were with Sierra Club.

Thanks,

Steven

Steven Carlson | *Deputy Chief of Staff/Legislative Director*
Congressman Chris Pappas (NH-01)
323 Cannon HOB, Washington, DC 20515
Phone: 202-225-5456 | Mobile: 703-380-1053 (Text or Call)

Message

From: Woytcke, Holly [Holly.Woytcke@mail.house.gov]
Sent: 3/2/2021 7:56:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Simpson, Shayla [Shayla.Simpson@mail.house.gov]
Subject: RE: Contact for Hearing?

Fabulous, thank you!!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 2:49 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Yes ma'am, 562 Dirksen.

From: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Sent: Tuesday, March 2, 2021 2:14 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Sounds good. They may drive as well, so we will confirm with you in the morning! Do you have the room #?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 2:12 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Yes ma'am. I'll be at the entrance. I won't be able to be RIGHT at the platform since I am not a senate staffer, but I'll wait just inside.

From: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Sent: Tuesday, March 2, 2021 2:08 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Perfect! I just shared that with him. Would you be able to meet them once they depart from the train then?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 1:55 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Thanks Holly, and I'll send Omair a text! Do you mind sharing if he can take the train to Dirksen? I think that would be best.

From: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Sent: Tuesday, March 2, 2021 1:49 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Oh great!! So you'll be meeting the Congressman and Omair (his staffer)? Omair Mirza: Ex. 6 Personal Privacy (PP)

Do you have any recommendations? He'll be coming from the House side, so I'm not sure if it's best they park at the Capitol (Senate side), and either walk through the Capitol, or through the entrance of Dirksen...? Ideas?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 1:44 PM
To: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: RE: Contact for Hearing?

Yes ma'am, can you please share with your team my contact information?
Radha Adhar – Ex. 6 Personal Privacy (PP) Also, do you mind sharing where he will be coming from?

From: Woytcke, Holly <Holly.Woytcke@mail.house.gov>
Sent: Tuesday, March 2, 2021 1:32 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Simpson, Shayla <Shayla.Simpson@mail.house.gov>
Subject: Contact for Hearing?

Hi Radha,

Hoping this finds you well!

Do you happen to have the name/number of the person who will be receiving the Congressman tomorrow? Trying to strategize the best place for them to meet, etc.

Thanks in advance,

Holly

Holly Woytcke | Executive Assistant
Office of Congressman André Carson (IN-07)
2135 Rayburn HOB | Washington, DC 20515
(202) 225-4011 | Carson.House.Gov

PLEASE NOTE: Meetings with Congressman Carson are subject to change due to the House voting schedule and official committee business. If a last minute schedule change occurs, the appropriate staff will be assigned to lead your meeting. Thank you in advance for your cooperation and understanding.

Message

From: Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Sent: 3/2/2021 9:09:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Thank you note and follow up

This is very helpful. Thank you.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 4:02 PM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: Thank you note and follow up

Hey Payne, sharing a few more letters. Pat is the President of ECOS; Ben is a Republican Secretary of MD DEQ, and Arthur is a form executive at NiSource, based in Indiana.

From: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Sent: Tuesday, March 2, 2021 12:23 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Thank you note and follow up

Thanks! Mitch Hescox shared a copy of this with me this morning ☺

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 12:21 PM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: Thank you note and follow up

Hey Payne, here is a letter from IN Pastors supporting Janet's nomination.

From: Adhar, Radha
Sent: Tuesday, March 2, 2021 12:19 PM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: Thank you note and follow up

Thank you for letting me know Payne.

From: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Sent: Tuesday, March 2, 2021 11:28 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Thank you note and follow up

Hi Radha. Thank you for passing this letter along.

I wanted to follow up on the request for the senator to introduce nominee McCabe. Unfortunately the Senator has a conflict that time able to introduce her, but he appreciates the request.

Please let us know how else we could be helpful.

Payne

Sent from my iPhone

On Mar 1, 2021, at 11:25 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Payne,

I hope you had a restful weekend. Do you mind letting me know if y'all have any updates on your end re: the Senator's availability and willingness to introduce Janet? I also wanted to make sure you saw the letter attached from Indiana University.

Looking forward to hearing from you,
Radha

From: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Sent: Thursday, February 25, 2021 10:49 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Thank you note and follow up

Thanks Radha. I'll be sure to share this with the Senator.

We are tracking that request and will be in touch on it shortly.

PG

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 9:36 AM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: Thank you note and follow up

Hi Payne,

Thanks to you and your boss for taking the time to chat with Janet. She wrote the attached thank you note for Senator Braun. Do you mind sharing it with him? Also, do you mind letting me know who I can follow up (I think its you!) regarding our request that Senator Braun introduce Janet? She would be honored and we would all be grateful.

Looking forward to hearing from you.

Radha

<02.26.21 Janet McCabe EPA ltr of support_Braun.pdf>

Message

From: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]
Sent: 3/3/2021 2:07:27 AM
To: Haman, Patricia [Haman.Patricia@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Subject: RE: DERA

Can we talk tomorrow afternoon?

Laura Haynes Gillam
Senior Policy Advisor for Clean Air and Climate
U.S. Senate Environment and Public Works Committee, Democratic Staff
Laura_gillam@epw.senate.gov

From: Haman, Patricia <Haman.Patricia@epa.gov>
Sent: Tuesday, March 2, 2021 2:40 PM
To: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Re: DERA

Hi Laura, Happy to help. Do you have time to hop on the phone to give me a little more detail? Pat

> On Mar 2, 2021, at 1:51 PM, Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov> wrote:
>
> Pat and Radha, I would like to set up a meeting on DERA.
>
> Laura Haynes Gillam
> Senior Policy Advisor for Clean Air and Climate
> U.S. Senate Environment and Public Works Committee, Democratic Staff
> Laura_gillam@epw.senate.gov

Message

From: Chambers, Micah (Cramer) [Micah_Chambers@cramer.senate.gov]
Sent: 3/3/2021 4:10:55 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: URGENT TSCA PIP URGENT

Thank you. Any insight would be appreciated.

Sent from my iPad

On Mar 2, 2021, at 11:36 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Thank you Michah, hope to get back to you soon.

From: Chambers, Micah (Cramer) <Micah_Chambers@cramer.senate.gov>
Sent: Tuesday, March 2, 2021 10:58 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FW: URGENT TSCA PIP URGENT

Radha, below is the blurb AEM sent out. Bobcat HQ is in ND and they forwarded along. I would assume the other majors like John Deere and Cat would have similar issues, but new to me. This is what they sent me last night: "On February 25, 2021, Doosan Bobcat learned of the substantial negative consequences of new U.S. Federal regulations, published by the EPA, that ban five chemical substances (and products that contain those substances) from being manufactured and sold in the U.S. as of March 8, 2021. This new Regulation effectively prohibits the manufacturing and sale of all off-highway equipment and certain aftermarket parts. In addition to the off-highway equipment industry, the new Regulation negatively impacts dozens of other major industries encompassing thousands of companies. For example, we understand that representatives from the electronics industry were meeting with EPA on March 1, 2021 on this issue due to the negative and unexpected consequences on that industry." Any idea of path forward would be appreciated. Thanks in advance.

Micah Chambers
Legislative Director
Senator Kevin Cramer | North Dakota
Russell 400 | 202-224-2043

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Email Website vCard

AEM Regulatory Compliance Steering Committee Members,

As you will recall in our regularly scheduled February meeting on the 9th we shared with the group that TSCA had published in the Federal register Final rules addressing two specific chemicals of concern to our industry PIP 1.3 and decaBDE. (see the except form the minutes all include information was in the agenda circulated ahead of the meeting).

PIP 1.3 was a new chemical to most of us and it has not been listed as a harmful chemical in EU REACH at this time. We have been researching this chemical its proliferation in our industry and what exemptions have been granted. Infact we began researching the situation of February 10th.

Finding that the Automotive industry had acquired an Exemption for all New and Replacement parts, I and my Co worker form the Washington Office Nick Tindall reached out to and met with representatives of the Alliance of Automobile Manufacturers on February 17th to understand what their exemption was and how it was arrived at. They recommended we talk directly to the EPA and provided a contact.

AEM met with Doug Parsons of the EPA and some of his team on Tuesday Feb 23rd. The feedback we received was mixed. The EPA now understands (and we are providing more evidence, as we discover it) that our industry is closely related to and follows the automotive industry which currently has an exemption for the use of PIP 1.3.

There is the possibility that we might be able to use the Motor vehicle exemption, however, we may not be able to rely on that. Our argument is that we share a multinational muti-layered supply chain with the automotive industry, however, because of our significantly lower volume design follows the needs of automotive and our access comes after them. This would be impacted by the exemption and the suppliers being slower to design out the PIP 1.3. This also leads to the areas where we would find PIP 1.3 present in our products including the cab environment. Another challenge is that PIP 1.3 can be added after the item is assembled so it does not always appear in the formulation.

As far as Impact on the industry one of our members has done an analysis which indicate as many as 50,000 part numbers could be impacted for them. If you figure the impact across the total industry this could be in excess of 1,000,000 part numbers.

We were advised to write a letter to the EPA on outlining our concerns. We are in the process of that.

In the meanwhile PIP 1.3 can be found (as a fire retardant and plasticizer) to be present in products/ articles including but not limited to: wiring and wiring Harnesses, foams, textiles, rubber hoses, anything in cab environment, sound insulation materials and plastics.

PIP 1.3 has not undergone the scrutiny in the European Union under EU REACH and has largely gone unnoticed by most in our Industry until now. It can be present in many critical safety related components.

There are some exemptions which help us namely Hydraulic oil, Greases and Lubricants, and adhesives.

Bottom line we need time to design out PIP, but that could take up to 3-5 years.

Finally we are aware the clock is ticking (we have 180 days to show compliance), but this issue impacts all of AEM members and we are not only talking to EPA but have reached out to other industry associations for help in this matter.

I hope this helps some.

We continue to work on this challenge.

Regards,

John W

John Wagner
Director, Materials Management
Association of Equipment Manufacturers (AEM)

6737 W. Washington St., Ste. 2400
Milwaukee, WI 53214
O: 414 298 4164
M: 414 526 8081

<image005.png>

Message

From: Wyckoff, Pete (Smith) [Pete_Wyckoff@smith.senate.gov]
Sent: 3/3/2021 2:26:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Rosenfeld, Gabrielle (Smith) [Gabrielle_Rosenfeld@smith.senate.gov]
CC: Silvernail, Sara (Smith) [Sara_Silvernail@smith.senate.gov]; Schwitzer, Jake (Smith) [Jake_Schwitzer@smith.senate.gov]
Subject: FW: Urgent Doosan Bobcat Issue
Attachments: ATT00001.txt; External- EPA Banned Substances Summary March 2021.docx

Hi Radha,

We got the attached document and note below from Bobcat claiming that they will be required to shut down production on Monday and won't be able to sell through existing merchandise because of a new TSCA ban on five chemicals they use. They claim that the auto industry worked out some deal where they won't be required to stop using the chemicals and they want the same treatment. Somehow the industrial equipment manufacturing industry claims to have been caught unaware of the rulemaking, which the Trump Administration's EPA began in 2017. Gabi and I just to Bobcat them and they gave permission to forward the email and attachment. They have a manufacturing facility in MN that employs 300 people. Can you help us track down what is going on here? I think you are the right person for this, but if not, can you point us in the right direction?

Thanks!

-Pete

Begin forwarded message:

From: Don Larson <dlarson@odney.com>
Date: March 2, 2021 at 11:49:01 AM CST
To: "Silvernail, Sara (Smith)" <Sara_Silvernail@smith.senate.gov>
Cc: "Ouellette, Carson (Smith)" <Carson_Ouellette@smith.senate.gov>
Subject: Urgent Doosan Bobcat Issue

Sara,

I still owe you a tour of Doosan Bobcat's Global Collaboration Center in Minneapolis, but all tours have been on hold during COVID. I wanted to reach out regarding an urgent matter impacting Doosan Bobcat. Attached is a summary document, but the short summary is that EPA recently published a ban of five chemicals used in the manufacturing process. This took us by surprise (somehow most of industry was not aware of this rulemaking process). The auto and airline industries were able to get an exemption, but construction equipment and many other manufacturers did not. If this stands, it will effectively shut down all manufacturing operations across the country starting Monday. Doosan Bobcat will have to furlough employees on the manufacturing line for an indefinite time period as the company works to find a resolution.

We are asking if your staff or your boss would be willing to reach out to EPA on this issue. We would be happy to set up a call to give you any details necessary.

Thank you for your consideration!

Don

Don Larson

President | Director of Strategic Engagement

PO Box 2035
117 W Front Ave
Bismarck ND 58504
Phone: 701.222.8721
Cell: 701.391.1809
www.odney.com

New Environmental Protection Agency (EPA) Regulation Effectively Prohibits Manufacturing and Sale of Off-Highway Equipment in the U.S. beginning March 8, 2021

Executive Summary

On February 25, 2021, Doosan Bobcat learned of the substantial negative consequences of new U.S. Federal regulations, published by the EPA, that ban five chemical substances (and products that contain those substances) from being manufactured and sold in the U.S. as of March 8, 2021. This new Regulation effectively prohibits the manufacturing and sale of all off-highway equipment and certain aftermarket parts. In addition to the off-highway equipment industry, the new Regulation negatively impacts dozens of other major industries encompassing thousands of companies. For example, we understand that representatives from the electronics industry were meeting with EPA on March 1, 2021 on this issue due to the negative and unexpected consequences on that industry.

It should be noted that the EPA's analysis of the costs and benefits of such a potential ban in the Final Rule (86 FR 898) was considerably limited. Specifically, EPA stated that no risk evaluation was conducted on the ban of any of the five chemical substances, nor were any safe and economically feasible alternatives discussed or identified.

Two of the five banned substances, Phenol, Isopropylated Phosphate (3:1) ("PIP (3:1)") and Decabromodiphenyl Ether ("DecaBDE"), are extensively used throughout U.S. industry in all areas, including automotive, aerospace, construction, agriculture, consumer recreation, textiles, electronics, etc. These two substances are commonly found in plastics, wire insulation, petroleum products, fabrics, foams, textiles, and electronics. PIP (3:1) is also a flame retardant that provides safety benefits to the products in which it is used.

Although the EPA began the rulemaking process in July 2019 that ultimately resulted in the new Regulation that bans these substances, the off-highway equipment industry was unaware of this rulemaking activity until very recently. During the rule making comment period, the automotive and aerospace industries both submitted numerous comments to the EPA regarding the hardship and negative consequences of a potential ban on their industries, and the EPA showed a willingness to provide exemptions and flexibility to those industries. Specifically, the EPA provided broad exemptions to these industries because the proposed regulations would not be practicable, would be extremely burdensome, and would provide minimal benefits. Because the off-highway equipment industry shares many affected components, types of parts, uses, and negative consequences with the automotive and aerospace industries, it too would have sought an exemption and likely received one for the same reasons outlined above.

The only viable solutions before the prohibition date of March 8, 2021, is for the EPA to withdraw or pause implementation of the final rule or to unilaterally grant an exemption to the off-highway equipment industry to preserve thousands of jobs and prevent a catastrophic shut-down of the entire industry. Without such a remedy and because of significant civil and criminal penalties for noncompliance, Doosan Bobcat and other equipment manufacturers will be forced to stop manufacturing, shipping, and selling equipment and parts on March 8, 2021. This will result in considerable economic and infrastructure consequences for the industry and the country during a period of focus on economic recovery.

After learning of the new Regulation, Doosan Bobcat has taken numerous steps to address the issue. These actions include engaging industry organizations such as the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Association of Equipment Manufacturers. These organizations are

ED_013012_00002292-00001

actively engaging their contacts at EPA and in Washington, D.C. Finally, Doosan Bobcat is reaching out to Congressional Delegations in states where it has manufacturing facilities that will be negatively impacted.

Detailed Timeline

Spring 2017	Listed on the EPA Regulatory Agenda to publish proposed rule.
July 29, 2019	Published proposed rule (84 FR 36728) on July 29, 2019, intending to add 5 new chemicals to the Toxic Substances Control Act list
October 28, 2019	Comment period closed for proposed rule.
Fall 2019	Listed on EPA Regulatory Agenda to publish final rule.
January 6, 2021	Published final rule (86 FR 894)
February 2021	Association of Equipment Manufacturers (AEM) informs their members of final rule.
March 8, 2021	Prohibition date.

ED_013012_00002292-00002

Message

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 3/3/2021 2:20:52 PM
To: Byck, Sabina [Byck.Sabina@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Letter from Leader Schumer to EPA
Attachments: 03212021 - EPA - PFAS in Rockland Suez Public Wells.pdf

Hi Sabina and Radha,

Please find attached a letter from Leader Schumer and Representative Jones for Acting Administrator.

Thank you!
Tim

Congress of the United States
Washington, DC 20515

March 1, 2021

The Honorable Jane T. Nishida
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Acting Administrator:

Following the recent discovery by the New York State Department of Health of Perfluorooctanoic Acid (PFOA) contamination in the Suez public wells and other public drinking water sources in Rockland County, New York, I write to urge the U.S. Environmental Protection Agency (EPA) to use its technical expertise to quickly assist the community in testing their water. Additionally, I urge the EPA to assist Rockland County in determining the sources of this contamination, and to help them devise a remediation plan to fully clean up the water supply with all due speed by working in conjunction with the New York State Department of Environmental Conversation (DEC), New York State Department of Health (DOH), Rockland County Health Department, and other local regulators and stakeholders.

As you know, the toxicity and bioaccumulation of PFOA can pose a serious risk to human health, which makes its presence in public wells most concerning. Considering the level of PFOA contamination in the Suez public wells tested at 19 parts-per-trillion (ppt), greater than the recently finalized maximum state standard of 10 ppt, I am requesting that EPA use their experience and resources to expeditiously help the residents, local leaders and regulators test all relevant water within the community and water system to help identify the extent of the contamination and determine its source, as well as test for other PFAS chemicals. This contamination must be remediated as soon as possible in order to ensure the health and safety of the community, and the EPA, as the lead environmental regulatory entity in the nation, is in a position to provide much needed assistance in the form of its technical expertise.

Rockland County's water system includes dozens of wells and multiple reservoirs contributing to the water supply and the discovery of this contamination has caused considerable concern and uncertainty for its residents. This is because Suez's water system for Rockland County serves most Rockland residents with more than 300,000 potentially impacted. The Suez system also serves the State of New Jersey, making a federal investigation even more critical due to multiple states and agencies being involved. According to a recent report by Riverkeeper, contamination is widespread in water sources across Rockland County, with multiple PFAS detected. It is imperative that EPA take necessary steps to cast away this uncertainty by providing adequate assistance to quickly identify the scope of the problem and swiftly propose an effective remediation plan.

Thank you for working to protect our nation's health and the quality of our drinking water. I appreciate your attention to this important issue. Please do not hesitate to reach out to my office with any questions.

Sincerely,

Charles Schumer

Charles E. Schumer
United States Senator

Mondaire Jones

Mondaire Jones
Member of Congress

CC: EPA Administrator Nominee Michael S. Regan

Message

From: Frede, Shannon (Cardin) [Shannon_Frede@cardin.senate.gov]
Sent: 3/3/2021 3:02:26 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat meeting with Janet?
Attachments: MDE_BG - McCabe Support 03-02-21.pdf

Hi Radha, we received this support letter from Maryland's Environment Secretary for Ms. McCabe. Okay it my boss enters it into the hearing record? Caveat: not sure I can get it to him in time.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 12:37 PM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: RE: Time to chat meeting with Janet?

So sorry Shannon, my computer got messed up! Do you still have a few minutes for me?

From: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Sent: Friday, February 19, 2021 12:26 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Janet?

Hi! I'm on Teams atm.

From: Frede, Shannon (Cardin)
Sent: Friday, February 19, 2021 9:44 AM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Janet?

Yes, please! Ex. 6 Personal Privacy (PP) I have a 10, 11, and 1:30.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 9:42 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: Time to chat meeting with Janet?

Hey lady, do you mind if I call you today to chat for 5 about your boss's meeting with Janet? Want to make sure it's a productive conversation!

Thanks in advance,
Radha

Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 2, 2021

The Honorable Tom Carper
Chairman
U.S. Senate Committee on Environment and Public Works
Washington, D.C. 20515

The Honorable Shelley Moore Capito
Ranking Member
U.S. Senate Committee on Environment and Public Works
Washington, D.C. 20510

Dear Chairman Carper and Ranking Member Capito:

I write in strong support of the nomination of Janet McCabe to be Deputy Administrator of the Environmental Protection Agency.

Ms. McCabe has distinguished herself as a state environmental leader who knows the people, policies, and programs of EPA and the importance of working together for bipartisan environmental progress.

I got to know Janet in her role as an EPA Air Official when I was the director of Arizona's Department of Environmental Quality and subsequently secretary of Maryland's Department of the Environment. Whether I was serving as an Eastern or Western state official or a member of the Environmental Council of the States, ECOS.org, I witnessed firsthand that Janet was always thoughtful and willing to listen and learn about regional differences and local solutions.

Janet is uniquely qualified to succeed as a Deputy Administrator who advances EPA's mission from within and beyond by building strong and respectful partnerships with citizens and governmental and nongovernmental entities.

Sincerely,

Ben Grumbles
Secretary

cc: All Members of Senate EPW Committee

Message

From: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Sent: 3/3/2021 7:01:58 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Cellulosic Biofuel Opportunity
Attachments: VERBIO North America.pdf

Hi Radha –

Thanks in advance for being so responsive to our office. I'm flagging this attachment as we have a new company in Iowa who is producing cellulosic biofuel. Up to now, cellulosic biofuels volumes have been a small fraction of the RFS standard due to the limited availability and reliability of these fuel supplies which mostly come from dairies or landfills.

This company has industrialized the manufacturing process of creating cellulosic biofuels and is poised to ramp up production should volume requirements increase.

To note, the 2020 statutory volumes for cellulosic biofuel was set at 10.5 billion gallons by Congress.

But because there wasn't the technology to produce this type of biofuel the final volumes for 2020 was set by EPA at 0.59 billion gallons.

I know they would like to have the opportunity to meet with someone at the EPA and was wondering if you or a colleague might be interested in hearing from them.

Thanks so much for your consideration and let me know if there's anything my office can assist with.
Joe

Joseph Gilson
Legislative Assistant | Senator Chuck Grassley
135 Hart Senate Office Building | Washington, DC 20510
202-224-4120
joseph_gilson@grassley.senate.gov

VERBIO North America

A unique company, process, and opportunity

VERBIO North America Corporation (VNA), formed in 2018, will develop, own, operate, and self-finance multiple biofuel plants in North America using proprietary technology from VERBIO Vereinigte BioEnergie AG (VERBIO AG). VNA's first U.S. plant is in Story County, Iowa and will be operational in 2021. Assuming the right renewable fuel and environmental policies, VNA's plan is to quickly and significantly expand into multiple states, providing farmers a market for their rice, wheat, cotton, and corn field waste while creating rural jobs and economic development, improving the environment, and increasing the volume of available renewable fuels. Within a predictable regulatory framework, Verbio's production in 5-10 years could equal 5-10% of the current US market share.

VERBIO AG is a leading independent producer and supplier of biofuels in Germany, with revenues exceeding $1 billion. VERBIO AG has developed its own process technologies, to include advanced anaerobic digestion processes that can utilize 100% corn stover and various straws to produce biomethane, which is then upgraded to pipeline quality Renewable Natural Gas (RNG). VERBIO AG owns and operates multiple industrial scale plants producing biodiesel, bioethanol, and biomethane, and sells those offtakes to oil corporations, traders, independent filling stations, public utilities, and vehicle fleets. They work closely with their raw material (feedstock) providers to ensure sustainable farming practices.

U.S. Renewable Fuel Standard and California Low Carbon Fuel Standard

The Renewable Fuel Standards (RFS) was designed to replace or reduce the quantity of petroleum-based transportation fuels nationwide. It was authorized by Congress under the Energy Policy Act of 2005 as an amendment to the Clean Air Act and expanded under the Energy Independence and Security Act of 2007 (RFS 2). The RFS 2 "set" provisions end in 2022.

California's Low Carbon Fuel Standard (LCFS) requires a reduction, in California, of the carbon intensity (CI) of transportation fuels. The LCFS provides a schedule of credits based on a biofuel's CI score. LCFS policies are being considered by other states and nationally.

Why VNA?

Simply, VNA offers a unique approach to increasing renewable fuel volume and lowering biofuel's carbon intensity, while simultaneously supporting U.S. farmers and rural communities.

- *Utilization of field waste – not using food as fuel*

  A common criticism of ethanol and other biofuels is that they use "food for fuel." VNA's process does not. It uses agricultural field waste to produce its biofuels, rather than the commodity (e.g., corn, wheat, rice, etc.).

- *New market for farmers*

  Most farmers have no use for the waste from their crops and therefore leave it on the field. VNA provides a new market for corn stover, rice, and wheat straw, and cotton waste. Generally, VNA feedstock is baled crop residue procured within a 50-to-75-mile radius. For example, the Nevada, Iowa plant will utilize over 90,000 tons of corn stover per year. VNA works cooperatively with local farmers to find the best way to collect, store, and transport this waste to the VNA plant.

- *Helping farmers be more productive*

  Not only does VNA's process create a new market for farmers' field waste, it can also improve farmers' productivity. A byproduct of the VNA process is humus or alternatively known as digestate. This is a value-added lignin- and nutrient-rich soil amendment similar to peat moss or compost, which will be principally returned to feedstock suppliers and spread on farmland to replace the agronomic value of the crop residue that was harvested. In other words, humus is a more efficient means to return carbon to the soil than leaving field waste to degrade, without the related negatives of CO_2 emissions. VNA works synergistically with the farmer to return humus to the fields where the waste was collected.

- *Reduces CO_2 emissions without any wastewater pollution*

  As mentioned previously, most field waste remains on the field where it degrades and releases CO_2 into the atmosphere. VNA removes that waste, thereby reducing the CO_2 emissions from the field and, due to the return of humus to the field, farmers' productivity is maintained or improved. The VNA process does not create any wastewater and will not pollute ground or surface waters.

- *Increases availability of clean renewable fuels*

  VNA's process is efficient and scalable. For example, in Story County, Iowa, VNA will initially produce renewable natural gas (RNG) and humus. This RNG will be cleaned to pipeline natural gas standards and injected into an onsite natural gas distribution pipeline for eventual use as compressed natural gas (CNG) or liquified natural gas (LNG) vehicle fuel. VNA intends to invest in plants across U.S. agricultural areas, significantly increasing the availability and reliability of clean renewable fuels. VNA's process will quickly provide the most efficient and effective renewable fuels pathway in the U.S. on an industrial scale.

- *Creates rural jobs and economic development*

  VNA's biofuels will be processed in the U.S., creating investment, economic growth, and jobs for U.S. workers. Capital investment per plant is estimated at $50 to $150 million. Using the Nevada, Iowa plant as an example, just during Phase 1, VNA expects to create 44 full-time direct jobs at the plant and another 100+ indirect jobs in the local supply and value chain. These jobs are to be filled at an average wage of $28+/hour and a median wage of $30+/hour, plus health and retirement benefits. VNA will also employ round-trip trucking operations for stover bales/humus using specialized trailers and ultimately plans to exclusively utilize clean-burning CNG vehicles.

U.S. renewable fuel and greenhouse gas policy objectives

VNA's process is a proven win-win-win-win for the environment, farmers, rural communities, and energy independence. It meets the complex U.S. and state, RFS and LCFS policy objectives better than any other process in the U.S. To realize this potential, some constructive policies are needed:

RFS – Setting realistic RNG targets for the cellulosic biofuel category post 2022 ("set" provisions in RFS 2) as Congress intended requires continued, predictable policy support. While RNG is price competitive with diesel fuel, it is not competitive with lower priced fossil natural gas without this consistent support. Up to now, the advanced biofuels and cellulosic biofuels volumes have been a small fraction of the RFS 2 standard due to the limited availability and reliability of these fuel supplies. In turn, the final EPA rule on volumes for these categories has been reduced,

representing a small fraction of the total RFS 2 product mix over the last few years. VNA represents a groundbreaking change in this market as it provides a different, proven innovative approach that is scalable to substantially meet the RFS's mission in cellulosic biofuels. RFS 2 post-2022 should include the following:

1. A recognition of VNA's truly unique process by providing a subcategory within cellulosic biofuels for products made from non-food field waste.

2. Ensure that there is a large and growing volume for this promising process in order to create consistency, predictability, and to allow for scaling in this market. Proper targets for all renewable fuels, to include D3 RIN pricing will ensure a supportive environment that will result in future investments in new plants.

VNA will invest and grow, producing a significant amount of this product. However, it can only do so if the RFS volumes are significant and continue to grow with a subcategory that recognizes the unique characteristics of this process.

LCFS – Whereas the RFS 2 sets the general frame for the development of all renewable fuels based on minimum performance standards, the LCFS incentivizes the development of renewable fuels that can achieve additional CO_2 reductions. LCFS policies are being considered by other states and nationally. VNA has an attractive relative CI score under the LCFS and wants to work with regulators, academics, and decision makers to gain recognition of all the positive aspects of its pathway. Just looking at the example of field waste CO_2 emissions, without VNA's process 1,000 kilograms of corn stover would degrade into the atmosphere, causing 1,349 kilograms of CO_2 to be released. With VNA's process to remove that corn stover, only 315 kg of CO_2 is released into the atmosphere. This is 1034 kilograms of CO_2 (77%) improvement. Currently, CARB has assigned VNA a temporary CI of 45. VNA expects that its CI score would be significantly lower if degradation of the field waste-generated CO_2 was captured along with other efforts being undertaken by VNA. VNA supports the following actions being adopted as soon as possible to realize this full potential:

1. Adoption of LCFS policies in multiple states and nationally. Today, because California has LCFS standards in place, most of the RNG produced is supplied to this state, with no environmental benefits accruing to the producing states such as Iowa and other Midwest states.
2. Expedited consideration of VNA's pathway to ensure that its CI score reflects all the benefits of the VNA's process at a national and state level.

VNA's process deserves bi-partisan support as it adds value for all parties (with no downsides), while also increasing the volume and reliability of renewable fuels in the U.S. market.

VERBIO North America Corporation
(866) 306 4777
19177 N, Laurel Park Dr
Suite 320
Livonia, MI 48152
www.Verbio.us

Message

From: Paulson, Brigid (Duckworth) [Brigid_Paulson@duckworth.senate.gov]
Sent: 3/3/2021 9:40:36 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]; McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Will 3 PM ET on March 17th work for Janet?

Best,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854 (o)
(202) 224-2097 (d)
Submit a Scheduling Request with Senator Duckworth's Office

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, March 3, 2021 4:39 PM
To: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Hi Bridgid,

Thank you for your email. What time would work for the Senator on the 17th?

Karen.

From: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Sent: Thursday, February 25, 2021 10:45 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Hi Karen,

Unfortunately, March 17th is the earliest availability we have for the Senator at this time.

Best,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854 (o)
(202) 224-2097 (d)
Submit a Scheduling Request with Senator Duckworth's Office

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 11:18 AM
To: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Hi Brigid,

Thank you for your email. We were hoping to schedule a meeting with Senator Duckworth and Janet McCabe before Janet's expected hearing date of March 3rd. Might the Senator have time to meet on Monday, March 1st or perhaps later this week? Also Janet can make time to meet on the weekend or business hours should that work for the Senator.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Brigid_Paulson@duckworth.senate.gov <Brigid_Paulson@duckworth.senate.gov>
Sent: Monday, February 22, 2021 7:36 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Brigid_Paulson@duckworth.senate.gov; Lizzy_Olsen@duckworth.senate.gov; Chelsea_McDonald@duckworth.senate.gov
Subject: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Good Day,

Thank you so much for reaching out to our office. We would be happy to set up a call with Senator Duckworth. Does 3:00 PM ET on Wednesday, March 17th work with your schedule? I am connecting you with Chelsea McDonald, one of the Senator's Legislative Aides, and Lizzy Olsen, the Senator's Counsel. They will be the staff members on the call.

When you have a moment, please send the agenda items and a list of attendees for the call.

Kind Regards,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854

Submit a Scheduling Request with Senator Duckworth

Organization: US Environmental Protection Agency

Date Requested From: February 17, 2021
Date Requested To: February 26, 2021

Description:
I hope you are doing well. I'm reaching out to find time on Senator Duckworth's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Duckworth's schedule.

Additional Availability Information:

Additional Information on Meeting:

Message

From: Paulson, Brigid (Duckworth) [Brigid_Paulson@duckworth.senate.gov]
Sent: 3/3/2021 10:06:39 PM
To: 'Carlile, Amy L' [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]; McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Bonner, Jazmine (Duckworth) [Jazmine_Bonner@duckworth.senate.gov]
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Great! Jazmine on our team can send a calendar invite with Zoom information for the call.

Best,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854 (o)
(202) 224-2097 (d)
Submit a Scheduling Request with Senator Duckworth's Office

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, March 3, 2021 4:48 PM
To: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Yes, Janet is available to meet with Senator Duckworth on March 17th @3pm.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Sent: Wednesday, March 3, 2021 4:41 PM

To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Will 3 PM ET on March 17th work for Janet?

Best,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854 (o)
(202) 224-2097 (d)
Submit a Scheduling Request with Senator Duckworth's Office

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, March 3, 2021 4:39 PM
To: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Hi Bridgid,

Thank you for your email. What time would work for the Senator on the 17th?

Karen.

From: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Sent: Thursday, February 25, 2021 10:45 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Hi Karen,

Unfortunately, March 17th is the earliest availability we have for the Senator at this time.

Best,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854 (o)
(202) 224-2097 (d)
Submit a Scheduling Request with Senator Duckworth's Office

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 11:18 AM
To: Paulson, Brigid (Duckworth) <Brigid_Paulson@duckworth.senate.gov>
Cc: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>; McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Subject: RE: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Hi Brigid,

Thank you for your email. We were hoping to schedule a meeting with Senator Duckworth and Janet McCabe before Janet's expected hearing date of March 3rd. Might the Senator have time to meet on Monday, March 1st or perhaps later this week? Also Janet can make time to meet on the weekend or business hours should that work for the Senator.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Brigid_Paulson@duckworth.senate.gov <Brigid_Paulson@duckworth.senate.gov>
Sent: Monday, February 22, 2021 7:36 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Brigid_Paulson@duckworth.senate.gov; Lizzy_Olsen@duckworth.senate.gov; Chelsea_McDonald@duckworth.senate.gov
Subject: Meeting/Invitation - 02/17 - 02/26/2021 - Call with Janet McCabe, Nominee for EPA Deputy Administrator

Good Day,

Thank you so much for reaching out to our office. We would be happy to set up a call with Senator Duckworth. Does 3:00 PM ET on Wednesday, March 17th work with your schedule? I am connecting you with Chelsea McDonald, one of the Senator's Legislative Aides, and Lizzy Olsen, the Senator's Counsel. They will be the staff members on the call.

When you have a moment, please send the agenda items and a list of attendees for the call.

Kind Regards,

Brigid Paulson
Scheduler
U.S. Senator Tammy Duckworth
(202) 224-2854

Submit a Scheduling Request with Senator Duckworth

Organization: US Environmental Protection Agency

Date Requested From: February 17, 2021
Date Requested To: February 26, 2021

Description:
I hope you are doing well. I'm reaching out to find time on Senator Duckworth's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Duckworth's schedule.

Additional Availability Information:

Additional Information on Meeting:

Message

From: Russell, Joe (Kelly) [Joe_Russell@kelly.senate.gov]
Sent: 3/3/2021 10:00:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Introduction
Attachments: CTA_ITI_Follow-Up_Letter_PIP_(2_22_21).pdf; SEMI Letter to EPA. PIP 3.1. FINAL 2.2021.pdf

Hi Radha,

Sorry we didn't get a chance connect last week – let me know if you wanted to try to find a time this week or next.

In the meantime, I wanted to flag a question we've heard from several in-state stakeholders about the TSCA PIP (3:1) Rule, which is slated to be implemented on March 8th. I attached a few letters from industry groups concerned about the regs, which my boss shares – and I wanted to see if you had any update on the rule, and in particular, if EPA is still planning to begin enforcing the rule on Monday?

Any insight you can share would be helpful!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 11:23 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: RE: Introduction

Thanks Joe, will do.

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Thursday, February 25, 2021 11:12 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Sorry for the slow reply – but yes 5pm today works great. Feel free to give me a call then at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:23 PM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: RE: Introduction

Thanks for your willingness to chat Joe! Can we do 5 tomorrow? Let me know!

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Wednesday, February 24, 2021 1:23 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Hi Radha – so great to meet you and thank you for reaching out – I'd love to find a time for a call.

I'm free to talk tomorrow any time after 4pm or can talk on Friday between 11am-1pm or after 2:30pm. Let me know if there's a time that works for you.

Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:34 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: Introduction

Hi Joe,

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs at EPA. I wanted to send a quick note congratulating you and your boss for joining the senate and share that we are all very excited that y'all are on EPW. We are looking forward to working with you, and I'd love to give you a ring this week to discuss how we can work together.

Do you mind letting me know if you have a few minutes this week?

Thanks in advance,
Radha

February 22, 2021

Ms. Melissa Hoffer
Principal Deputy General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Submitted via e-mail

Re: EPA's Final Rule for PIP (3:1) Pursuant to TSCA Section 6(h)

Dear Ms. Hoffer:

We are writing you to follow up on the letter that the Consumer Technology Association™ (CTA) and the Information Technology Industry Council (ITI) sent to Mr. Dan Utech, Dr. Michal Ilana Freedhoff, and Ms. Victoria Arroyo on January 28, 2021.[1] This letter requested that the U.S. Environmental Protection Agency (EPA) provide relief from the upcoming March 8, 2021, compliance date for the Final Rule for Phenol, Isopropylated Phosphate (3:1) (PIP 3:1) issued on January 6, 2021, pursuant to Section 6(h) of the Toxic Substances Control Act (TSCA). To date, CTA and ITI have not received an official substantive response from EPA.

We understand and appreciate that you are working on many important and competing priorities, but the March 8, 2021, compliance deadline is nearly upon us. As stressed in our letter sent on January 28, time is of the essence as our companies will need to begin removing electronic and electrical devices and components from shelves prior to March 8, 2021. Many of our members have already ceased shipment of devices and components into the U.S. Therefore, if we do not receive a satisfactory response from EPA by this Friday, February 26, 2021—one month after the initial letter was sent—we may be left with no option but to file litigation seeking a court-ordered remedy.[2]

We are providing this notice as a courtesy to inform you of the legal vulnerabilities associated with the Final Rule. As explained below, when crafting the Final Rule, the prior Administration ignored a clear statutory mandate under the Toxic Substances Control Act (TSCA). This improper interpretation, the lack of any identified risk associated with the incorporation of PIP (3:1) in our products, and the significant adverse impacts on our industry should compel EPA to reconsider the Final Rule's compliance date and, in the interim, issue a No Action Assurance letter protecting our members from any enforcement actions based on the inability to fully comply with the Final Rule.

---

[1] CTA and ITI represent over 2,000 member companies, including original equipment manufacturers, innovators, and information and consumer technology leaders. Collectively, over 80 percent of the companies represented by our membership qualify as small and medium-sized businesses and start-ups. Our members represent the complex, global supply chain of electronics—what our members make is used in thousands of products found in homes and businesses across the United States.

[2] In addition to CTA and ITI, the following associations join this letter: [insert associations].

Background. EPA's Final Rule recognized that many types of products and articles contain PIP (3:1), including televisions and computers. 86 Fed. Reg. at 900. The agency also acknowledged that regulating the commercial use of these products and articles "would be extremely burdensome, necessitating the identification of products containing PIP (3:1), and the disposal of countless products and articles that would have to be replaced." *Id.* Indeed, "[i]f EPA prohibited the continued use of these items, *widespread economic impacts and disruption in the channels of trade would occur* while the prohibited items were identified and replaced." *Id.* (emphasis added). Not only would such a prohibition "result in extreme burdens," but it would also be "in exchange for what in most cases would be *minimal exposure reductions*." *Id.* (emphasis added).

Despite this knowledge about the apparent ubiquitous presence of PIP (3:1) in products and articles, including electronic devices, the prior Administration made no attempt to contact our industry to discuss the potential impacts of the Final Rule, nor did they reach out to us to ascertain whether the March 8, 2021, compliance deadline would be feasible. Our industry has historically deferred to chemical manufacturers and their associations to address chemical risk management because TSCA provides notable exemptions and exclusions for articles and products.

We presumed that the Final Rule would be no different. But the January 6, 2021, Final Rule rejected public comments that highlighted EPA's statutory mandate to exempt articles and products from TSCA section 6 risk management rules in the absence of a specific finding of unreasonable risk associated with those articles and products.

EPA's Violation of Its TSCA Authority. The 2016 Amendments to TSCA created a separate, one-time risk management rulemaking process for persistent, bioaccumulative, and toxic (PBT) chemicals that met certain statutory criteria. PIP (3:1) qualified as a PBT chemical subject to this rulemaking. Under TSCA section 6(h), EPA was required to take "expedited action" by using its rulemaking authority under section 6(a) to address risks of injury to health or the environment and reduce exposure to PIP (3:1) to the extent practicable. Section 6(h) allowed, but did not require, EPA to bypass conducting a risk evaluation. In its discretion, EPA chose not to perform a risk evaluation or make any risk determination on PIP (3:1).

Because EPA exercised its discretion under section 6(h) not to conduct a risk evaluation, the agency was not entitled by law to include articles and replacement parts within the scope of the Final Rule for PIP (3:1). Specifically, when regulating under its section 6(a) authority, EPA is required to act "in accordance with subsection (c)(2)." This subsection forbids EPA from enacting any prohibitions and restrictions on articles[3] and replacement parts[4], *unless* an EPA risk evaluation has found that either regulation of an

---

[3] Section 6(c)(2)(E) states that EPA "shall apply such prohibitions or other restrictions to an article or category of articles containing the chemical substance or mixture only to the extent necessary to address the identified risks from exposure to the chemical substance or mixture from the article or category of articles so that the substance or mixture does not present an unreasonable risk of injury to health or the environment identified in the risk evaluation conducted in accordance with subsection (b)(4)(A)."

[4] Section 6(c)(2)(D)(i) states that EPA "shall exempt replacement parts for complex durable goods and complex consumer goods that are designed prior to the date of publication in the Federal Register of the rule under subsection (a), unless the Administrator finds that such replacement parts contribute significantly to the risk, identified in a risk evaluation conducted under subsection (b)(4)(A), to the general population or to an identified potentially exposed or susceptible subpopulation."

article is necessary to address an identified risk, or the replacement part contributes significantly to such risk. Here, EPA neither performed a risk evaluation nor identified any risks associated with PIP (3:1).[5] TSCA does not permit EPA to ignore the specific provisions in the statute for regulating articles and replacement parts on the basis that the agency decided not to perform a risk evaluation.[6] If TSCA gave EPA such authority, the agency could argue that it can regulate articles and replacement parts—without limitation—by simply avoiding the risk evaluation process. Therefore, EPA's position that the articles and replacement parts exemptions do not apply to the Final Rule for PIP (3:1) is contrary to the plain reading of the statutory text.

Request for Relief. As explained in the January 28, 2021, letter, certain electronic and electrical devices will need to be pulled from distribution in commerce as of March 8, 2021. These devices may no longer be available to U.S. consumers. The 60-day compliance window simply failed to acknowledge the time needed to ascertain whether PIP (3:1) is found in our articles and products, identify feasible and safe alternatives, formulate and procure new components, conduct quality assessments, certify to safety standards, potentially rework the manufacturing process, and ultimately ship and import products without PIP (3:1) into the U.S. market. Compounding this impracticable compliance deadline, COVID restrictions in different countries have disturbed the electronics supply chain resulting in additional pressures on timelines as suppliers intermittently shut down.

Given the irreparable harm to our industry that will occur and the legal vulnerabilities with the Final Rule, we respectfully request that EPA provide our industry with a No Action Assurance while the agency reconsiders and revises the March 8, 2021, deadline. This No Action Assurance would not result in any harm to health or the environment, as EPA correctly observed that even removing *all* PIP (3:1)-containing articles and products already in commercial use today would result in "minimal exposure reductions." 86 Fed. Reg. at 900.

Recognizing your busy schedule, we would be happy to speak with you this week at any time of your convenience. Please feel free to reach out to us at the contact information below our signatures to set up a time to talk or discuss any questions that you may have.

---

[5] *See, e.g.*, 86 Fed. Reg. at 896 (explaining that "EPA did not perform a risk evaluation for PIP (3:1), nor did EPA develop quantitative risk estimates").

[6] EPA, however, agreed with "Congress's concerns regarding burdens associated with regulation of replacement parts and articles" and, therefore, purportedly took them into account in the Final Rule. 86 Fed. Reg. at 898.

We wish you the best as you carry EPA's mission forward to protect health and the environment. Thank you for your attention to this request.

Sincerely,

Katie Reilly
Director, Environmental and Sustainability Policy
E: kreilly@cta.tech
M: (703) 625-0054

Chris Cleet, QEP
Vice President of Policy, Sustainability and Regulatory
E: ccleet@itic.org
O: (202) 626-5759

Attachment

cc: Dr. Michal Ilana Freedhoff
Principal Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention

Mr. Lawrence Starfield
Acting Assistant Administrator
Office of Enforcement and Compliance Assurance

Ms. Victoria Arroyo
Associate Administrator for Policy
Office of Policy

Mr. Dan Utecht
Chief of Staff
Office of the Administrator

SEMI Global
Headquarters
673 S. Milpitas Boulevard
Milpitas, CA 95035
Tel: +1.408.943.6900
www.semi.org

February 12, 2021

Dr. Michal Freedhoff
freedhoff.michal@epa.gov
Acting Assistant Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

By email to freedhoff.michal@epa.gov

Re: PIP (3:1) Final Rule – Urgent Request

Dear Acting Assistant Administrator Freedhoff:

SEMI[1] respectfully requests EPA to defer the upcoming compliance deadline for the final rule for Phenol, Isopropylated Phosphate (3:1) (PIP 3:1), 86 Fed. Reg. 894 (Jan. 6, 2021), for an initial period of at least 60 days, and then for longer periods using its enforcement discretion, so that EPA may review the rule. During that review, EPA should decide to reopen the rulemaking in order to collect comments from stakeholders about how EPA should amend the rule. These actions are critical because PIP (3:1) is a component of thousands of electronic and electrical devices, including in the polyvinyl chloride casing for their wiring. The current compliance deadline, now less than a month away, is simply not practicable.

During this postponement of the compliance deadline or period of enforcement discretion, EPA should initiate rulemaking to amend the rule in several important ways, including the following:

- EPA should replace the current compliance deadline with a phase-out period lasting at least three years, during which time replacement products can be designed, qualified, and manufactured, and existing inventory may be sold, so as to avoid market disruption.

- EPA should add a provision allowing replacement parts for complex durable equipment containing PIP (3:1) to remain available for processing and distribution even after the phase-out period ends.

- EPA should clarify or revise the definition of "research and development" in 40 C.F.R. § 751.403 to allow the use of products and articles containing PIP (3:1) in the development of new products and articles not containing PIP (3:1). Comparison with existing products and articles containing PIP (3:1) is needed to compare performance characteristics. This clarification or revision will enable the electronics sector to identify, qualify, and implement replacement products and articles.

[1] SEMI® represents more than 2,400 member companies to advance the technology and business of electronics manufacturing. SEMI members are responsible for the innovations in materials, design, equipment, software, devices, and services that enable smarter, faster, more powerful, and affordable electronic products. Electronic System Design Alliance, FlexTech, the Fab Owners Alliance, and the MEMS & Sensors Industry Group are SEMI Strategic Association Partners, defined communities within SEMI focused on specific technologies. SEMI maintains offices in Bangalore, Berlin, Brussels, Grenoble, Hsinchu, Seoul, Shanghai, Silicon Valley (Milpitas, Calif.), Singapore, Tokyo, and Washington, D.C. For more information, visit www.semi.org.

DISCUSSION

1. The Current 60-Day Implementation Period Will Lead to Substantial Economic Disruption

SEMI supports the letters about the PIP (3:1) rule to you from the Consumer Technology Association (CTA) and the Information Technology Industry Council (ITI) dated January 28, 2021; the Semiconductor Industry Association dated February 2021; and the Chemical Users Coalition (CUC) dated February 9, 2021. SEMI understands that others have also asked EPA for more time in which to comply with this rule. Those letters establish that implementation of the PIP (3:1) rule as published in the Federal Register would create economic disruption in this country.

The rule provides that, for most articles containing PIP (3:1), any processing or distribution in commerce of those articles after March 8, 2021 will be illegal. 40 C.F.R. § 751.407(a)(1). That date is a mere 60 days after the PIP rule was published in the Federal Register.

The electronics industry alone imports and manufactures domestically thousands of complex durable articles containing PIP (3:1). Many of these articles contain PIP (3:1) in the wires, insulation, and housings used in protecting the safety of electronic equipment. An abrupt cut-off of supply to industrial, commercial, and consumer customers, caused by the current 60-day implementation period, would lead to widespread shortages and interruption of critical services.

2. EPA Improperly Determined That a 60-Day Implementation Period Is Practicable

The only way that EPA could expect compliance with a ban on further processing and distribution of articles containing PIP (3:1) (except in a few carve-out areas) within 60 days of publication of the rule is if it understood that PIP (3:1) is not in common use except in a few circumstances. That is what EPA said in the Response to Public Comments document. There it denied commenter calls for a much longer implementation period by saying that a 60-day implementation period:

> … is practicable for PIP (3:1) because, outside of articles produced as a result of excluded activities, there is little evidence to suggest that PIP (3:1) is present in commercial and industrial articles.

That is not correct.

The proposed PIP (3:1) rule also had only a 60-day period before the ban on processing and distribution of products and articles containing PIP (3:1) became mandatory. In response, numerous comments objected, explaining that a period of years would be needed to achieve compliance with that ban. Yet EPA's Response to Public Comments document rejected all those comments.

EPA did say in the Response to Public Comments document that it would consider evidence that a 60-day compliance period is not practicable, but it found none:

> EPA agrees that it is appropriate to consider rebuttal information submitted by stakeholders such as the complexity of supply chains, and the time required to make changes to product design, manufacture, ship and deliver new products. Where such information was made available to EPA, such information has been considered for each of the PBT chemical substances that are the subject of a TSCA section 6(h)(4) final rule.

Apparently, EPA did not consider the information that it found on its own to be sufficient to justify a compliance period longer than 60 days for electronics and electrical devices. For example, EPA found as early as 2017 that:

> flame retardants—some of which contain phenol, isopropylated, phosphate (3:1)—are used

> predominantly in four major areas: electronics and electrical devices ....[2]

If, as EPA found, PIP (3:1) is widely used in electronics and electrical devices, it should not have concluded that it lacked any justification in the record for a longer compliance period than 60 days. EPA should now review the information in its files supporting a compliance deadline considerably longer than 60 days.

Also, apparently EPA did not consider the explanations offered by commenters as to why a 60-day compliance period is not practicable to be sufficient to justify a longer compliance period. EPA should provide an opportunity for stakeholders to provide additional information so that EPA can make a fresh determination as to what is practicable in this context and what constitutes "a reasonable transition period" for most products and articles containing PIP (3:1).

SEMI is encouraged by EPA's February 6 comments about the rule's compliance deadline. EPA's "Updates for Chemical Safety Actions" said that the five PBT rules "will undergo review (and, as necessary, revisions)," and further that:

> EPA is aware of concerns about these rules, including implementation issues, that have been raised by a range of stakeholders and may consider additional measures, approaches, or revisions that build upon the steps taken thus far. The agency is committed to working with all stakeholders to ensure these rules are both protective and practical.

SEMI calls on EPA to follow up that statement by postponing that compliance deadline and replacing it with a phase-out period of at least three years, as explained below.

3. EPA Should Revise the PIP (3:1) Rule to Provide a Phase-out Period of at Least 3 Years

EPA should amend the PIP (3:1) rule to provide a phase-out period of three years or longer. It should postpone the current 60-day compliance period until it can complete that rulemaking.

TSCA requires EPA to make compliance deadlines for section 6(a) rules, such as that for PIP (3:1), "practicable, but not later than 5 years after the date of promulgation of the rule." TSCA § 6(d)(1)(B). "Practicable" means "capable of being put into practice or of being done or accomplished: feasible."[3] Furthermore, EPA must "provide for a reasonable transition period." TSCA § 6(d)(1)(E). These provisions reflect Congressional understanding that TSCA risk management rules under section 6(a), such as the PIP (3:1) rule, can trigger substantial disruption to supply chains, many of which extend far beyond this country's borders.

The regulated community needs a period of several years to phase out of commonly-used components. EPA recognized this need with the three-year phase-out of adhesive and sealant products containing PIP (3:1). 40 C.F.R. § 751.407(b)(1)(i). EPA recognized this need also with the one-year phase-out of photographic printing articles. 40 C.F.R. § 751.407(b)(1)(ii). But there is no phase-out period for most other products and articles containing PIP (3:1) beyond an initial 60-day period. EPA should adopt a phase-out period for other articles containing PIP (3:1), or at least complex durable goods containing PIP (3:1), of at least three years.

SEMI acknowledges that EPA must go through notice-and-comment rulemaking to amend the PIP (3:1) rule in order to replace the 60-day implementation period with a years-long phase-out period. To prevent the interruption of supply chains for critical electronic and electrical equipment during the rulemaking period, EPA should exercise enforcement discretion not to enforce the ban on processing and distributing products and articles containing PIP (3:1) until it can complete the rulemaking. In 2020, EPA exercised its enforcement discretion in connection with the TSCA fees rule, 40 C.F.R. § 700.45, when it learned from stakeholders that the final rule urgently needed revision, but the rulemaking process took too long to provide the immediate relief needed. This is a similar situation, except that the economic consequences of EPA not

---

[2] EPA, Preliminary Information on Manufacturing, Processing, Distribution, Use, and Disposal: Phenol, isopropylated, phosphate (3:1) (Aug. 2017) at 9, https://www.epa.gov/sites/production/files/2017-08/documents/pip3-1_-_use_information_8-10-17.pdf.

[3] Merriam-Webster, "Practicable," https://www.merriam-webster.com/dictionary/practicable.

exercising its enforcement discretion here would be much greater than with the TSCA fees rule.

Penalties for processing and distributing lawfully manufactured or imported complex durable goods containing PIP (3:1) after March 8, 2021 can run as much as $41,056 per day of violation. 40 C.F.R. § 19.4. Without a postponement of that date or enforcement discretion, suppliers of complex durable goods containing PIP (3:1) will face an impossible dilemma. They have millions of dollars of lawfully-produced or imported inventory on hand. They have longstanding orders for the manufacture of additional inventory overseas, where no comparable ban on PIP (3:1) applies. They have customers who have ordered or will need to order new equipment and replacement parts containing PIP (3:1), without which important services cannot continue to function. Yet the potential for daily penalties of this magnitude will prevent those suppliers from fulfilling those orders or receiving imports of much-needed inventory. EPA must provide relief.

4. EPA Should Amend the Rule to Allow the Processing and Distribution of Replacement Parts for Complex Durable Articles Containing PIP (3:1) After the End of the Phase-out Period.

The PIP (3:1) rule contains no exemption for replacement parts needed for complex durable goods, other than for motor and aerospace vehicles. Replacement parts containing PIP (3:1) are needed to maintain the useful lives of other kinds of complex durable goods, such as computers and other IT infrastructure. EPA should revise the rule to add an exemption for replacement parts for all complex durable goods.

TSCA § 6(b)(2)(D) mandates that EPA exempt replacement parts for complex durable goods from rules under section 6(a), including the PIP (3:1) rule, unless EPA makes a finding that those replacement parts "contribute substantially" to the risk. EPA has made no such finding for complex durable goods that are not for motor and aerospace vehicles. EPA must adopt an exemption for those replacement parts.

This is more than just a legal requirement. In practical terms, widespread shutdowns of ongoing operations will result from the current rule. Many complex durable goods in service throughout the country were manufactured with PIP (3:1) in some of their component parts. Those component parts may need replacement long before the end of the useful lives of those complex durable goods. At this point, it is not feasible to design and manufacture replacement parts that do not contain PIP (3:1) for existing complex durable goods that were designed to use parts that do contain PIP (3:1). The current rule, which now prohibits processing and distribution of all non-exempted products and articles containing PIP (3:1) after March 8, 2021 would prevent replacement parts suppliers from shipping the replacement parts that will be needed over many years. An exception for replacement parts for all complex durable goods is crucial to the economy.

5. EPA Should Clarify or Revise the PIP (3:1) Rule to Allow Use of PIP (3:1) in Development of Replacement Products

With its definition of "research and development," EPA may have inadvertently erected an unnecessary barrier to successful development of replacements for PIP (3:1) in specific applications. EPA should clarify or revise that definition to allow use of PIP (3:1) in R&D that goes beyond laboratory work.

In 40 C.F.R. § 751.401(c), EPA exempted from the PIP (3:1) rule (and from other PBT rules):

> Manufacturing, processing, distribution in commerce, and use of any chemical substance, or any product or article that contains the chemical substance, for research and development, as defined in § 751.403.

The definition in § 751.403 narrowly circumscribes the scope of that R&D exemption:

> Research and Development means laboratory and research use only for purposes of scientific experimentation or analysis, or chemical research on, or analysis of, the chemical substance, including methods for disposal, **but not for research or analysis for the development of a new product, or refinement of an existing product that contains the chemical substance.**

This definition is very different from that in other TSCA regulations. Compare 40 C.F.R. §§ 704.3, 710.3, 720.3(cc).

Presumably, the purpose behind the definition is to preclude development of new products containing PIP (3:1) or another PBT. That makes sense. What does not make sense is to prohibit the use of PIP (3:1) in the development of replacement products and articles that do not contain PIP (3:1). A critical aspect of R&D is comparison of the performance of potential replacement products and articles that contain a substitute for PIP (3:1) against the performance of the corresponding products and articles that do contain PIP (3:1).

The definition of "research and development" in § 751.403 arguably precludes such comparisons by excluding R&D "for the development of a new product." Perhaps EPA intended the definition to allow such comparisons. SEMI requests EPA to clarify that such comparisons in the development of replacement products and articles that do not contain PIP (3:1) are allowed under the current rules. Alternatively, SEMI requests EPA to suspend the effectiveness of that definition until it can revise the definition to allow such comparisons.

In summary, it is urgent that EPA promptly (no later than March 8, 2021) delay the compliance deadline of 40 C.F.R. § 751.407(a)(1); provide for a comment period on the rule; reconsider the rule in light of the existing administrative record and additional comments; and exercise enforcement discretion to allow continued processing and distribution of products and articles containing PIP (3:1) until EPA can complete a rulemaking to make critically-needed changes to the rule.

Thank you for your attention to these important, time-sensitive concerns.

Sincerely,

Michael Ciesinski
Vice President
SEMI

Message

From: Tulou, Christophe (EPW) [Christophe_Tulou@epw.senate.gov]
Sent: 3/3/2021 9:35:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Gentile, Laura (EPW) [Laura_Gentile@epw.senate.gov]; D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]
Subject: Right contact re: PIP (3:1) rule

Hi Radha –

Sorry to bug you with this, but who in your shop would be the right person to help us get the scoop on the PIP (3:1) rule, which I suspect you guys may be getting a few calls about?

Along those lines, could you have someone send us a current list of the point people in your shop for the various issues/programs at EPA?

Many thanks!

Christophe Ex. 6 Personal Privacy (PP)

Christophe A. G. Tulou
Majority Senior Counsel
Environment and Public Works Committee
United States Senate

Message

From: Dziadon, Daniel [Daniel.Dziadon@mail.house.gov]
Sent: 3/3/2021 8:31:54 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]
CC: Connally, Tom [Tom.Connally@mail.house.gov]
Subject: SST Ranking Members Letter re: TSCA - IRIS
Attachments: 03.03.2021 FDL, Bice, Obernolte - EPA (TSCA-IRIS).pdf

Radha & Sven,

Apologies if there should be more people on the recipient line, I know people are coming and going from the Agency every day so it's hard to track. Please find attached a letter from Science Committee Ranking Member Lucas and 2 of our Subcommittee Ranking Members, Mrs. Bice and Mr. Obernolte, regarding the proposed overhaul of TSCA's systematic review process and it's relation to IRIS.

Please let me know if you have any questions.

Best,
Daniel

Daniel Dziadon
Professional Staff
Committee on Science, Space, and Technology
(202) 225-6371

EDDIE BERNICE JOHNSON, Texas
CHAIRWOMAN

FRANK D. LUCAS, Oklahoma
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6301
(202) 225-6375
www.science.house.gov

March 3, 2021

Ms. Jane Nishida
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Acting Administrator Nishida:

As Ranking Members on the Committee on Science, Space, and Technology, we write to express our concern about the broad reconsideration that has been proposed for the systematic review methods utilized under the Toxic Substances Control Act (TSCA). On February 16, 2021, the U.S. Environmental Protection Agency (EPA) announced that it will refine its approach to selecting and reviewing the scientific studies that are used to inform TSCA chemical risk evaluations, known as systematic review.[1] This decision was based on a report from the National Academies of Sciences, Engineering, and Medicine.[2]

We share your commitment to using the highest quality and best available science when developing chemical risk evaluations. As noted in EPA's announcement, the 2018 *Application of Systematic Review in TSCA Risk Evaluations* document—which laid out EPA's evolving approach to systematic review as it began its first evaluations under amended TSCA—was never intended to be a long-term guideline.[3] As such, it should be updated based on the experience gained during completion of the first ten risk evaluations, along with stakeholder input. Our concern arises from EPA's apparent desire to duplicate the Integrated Risk Information System (IRIS) Program in its efforts to refine TSCA's systematic review.

---

[1] U.S. Environmental Protection Agency, *EPA Commits to Strengthening Science Used in Chemical Risk Evaluations*, EPA.GOV (Feb. 16, 2021), https://www.epa.gov/newsreleases/epa-commits-strengthening-science-used-chemical-risk-evaluations.
[2] National Academies of Sciences, Engineering, and Medicine, *The Use of Systematic Review in EPA's Toxic Substances Control Act Risk Evaluations*, NAP.EDU (2021), https://doi.org/10.17226/25952.
[3] U.S. Environmental Protection Agency, *supra* note 1.

The Science Committee has long conducted oversight of the IRIS Program and the issues that have plagued it for more than a decade. In 2009, the U.S. Government Accountability Office (GAO) added the IRIS Program to its High-Risk List—a biannual list of federal programs in need of transformation due to their high vulnerability to waste, fraud, abuse, and mismanagement—where it remains to date with seven open recommendations.[4]

Numerous authoritative reports have also criticized the IRIS Program for its lack of transparency, process and procedural flaws, and the utilization of improper and unsound science.[5] In 2011, the National Academies published a review of the draft formaldehyde IRIS assessment which found the draft "was not prepared in a consistent fashion; it lacks clear links to an underlying conceptual framework; and it does not contain sufficient documentation…."[6] In December of 2019, TSCA identified formaldehyde as a High-Priority Substance and it is currently undergoing a risk evaluation.[7] Repeating the flaws of the IRIS assessment by using the same process would be negligent and irresponsible.

Furthermore, in 2016, the Frank R. Lautenberg Chemical Safety for the 21st Century Act amended TSCA to provide specific criteria that EPA must use to assess risk and prioritize chemicals for review.[8] It also prescribed strict time frames within which EPA must perform its review process.[9] There are no similar statutorily mandated requirements for the IRIS Program.[10] Therefore, EPA should take steps to ensure TSCA is not duplicating flawed and lengthy IRIS processes or approaches to evaluating science. Despite making progress in recent years, it has taken IRIS nearly 10 years to address troubling issues, and many remain unresolved.[11] On average, it still takes the IRIS Program seven years to complete an assessment while the TSCA Program is statutorily mandated to complete a risk assessment in no more than three and a half years.[12] That is why the suggestion that TSCA would fully adopt any part of the IRIS Program—whether it be IRIS's tailored use of systematic review or a long-delayed draft handbook that is only still in the review process—is disconcerting.[13]

---

[4] U.S. Government Accountability Office, *High Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Areas*, GAO.GOV (Mar. 2019), GAO-19-157SP.
[5] Committee on Science, Space, and Technology Hearing, *EPA's IRIS Program: Reviewing its Progress and Roadblocks Ahead* (Mar. 27, 2019).
[6] National Research Council, *Review of the Environmental Protection Agency's Draft IRIS Assessment of Formaldehyde*, NAP.EDU (2011), https://doi.org/10.17226/13142.
[7] U.S. Environmental Protection Agency, *Risk Evaluation for Formaldehyde*, EPA.GOV, https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluation-formaldehyde (last visited Feb. 24, 2021).
[8] Pub. L. 114–182, 15 USC Ch. 53, §2604-2629.
[9] *Id.*
[10] U.S. Environmental Protection Agency, *supra* note 6.
[11] U.S. Government Accountability Office, *supra* note 4.
[12] U.S. Government Accountability Office, *Chemical Assessment: Challenges Remain with EPA's Integrated Risk Information System Program*, GAO.GOV (Dec. 2011), GAO 12-42.
[13] U.S. Environmental Protection Agency, *supra* note 1.

We urge the Agency to expedite any reevaluation of TSCA's systematic review methods, in a transparent and inclusive manner that includes stakeholder input, to avoid further delay of the pending evaluations. We ask for your commitment that, in accordance with congressional intent to operate with flexibility and speed, TSCA does not fully or consistently adopt program processes or procedures implemented by IRIS. If elements developed by the IRIS Program are incorporated into TSCA, we expect the Agency to assess their benefits and impacts thoroughly, while also adhering to the statutorily prescribed deadlines and scientific standards mandated.

TSCA risk evaluations should not be delayed by the desire to incorporate potentially unwarranted and burdensome processes and procedures, many of which are yet unproven, from the IRIS Program. We urge you to consider these concerns so that TSCA can function in an effective and efficient manner into the future, while avoiding the pitfalls that have plagued the IRIS Program. Anything less would be an abdication of EPA's charge to protect human health and the environment.

If you have any questions, please contact Mr. Daniel Dziadon with the Committee minority staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,

Rep. Frank D. Lucas
Ranking Member
Committee on Science,
Space, and Technology

Rep. Stephanie Bice
Ranking Member
Subcommittee on
Environment

Rep. Jay Obernolte
Ranking Member
Subcommittee on
Investigations and Oversight

cc: Mr. Michael Regan, Administrator Nominee, Environmental Protection Agency.

The Honorable Eddie Bernice Johnson, Chair, Committee on Science, Space, and Technology.

The Honorable Mikie Sherrill, Chair, Subcommittee on Environment.

The Honorable Bill Foster, Chair, Subcommittee on Investigations and Oversight.

Message

From: Lipper, Miryam (Ossoff) [Miryam_Lipper@ossoff.senate.gov]
Sent: 3/3/2021 9:35:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Linking on briefing request for Senator Ossoff

Thank you!

Yes, Mary Frances has it right. Senator is looking for a briefing from the EPA on the Savannah Port and the Augusta Lock and Dam. We've also reached out to the Army Corps separately, but he's hoping to get the EPA perspective as well if appropriate.

Something you might be able to help set up or connect me with the right folks?

Thanks again,

MIryam

--
Miryam Lipper
Senior Advisor
U.S. Senator Jon Ossoff
330-730-2166

From: "Repko, Mary Frances (EPW)" <MaryFrances_Repko@epw.senate.gov>
Date: Wednesday, March 3, 2021 at 4:29 PM
To: "Lipper, Miryam (Ossoff)" <Miryam_Lipper@ossoff.senate.gov>
Cc: "Adhar, Radha (Adhar.Radha@epa.gov)" <Adhar.Radha@epa.gov>
Subject: Linking on briefing request for Senator Ossoff

Hi Radha,

Meet Miryam with Senator Ossoff. Senator Ossoff is interested in a briefing with EPA on the Savannah Harbor and some other projects in the state.

Miryam was looking for a contact with EPA to set this up, and so I am connecting you.

I'll leave it to you both.

Best,
Mary Frances

Mary Frances Repko
Democratic Staff Director
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
o: 202-224-8098 (rings to cell)

Message

From: Tulou, Christophe (EPW) [Christophe_Tulou@epw.senate.gov]
Sent: 3/3/2021 11:43:07 PM
To: Gentile, Laura (EPW) [Laura_Gentile@epw.senate.gov]
CC: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: SEPW Inquiry on Final TSCA Section 6(h) Rules for 5 PBT Chemicals

Thank you, Laura — and appreciate you keeping us in the loop on toxics issues — and the PIP (3:1) situation in particular, Sven.

Christophe A. G. Tulou
Senior Majority Counsel
Environment and Public Works Committee
United States Senate

Sent from my iPhone

On Mar 3, 2021, at 5:34 PM, Gentile, Laura (EPW) <Laura_Gentile@epw.senate.gov> wrote:

Thanks very much, Sven, and it was good talking with you earlier.

Also, I've copied Christophe Tulou who is the lead for toxics issues at EPW.

Laura Gentile
(202) 794 - 4317

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Wednesday, March 3, 2021 5:29 PM
To: Gentile, Laura (EPW) <Laura_Gentile@epw.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: SEPW Inquiry on Final TSCA Section 6(h) Rules for 5 PBT Chemicals

Laura – thanks for the inquiry on the upcoming PBT deadline. The phenol, isopropylated phosphate (3:1) (PIP 3:1) rule was proposed on July 29, 2019, and signed by former Administrator Wheeler on December 21, 2020, after extensive stakeholder outreach and public comment yielded no information indicating implementation concerns along the lines raised in recent weeks. In response to these newly identified concerns, EPA met with PIP 3:1 stakeholders on Monday, March 1, to listen to their concerns including their approaching compliance requirements. The Agency is considering the path forward. Please let us know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Gentile, Laura (EPW) <Laura_Gentile@epw.senate.gov>
Sent: Wednesday, March 03, 2021 5:15 PM

To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Final TSCA Section 6(h) Rules for 5 PBT Chemicals

Hey Sven,
We're getting questions about the PIP (3:1) PBT deadline. Do you have any updates that you could share?
Thanks a lot
Laura

Laura Gentile, Legislative Fellow
U.S. Senate Committee on Environment and Public Works, Democratic Staff
Cell: 202.794.4317

Message

From: Thomas, Colleene (Baldwin) [Colleene_Thomas@baldwin.senate.gov]
Sent: 3/4/2021 12:23:12 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: [chat quickly?] Mon 8th - TSCA rule re Heavy-Duty Off-road equipment
Attachments: Internal Document- EPA Final Rules under TSCA - PIP 3-1 DecaBDE.docx; Time Sensitive Request

Radha,

Reaching out on a TSCA policy going into effect on Monday that our manufacturers of heavy-duty off-road equipment (tractors, construction equipment, etc) are highly concerned about.

These guys are worried they are going to have to freeze work on their manufacturing lines starting Monday unless they get some clear guidance from EPA, like a delay in implementation or enforcement—or a similar exemption to those given to auto/aerospace.

More attached—both companies (Bobcat and CNH Industrial) gave permission to share these materials with you and are good contacts on this issue.

Would you have a moment to touch base on this tomorrow?

Thanks!

Colleene Ex. 6 Personal Privacy (PP)

Their ask
The EPA published a rule (re TSCA DecaBDE and PIP 3:1) on **January 6,** 2021, that it is scheduled to go into effect on **Monday, March 8**, 2021, that poses a severe risk to several manufacturing operations… we request EPA immediately delay implementation/enforcement of the final rules and/or provide comparable relief to heavy-duty off-road equipment manufacturers that they granted to the automobile and aerospace industries.

COLLEENE THOMAS
Senior Policy Advisor – Agriculture, Environment and Natural Resources
OFFICE OF SENATOR TAMMY BALDWIN
709 Hart Senate Office Building, Washington, DC 20510
(202) 224-5653 | colleene_thomas@baldwin.senate.gov

Keep up to date by following Tammy online – www.baldwin.senate.gov

New Environmental Protection Agency (EPA) Regulation Effectively Prohibits Manufacturing and Sale of Off-Highway Equipment in the U.S. beginning March 8, 2021

Executive Summary

On February 25, 2021, Doosan Bobcat learned of the substantial negative consequences of new U.S. Federal regulations, published by the EPA, that ban five chemical substances (and products that contain those substances) from being manufactured and sold in the U.S. as of March 8, 2021. This new Regulation effectively prohibits the manufacturing and sale of all off-highway equipment and certain aftermarket parts. In addition to the off-highway equipment industry, the new Regulation negatively impacts dozens of other major industries encompassing thousands of companies. For example, we understand that representatives from the electronics industry were meeting with EPA on March 1, 2021 on this issue due to the negative and unexpected consequences on that industry.

It should be noted that the EPA's analysis of the costs and benefits of such a potential ban in the Final Rule (86 FR 898) was considerably limited. Specifically, EPA stated that no risk evaluation was conducted on the ban of any of the five chemical substances, nor were any safe and economically feasible alternatives discussed or identified.

Two of the five banned substances, Phenol, Isopropylated Phosphate (3:1) ("PIP (3:1)") and Decabromodiphenyl Ether ("DecaBDE"), are extensively used throughout U.S. industry in all areas, including automotive, aerospace, construction, agriculture, consumer recreation, textiles, electronics, etc. These two substances are commonly found in plastics, wire insulation, petroleum products, fabrics, foams, textiles, and electronics. PIP (3:1) is also a flame retardant that provides safety benefits to the products in which it is used.

Although the EPA began the rulemaking process in July 2019 that ultimately resulted in the new Regulation that bans these substances, the off-highway equipment industry was unaware of this rulemaking activity until very recently. During the rule making comment period, the automotive and aerospace industries both submitted numerous comments to the EPA regarding the hardship and negative consequences of a potential ban on their industries, and the EPA showed a willingness to provide exemptions and flexibility to those industries. Specifically, the EPA provided broad exemptions to these industries because the proposed regulations would not be practicable, would be extremely burdensome, and would provide minimal benefits. Because the off-highway equipment industry shares many affected components, types of parts, uses, and negative consequences with the automotive and aerospace industries, it too would have sought an exemption and likely received one for the same reasons outlined above.

The only viable solutions before the prohibition date of March 8, 2021, is for the EPA to withdraw or pause implementation of the final rule or to unilaterally grant an exemption to the off-highway equipment industry to preserve thousands of jobs and prevent a catastrophic shut-down of the entire industry. Without such a remedy and because of significant civil and criminal penalties for noncompliance, Doosan Bobcat and other equipment manufacturers will be forced to stop manufacturing, shipping, and selling equipment and parts on March 8, 2021. This will result in considerable economic and infrastructure consequences for the industry and the country during a period of focus on economic recovery.

After learning of the new Regulation, Doosan Bobcat has taken numerous steps to address the issue. These actions include engaging industry organizations such as the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Association of Equipment Manufacturers. These organizations are

ED_013012_00002342-00001

actively engaging their contacts at EPA and in Washington, D.C. Finally, Doosan Bobcat is reaching out to Congressional Delegations in states where it has manufacturing facilities that will be negatively impacted.

Detailed Timeline

Spring 2017	Listed on the EPA Regulatory Agenda to publish proposed rule.
July 29, 2019	Published proposed rule (84 FR 36728) on July 29, 2019, intending to add 5 new chemicals to the Toxic Substances Control Act list
October 28, 2019	Comment period closed for proposed rule.
Fall 2019	Listed on EPA Regulatory Agenda to publish final rule.
January 6, 2021	Published final rule (86 FR 894)
February 2021	Association of Equipment Manufacturers (AEM) informs their members of final rule.
March 8, 2021	Prohibition date.

Additional details are provided below.

ED_013012_00002342-00002

Toxic Substance Control Act (TSCA):

- Background:
  - Passed in 1976 [15 USC Section 2601]
  - Originally addressed PCBs, asbestos, radon, and lead-based paint.
  - Enforced by the EPA
- Requirement:
  - Must inform EPA of any chemical substances if:
    - substantial risk of injury to health or the environment; AND
    - manufactures, imports, processes or distributes in commerce any substance or mixture comprising those chemicals.
- Consequences:
  - $32,500 per day/ per violation
  - Imprisonment for up to one year
  - Additional criminal fines
    - Examples: $1.4 MM fine for company not properly disclosing its substances (2012)

EPA Final Rules under TSCA:

1. Timeline EPA Final Rule:
   a. Listed on the EPA Spring 2017 Regulatory Agenda (RIN: 2070-AK34)
   b. Published proposed rule ([HYPERLINK "https://www.regulations.gov/document/EPA-HQ-OPPT-2019-0080-0001"]) on July 29, 2019, intending to add 5 new chemicals to the Toxic Substances Control Act list
   c. Comment period closed: Oct. 28, 2019
   d. Published final rule ([HYPERLINK "https://www.federalregister.gov/documents/2021/01/06/2020-28692/phenol-isopropylated-phosphate-31-pip-31-regulation-of-persistent-bioaccumulative-and-toxic"]): Jan. 6, 2021
   e. Effective date: March 8, 2021

2. Substances Involved:
   a. Phenol, Isopropylated Phosphate (3:1) (PIP 3:1); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h) ([HYPERLINK "https://www.federalregister.gov/documents/2021/01/06/2020-28692/phenol-isopropylated-phosphate-31-pip-31-regulation-of-persistent-bioaccumulative-and-toxic"], RIN: 2070-AK58)
      - 40 CFR 751.407
      - Final Rule Published: Jan. 6, 2021
      - Effective Date: Feb. 5, 2021
      - Prohibition of Manufacturing and Selling Date: March 8, 2021
      - Proposed Rule: July 29, 2019 (84 FR 36728, RIN: 2070-AK34)

   b. Decabromodiphenyl Ether (DecaBDE); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h) ([HYPERLINK

ED_013012_00002342-00003

"https://www.federalregister.gov/documents/2021/01/06/2020-28686/decabromodiphenyl-ether-decabde-regulation-of-persistent-bioaccumulative-and-toxic-chemicals-under" \l "sectno-citation-751.405"], RIN: 2070-AK34)

- 40 CFR 751.405
- Final Rule Published: Jan. 6, 2021
- Effective Date: Feb. 5, 2021
- Prohibition of Manufacturing Date: March 8, 2021
- Prohibition of Selling: Jan. 6, 2022
- Proposed Rule: July 29, 2019 (84 FR 36728, RIN: 2070-AK34)

Summary:

- As of March 8, 2021, there is a prohibition of commerce on anything that contains phenol, isopropylated phosphate (3:1) (PIP (3:1)) and Decabromodiphenyl Ether (DecaBDE) not covered by an exclusion or exemption.
- The construction industry does not have an exemption. Automotive and Aerospace do have an exemption.
- Our products likely contain parts with PIP and DecaBDE
- This could shut down OEM and supplier plants as of March 8, 2021
- Affects multiple industries in US including agriculture, consumer recreation, electronics, textiles, and more.

Even if there was awareness of these chemical substances being banned, it would require years of extensive research and development to attempt replacing well-established formulations

Action Items:

1. AEM is now looking at a 3 phased approach:
   i. Petition the EPA to reconsider the Final Rules published on Jan. 6, 2021 (Withdraw the Rule or Grant an Exemption for Construction Equipment)
   ii. Contact interested members of Congress to lobby EPA to grant exemption for Construction Industry
   iii. Contact MSHA and OSHA to make them aware and ask them to get involved with the safety aspects of the EPA final rule
2. AEM asked all its member to engage their local Chamber of Commerce Members to bring awareness to the issue.
3. AEM sent a letter to the EPA Acting Administrator asking for an exemption
4. National Association of Manufacturers
   i. Conference Call on Tuesday, March 2, with OEM's

ED_013012_00002342-00004

Business Impact of PIP 3:1--

1. An AEM member company reported as many as 50,000 part numbers could be affected in its organization

Chemical is used in major areas of construction industry: ([HYPERLINK "https://doosan-my.sharepoint.com Ex. 6
Ex. 6

1. electronics and electrical devices,
   i. TVs,
   ii. computers/computer accessories,
   iii. phones,
   iv. washers and dryers,
   v. circuit boards,
   vi. electrical cables, and
   vii. other various household appliances
2. transportation (vehicles)
   i. Fabrics
   ii. foams,
   iii. carpets,
   iv. electrical equipment, and
   v. bumpers in airplanes, trains, and automobiles also contain flame retardant.

Major uses in products:

i. Adhesives
ii. Oils/greases
iii. Lubricants
iv. Epoxy Resins
v. Hydraulic fluid
vi. Fire protective coatings
vii. Plasticizers for insulation on electrical wire

More detailed reported uses ([HYPERLINK "https://www.regulations.gov/document/EPA-HQ-OPPT-2019-0080-0426"])

i. flame retardants in plastic materials, resin manufacturing, and rubber products, for commercial and consumer products
ii. consumer products such as foam seating
iii. lubricants and lubricant additives, furniture and furnishings, and plastic and rubber
iv. flame retardant plasticizer in PVC and phenolic resins
v. synthetic rubber manufacturing,
vi. flame retardant paint and coating manufacturing,

ED_013012_00002342-00005

vii. marine and yacht protective coatings
viii. flame retardants are used in many types of plastics not included in EPA's Preliminary Information, including: PVC, cellulosic resins, EPDM, High Impact Polystyrene (HIPS), Poly(phenylene oxide)/HIPS alloys, polycarbonate, polycarbonate/ABS alloys, rigid polyurethane, and thermoplastic polyurethane
ix. Aviation hydraulic fluids are a major use of these chemicals
x. flame retardants in electronic equipment plastics

List of Chemical Suppliers ([HYPERLINK "https://www.regulations.gov/document/EPA-HQ-OPPT-2019-0080-0426"])

i. ICL-IP America
ii. Chevron Oronite
iii. Akzo Nobel
iv. Exxonmobil
v. Shell Chemical
vi. Old World Industries
vii. Univar/Chempoint
viii. Special Material Company
ix. Lanxess

Business Impact of DecaBDE—

1. Major Uses: Plasticizer for Plastic Enclosures
    a. wire and cable rubber casings,
    b. textiles, electronic equipment casings,
    c. imported articles such as aerospace and automotive parts.
2. Exemptions for Aerospace and Automotive industries
3. Listed on the EU REACH Directive SVHC list

Administrative Law Options:

- Chamber of Commerce Petition for Reconsideration Example
    - ([HYPERLINK "https://www.epa.gov/sites/production/files/2016-08/documents/petition_for_reconsideration_us_chamber_of_commerce.pdf"])
    - Robin S. Conrad, Amar D. Sarwal NATIONAL CHAMBER LITIGATION CENTER, INC. 1615 H Street, N.W. Washington, D.C. 20063 Telephone: (202) 463-5337 Facsimile: (202) 463 – 5346
    - Robert R. Gasaway, William H. Burgess KIRKLAND & ELLIS LLP 655 Fifteenth Street, N.W. Washington, D.C. 20005 Telephone: (202) 879-5000 Facsimile: (202) 879-5200
- Another Example of Petition
    - [HYPERLINK "https://www.epa.gov/sites/production/files/2019-06/documents/rmp_coalition_rmp_reconsideration_petition_508.pdf"]

ED_013012_00002342-00006

- EPA Regulations:
    - Petition for reconsideration of final rule [HYPERLINK "https://www.law.cornell.edu/cfr/text/49/553.35"])
    - Right to petition ([HYPERLINK "https://www.law.cornell.edu/uscode/text/5/553"])
    - Agency has authority to postpone an effective date to include new info ([HYPERLINK "https://www.law.cornell.edu/uscode/text/5/705"])

a. TSCA law ([HYPERLINK "https://www.law.cornell.edu/uscode/text/15/2604"])
    i. Agency has power to consider new uses and exemptions
    ii. Section (H) exemptions

ED_013012_00002342-00007

Message

From: HART Matthew (CNH Industrial) [matthew.hart@cnhind.com]
Sent: 3/3/2021 7:40:20 PM
To: Thomas, Colleene (Baldwin) [Colleene_Thomas@baldwin.senate.gov]
CC: Graham, Nicholas (Baldwin) [Nicholas_Graham@baldwin.senate.gov]; NADHERNY Steven (CNH Industrial) [steven.nadherny@cnhind.com]; HYRE FLIN (CNH Industrial) [flin.hyre@cnhind.com]; Jay Heimbach (jheimbach@pmj-dc.com) [jheimbach@pmj-dc.com]
Subject: Time Sensitive Request
Attachments: ATT00001.txt

Hi Colleene –

We're reaching out with an urgent issue. Tried to reach to you via phone, but was asked by your front desk staff to shoot you an email.

The EPA published a rule on **January 6,** 2021, that it is scheduled to go into effect on **Monday, March 8**, 2021, that poses a severe risk to our Racine and St. Nazianz manufacturing operations.

We would respectfully request that Senator Baldwin contact Chairman Carper about this issue, as well as the EPA directly, to request EPA immediately delay implementation/enforcement of the final rules and/or provide comparable relief to heavy-duty off-road equipment manufacturers that they granted to the automobile and aerospace industries.

Below please find a brief summary of the issue as it relates to our request:

DecaBDE and PIP 3:1 Final Rules

1. On Dec. 23, 2020 EPA issued notice of proposed final rules (with the final rule published in Federal Registry on January 6, 2021) under the Toxic Substances Control Act (TSCA) prohibiting the manufacturing and processing of PIP 3:1 and DecaBDE or any products containing such substances effective March 8, 2021.
2. EPA granted to the motor vehicle manufacturer industry and aerospace industry exemptions to the final rules.
3. CNH Industrial has over 1.5 million active parts and nearly 6,000 fluids used in manufacturing plants. The agricultural and construction equipment that CNH Industrial sells in the U.S. (and some portion of the replacement parts for such equipment) may contain these substances.
4. With such limited notice from EPA, it is impossible for CNH Industrial to identify applicable suppliers and work with such suppliers to determine whether a substitute chemical exists that will not degrade the functional performance of the parts supplied to CNH Industrial and to implement the change. Importantly, EPA did not complete the risk assessment that would have determined that suitable replacements are not available.
5. There is a significant overlap between heavy-duty off-road equipment manufacturers and motor vehicle manufacturers. In particular, there is a significant overlap in supply chains. However, motor vehicle manufacturers purchase much greater volumes from the suppliers.
6. If motor vehicle manufacturers have been granted an exemption to these final rules, it will be extremely challenging to get the focus, attention, and cooperation of suppliers to identify and implement a substitute chemical that will not degrade the functional performance of the parts sold to heavy-duty off-road equipment manufacturers like CNH Industrial.
7. In the United States, CNH Industrial has 10 manufacturing plants, 11 research and development centers, eight parts depots and a workforce of approximately 8,000 people. Absent an exemption from the final rules, CNH Industrial plants could be forced to shut down production of agricultural and construction equipment intended for sale in the U.S. market as well as the sale of replacement parts for equipment in the field working. In addition, we could be prohibited from delivering to our dealers and customers agricultural and construction equipment and replacement parts that they have purchased from us.

8. Because of the impossibility of complying with the rule under the current timeframe and similarities between heavy-duty off-road equipment manufacturers and motor vehicle manufacturers, we seek to have EPA immediately delay implementation/enforcement of the final rules, or provide comparable relief to heavy-duty off-road equipment manufacturers. For example, the exemption for motor vehicle manufacturers could be expanded to include manufacturers of heavy-duty off-road equipment (including agricultural and construction equipment and replacement parts for such equipment).

We're available to discuss at your earliest convenience.

Thanks,

Matt

Matthew Hart
Manager, Government Affairs

CNH Industrial
1001 G Street, NW - Suite 100 East Washington, DC 20001 USA
Ph. +1 202 737 7575
Mob. +1 202 779 0627

Message

From: Hamilton, Jill (Whitehouse) [Jill_Hamilton@whitehouse.senate.gov]
Sent: 3/4/2021 2:01:05 AM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Memo for Administrator Regan from Senator Whitehouse re: marine debris
Attachments: Memo-EPA-SOS 2.0 authorities_3.3.21.docx

Hello Karen and Radha,

Attached is a memo from Senator Whitehouse to Administrator Regan discussing opportunities to address marine debris and ocean plastic waste, including through the new authorities established under Save Our Seas 2.0.

Thank you, and please let me know if I can answer any questions.
Jill

Jill A. Hamilton
Legislative Assistant
U.S. Senator Sheldon Whitehouse
jill_hamilton@whitehouse.senate.gov

To: EPA Administrator Regan
From: Senator Sheldon Whitehouse
Date: March 3, 2021
RE: Marine debris and ocean plastic waste

Congratulations on your confirmation. I have watched with sorrow and dismay what the fossil fuel industry did to your agency, and could not be happier to see you there, and I hope and pray for a restoration.

In addition to climate change and other matters, I look forward to working with you to address the marine debris and plastic pollution crisis harming coastal ecosystems, communities, and marine life. The Save Our Seas and the Save Our Seas 2.0 Acts, which became law in October 2018 and December 2020, respectively, provide avenues for progress in this area. Save Our Seas reauthorized NOAA's Marine Debris Program, encouraged U.S. international engagement, and laid the foundation for continued bipartisan efforts in Congress. Save Our Seas 2.0 provided new authorities for numerous agencies, including the Department of Commerce, NOAA, the EPA, and the Department of State.

I hope you will work with Secretary Raimondo to convene all of these agencies to assure they are utilizing these new authorities fully and concertedly, and to develop a strong common strategy.

EPA
With respect to the EPA, Save Our Seas 2.0 created four new EPA grant programs, subject to appropriation: (1) a post-consumer materials management infrastructure grant program; (2) a drinking water infrastructure grant program; (3) a wastewater infrastructure grant program; and (4) a Trash-Free Waters grant program. It authorizes $55 million for each of fiscal years 2021 through 2025 for the post-consumer materials management infrastructure program, and $10 million for each of fiscal years 2021 through 2025 for the other three programs.

Additionally, Save Our Seas 2.0 directs the EPA to:

- develop a post-consumer materials management and water management strategy;
- complete reports on repurposing plastic waste in infrastructure, eliminating barriers to increasing the collection of recyclable materials, and establishing economic incentives to spur development of new end-use markets for recycled plastics; and
- complete a study of the effects of microplastics on food and water supplies.

2021 Appropriations
I also obtained $75 million in FY 2021 appropriations for the Department of State and USAID for ocean plastic and marine debris remediation. This may include a new fund aimed at reducing and preventing marine debris around the world, which could coordinate well with the existing U.N. Environment Program's Global Partnership on Marine Litter.

Trade and International
On trade and international matters, despite strong positive public statements on ocean plastic from top officials in the last administration, press reporting out of international conferences

consistently reflected the United States as the sole or worst obstacle to progress. I hope the Biden Administration will lead, not impede international progress.

The Private Sector

There are several industry organizations committed to reducing plastic waste, but corporate commitments vary widely. Unilever seems the best actor, with a pledge to begin removing as much plastic waste from the environment every year as it adds to the economy. There is opportunity to spur the laggards along with agreed industry standards, as well as through regulation.

Again, congratulations. We're headed for a world whose oceans contain more plastic waste than fish, so it is urgent to solve this. We can do big things, and you being from a coastal state gives me hope.

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 3/4/2021 2:02:18 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Blackburn, Christine (Schatz) [Christine_Blackburn@schatz.senate.gov]
Subject: RE: Happy hour?

I can do 8:30.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, March 4, 2021 9:00 AM
To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>; Blackburn, Christine (Schatz) <Christine_Blackburn@schatz.senate.gov>
Subject: RE: Happy hour?

That would be amazing! Maybe midlands or hook hall? Big outdoor beer gardens? On weekdays I'm kinda stuck until 830 but then free right after- is that ok?

From: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Sent: Wednesday, March 3, 2021 6:55 PM
To: Blackburn, Christine (Schatz) <Christine_Blackburn@schatz.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Happy hour?

How about Thursday next week? Happy to come to Petworth.

From: Blackburn, Christine (Schatz) <Christine_Blackburn@schatz.senate.gov>
Sent: Wednesday, March 3, 2021 5:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Subject: RE: Happy hour?

I am in too. When (and where) do you want to do this? Maybe near Radha's place since it is in the middle??

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, March 3, 2021 3:29 PM
To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>; Blackburn, Christine (Schatz) <Christine_Blackburn@schatz.senate.gov>
Subject: RE: Happy hour?

YESSSSSSSSSSSSSSSSSSSSSSSSSS lets do it!!!!!!

From: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Sent: Wednesday, March 3, 2021 10:15 AM
To: Blackburn, Christine (Schatz) <Christine_Blackburn@schatz.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Happy hour?

Chris, Radha and I think it's time for an outdoor happy hour. You game one evening next week?

Message

From: Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]
Sent: 3/4/2021 3:30:42 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Lefeber, Kevin (Durbin) [Kevin_Lefeber@durbin.senate.gov]; Clark, Catherine (Durbin) [Catherine_Clark@durbin.senate.gov]; Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]
Subject: Re: PIP 3:1 and DecaBDE

Thanks Radha.

Hi Sven:
Would you be able to chat with us about this issue or send along any information?
Thank you!

Gina Mazzuca
Office of Senator Richard J. Durbin
Hart 711 Office Building

On Mar 4, 2021, at 10:17 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey Gina, thank you for reaching out.

I'm connecting you to my colleague Sven who has been following this issue.

Thanks,
Radha

From: Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>
Sent: Wednesday, March 3, 2021 4:27 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lefeber, Kevin (Durbin) <Kevin_Lefeber@durbin.senate.gov>; Clark, Catherine (Durbin) <Catherine_Clark@durbin.senate.gov>
Subject: PIP 3:1 and DecaBDE

Hi Radha!
We had a group reach out to us who are concerned about a new rule under the Toxic Substances Control Act (TSCA) prohibiting the manufacturing and processing of PIP 3:1 and DecaBDE or any products containing such substances effective March 8, 2021. Their main concern is that heavy-duty off-road equipment manufacturers aren't subject to the waiver granted to the automobile and aerospace industries.

I was wondering if you all could provide more information to us about this?

Thank you!

Gina Mazzuca | *Legislative Assistant*
Office of Senator Richard J. Durbin | Democratic Whip
711 Hart Senate Office Building
Email: Gina_Mazzuca@durbin.senate.gov

Tel: 202.224.2152

Message

From: Russell, Joe (Kelly) [Joe_Russell@kelly.senate.gov]
Sent: 3/4/2021 4:51:52 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Sen. Kelly Inquiry on PIP 3:1

Thanks Sven – this is helpful. Yes, please keep us posted on next steps and any changes y'all may be making in the timeline for enforcing the 3:1 rule.

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, March 4, 2021 11:32 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: Sen. Kelly Inquiry on PIP 3:1

Joe – thanks for the request from Sen. Kelly on behalf of your constituents regarding the TSCA PIP 3:1 rule. The phenol, isopropylated phosphate (3:1) (PIP 3:1) rule was proposed on July 29, 2019, and signed by former Administrator Wheeler on December 21, 2020, after extensive stakeholder outreach and public comment yielded no information indicating implementation concerns along the lines raised in recent weeks. In response to these newly identified concerns, EPA met with PIP 3:1 stakeholders on Monday, March 1, to listen to their concerns including their approaching compliance requirements. The Agency is considering the path forward. Please let us know if any additional questions and we'll be glad to update you on next steps. Best,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, March 04, 2021 11:24 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Introduction

Joe,

Please accept my apologies for having not seen your email earlier and getting a call on the books after you shot over your number. I'm copying my colleague Sven who can help you with your question, and I hope you will let me know if you have time next week for me to introduce myself.

Best,
Radha

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Wednesday, March 3, 2021 5:01 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Hi Radha,

Sorry we didn't get a chance connect last week – let me know if you wanted to try to find a time this week or next.

In the meantime, I wanted to flag a question we've heard from several in-state stakeholders about the TSCA PIP (3:1) Rule, which is slated to be implemented on March 8th. I attached a few letters from industry groups concerned about the regs, which my boss shares – and I wanted to see if you had any update on the rule, and in particular, if EPA is still planning to begin enforcing the rule on Monday?

Any insight you can share would be helpful!

Message

From: Russell, Joe (Kelly) [Joe_Russell@kelly.senate.gov]
Sent: 3/4/2021 4:53:40 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Introduction

Thanks Radha – I've got some free time to hop on the phone tomorrow after 3:30pm ET, if you've got availability then. Or I'm happy to talk on Monday – for now, my schedule is fairly open, so just let me know a time that would work for you.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, March 4, 2021 11:24 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Introduction

Joe,

Please accept my apologies for having not seen your email earlier and getting a call on the books after you shot over your number. I'm copying my colleague Sven who can help you with your question, and I hope you will let me know if you have time next week for me to introduce myself.

Best,
Radha

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Wednesday, March 3, 2021 5:01 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Hi Radha,

Sorry we didn't get a chance connect last week – let me know if you wanted to try to find a time this week or next.

In the meantime, I wanted to flag a question we've heard from several in-state stakeholders about the TSCA PIP (3:1) Rule, which is slated to be implemented on March 8th. I attached a few letters from industry groups concerned about the regs, which my boss shares – and I wanted to see if you had any update on the rule, and in particular, if EPA is still planning to begin enforcing the rule on Monday?

Any insight you can share would be helpful!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 25, 2021 11:23 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: RE: Introduction

Thanks Joe, will do.

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Thursday, February 25, 2021 11:12 AM

To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Sorry for the slow reply – but yes 5pm today works great. Feel free to give me a call then at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:23 PM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: RE: Introduction

Thanks for your willingness to chat Joe! Can we do 5 tomorrow? Let me know!

From: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Sent: Wednesday, February 24, 2021 1:23 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Introduction

Hi Radha – so great to meet you and thank you for reaching out – I'd love to find a time for a call.

I'm free to talk tomorrow any time after 4pm or can talk on Friday between 11am-1pm or after 2:30pm. Let me know if there's a time that works for you.

Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:34 AM
To: Russell, Joe (Kelly) <Joe_Russell@kelly.senate.gov>
Subject: Introduction

Hi Joe,

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs at EPA. I wanted to send a quick note congratulating you and your boss for joining the senate and share that we are all very excited that y'all are on EPW. We are looking forward to working with you, and I'd love to give you a ring this week to discuss how we can work together.

Do you mind letting me know if you have a few minutes this week?

Thanks in advance,
Radha

Message

From: Shaben, Zachary [Zachary.Shaben@mail.house.gov]
Sent: 3/4/2021 7:56:50 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]
Subject: RE: Rep. Krishnamoorthi Request on PIP 3:1

Hi Sven,

Thank you for getting back to us so quickly, we really appreciate it. I think we do have some additional questions and comments that we would like to discuss. Are you available for a call this afternoon?

Best,
Zach

Zach Shaben
Legislative Correspondent
Office of Congressman Raja Krishnamoorthi (IL-08)
115 Cannon House Office Building | Washington, D.C. 20515
202-225-3711 | Zachary.Shaben@mail.house.gov

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, March 4, 2021 2:40 PM
To: Shaben, Zachary <Zachary.Shaben@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>
Subject: Rep. Krishnamoorthi Request on PIP 3:1

Zach – thank you for the inquiry from Rep. Krishnamoorthi on behalf of your constituents regarding the TSCA PIP 3:1 rule. The phenol, isopropylated phosphate (3:1) (PIP 3:1) rule was proposed on July 29, 2019, and signed by former Administrator Wheeler on December 21, 2020, after extensive stakeholder outreach and public comment yielded no information indicating implementation concerns along the lines raised in recent weeks. In response to these newly identified concerns, EPA met with PIP 3:1 stakeholders on Monday, March 1, to listen to their concerns including their approaching compliance requirements. The Agency is considering the path forward. Please let us know if any additional questions and we'll be glad to update you on next steps.
Best,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Shaben, Zachary <Zachary.Shaben@mail.house.gov>
Sent: Thursday, March 4, 2021 12:37 PM
To: OCIRmail <OCIRmail@epa.gov>
Cc: Kaissi, Brian <Brian.Kaissi@mail.house.gov>; Hochberg, Jacob <Jacob.Hochberg@mail.house.gov>
Subject: Request to Discuss an EPA Rule Change

Deputy Associate Administrator Richardson,

I hope this email finds you well. I'm reaching out on behalf of Congressman Krishnamoorthi to setup a phone call between you and the Congressman to discuss the Final Rule – 86 Fed. Reg. 894 (Jan. 6, 2021) – regarding Phenol Isopropylated Phosphate (PIP) (3:1). The Congressman has not taken a stance in opposition of this rule, but he would like to share with you concerns regarding potential job loss as a result of its implementation. A business in our district, Hitachi High Tech, has expressed concerns that without an extended phase-out agreement for PIP (3:1) they will lose market share and eventually close their U.S. operations, potentially impacting 160 jobs.

We are requesting to setup a call this week since the ban of PIP (3:1) will begin on March 8th, please let me know as soon as possible when this can be arranged.

Best,
Zach

Zach Shaben
Legislative Correspondent
Office of Congressman Raja Krishnamoorthi (IL-08)
115 Cannon House Office Building | Washington, D.C. 20515
202-225-3711 | Zachary.Shaben@mail.house.gov

Message

From: Gustafson, Eric (Hoeven) [Eric_Gustafson@hoeven.senate.gov]
Sent: 3/4/2021 11:12:11 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: TSCA Issue

Hi Radha, I just tried to give you a call earlier.

EPA recently finalized a regulation banning several substances under the Toxic Substances Control Act that may impact manufacturers in our state. We were recently made aware of compliance concerns from off-road vehicle manufacturers that are seeking some of the flexibility granted to on-road vehicle manufacturers that was granted under the rule. It's our understanding that if additional relief or flexibility is not granted, some will be forced to shut down manufacturing before March 8, when a prohibition comes into effect.

We wanted to check in to see if EPA is hearing similar concerns from other impacted stakeholders, and if there is any information or update that we can share with our constituent. Happy to chat over the phone if it's easier, cell is Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP)

Thanks!
Eric

Eric M. Gustafson
Policy Advisor
U.S. Senator John Hoeven
338 Russell Senate Office Building
(202) 224-0075

Message

From: Silverthorn, Mary (Cramer) [Mary_Silverthorn@cramer.senate.gov]
Sent: 3/5/2021 2:10:18 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Carlile, Amy L [acarlile@iu.edu]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Yes, we would prefer a phone call. Thank you for sending over the information.
Best,
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, March 4, 2021 5:00 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary – March 9th at 5:15pm will work. Amy, chime if you know something different.

Mary, I think you preferred a phone call over a video link. Is that the case? If so, we can use this number:
Phone Number: Ex. 6 Personal Privacy (PP)
Phone Conference Ex. 6 Personal Privacy (PP)

Or I can send a Teams invite. Just let me know – thanks again!

Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Thursday, March 04, 2021 3:37 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Does 5:15pm on March 9th work?

Thanks,
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, March 4, 2021 2:56 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary,

Thanks for your email. That time won't work on the 17th. Is there another time, perhaps earlier in the week that might work?

I appreciate your help with this - - Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Wednesday, March 03, 2021 3:09 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Senator Cramer is no longer is available on the 9th due to a committee hearing. Is Janet McCabe available at 9:00am on March 17th? Thank you, and I look forward to hearing back.

Best,
Mary

From: Silverthorn, Mary (Cramer)
Sent: Friday, February 26, 2021 4:21 PM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Unfortunately, Senator Cramer will not be available prior to McCabe's hearing. Would March 9th at 9:00am EST work for a call?

Thanks!
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 11:41 AM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary – thank you for letting us know! If it's possible, it would be great if Senator Cramer and Janet McCabe could speak before her expected nomination hearing date of March 3rd.

Take care,

Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Tuesday, February 23, 2021 11:37 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Good morning all,

Senator Cramer will no longer be able to do this call today. I am so sorry for the last minute cancellation. I will reach back out when I have a new date. Again, I apologize for the short notice!

Thank you,
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Monday, February 22, 2021 5:39 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great – thanks, Mary!

Karen.
202 564 1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Monday, February 22, 2021 5:35 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Here is the info for tomorrow. We will just do a phone call and no video.
Ex. 6 Personal Privacy (PP) | Conference ID: Ex. 6 Personal Privacy (PP)
Thanks!
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Monday, February 22, 2021 11:52 AM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

HI Mary – tomorrow 2/23 at 3:15 ET works. Will you be able to send a video link?

Thank you – Karen.
202 564 1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Monday, February 22, 2021 9:45 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Good morning all,

Any chance we could move this call to tomorrow 2/23 at 3:15pm ET? Sorry for the last minute change. Thank you in advance for your help!

Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 5:28 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Much appreciated, Mary!
Take care - - Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Wednesday, February 17, 2021 5:24 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Micah Chambers, our LD, will be on the call with the Senator. Thanks!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 5:22 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you, Mary. We'll keep an eye out for the conference line.
Would you please share who will join Sen Cramer on next Wednesday's call? Radha Adhar and I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Tuesday, February 16, 2021 5:49 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Perfect. Thank you for confirming. I will send a conference line 24hrs prior to the call.
Thanks,
Mary

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 16, 2021 5:46 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

February 24th @3:30 is good for Janet.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Tuesday, February 16, 2021 5:43 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen,

Thanks for reaching out. Senator Cramer would be available for a call at 3:30pm ET on Wednesday, February 24th. Would that work on your end?

Thanks!
Mary Silverthorn
Deputy Scheduler
Senator Kevin Cramer | North Dakota
SR-400 | 202-224-2043

Email Website vCard

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:20 PM
To: Buening, Rachel (Cramer) <Rachel_Buening@cramer.senate.gov>; Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Rachel & Mary,

I hope you are doing well. I'm reaching out to find time on Senator Cramer's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Sent: 3/5/2021 6:30:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Shamaskin, Andrew (Wicker) [Andrew_Shamaskin@wicker.senate.gov]; Jenkins, Brandi [Jenkins.Brandi@epa.gov]
Subject: RE: WIFIA

Got it. We look forward to talking with you then!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 1:29 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

You bet, will send an invite in a sec.

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, March 5, 2021 1:27 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Unfortunately, we have something on the calendar for 3 that can't be moved. We appreciate your being willing to move things around!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 1:25 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Thanks Chloe- is there any way we could grab y'all at 3? If not, let me know and I'll move some things around!

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, March 5, 2021 1:24 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

That would be great. We'd welcome the opportunity to talk with you both about Jackson. Would you be available sometime between 11am-1:30pm ET on Monday? Happy to suggest some other times if that won't work.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 12:54 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Hey Chloe,

Thanks so much for your note. I'd be happy to get a call on the books with your team re: Jackson's WIFIA loan. I also wanted to ask if you have some time to chat with me and my colleague Brandi, who you probably know from her leadership in EPA Region 4. We wanted to chat about how we can assist your office in its efforts to support the residents of Jackson, who as you know have been out of water for about two weeks. Do you mind letting me know if you have time for a call?

Will circle back soon re: WIFIA!

Radha

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Thursday, March 4, 2021 6:20 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>
Subject: WIFIA

Hi Radha,

I hope this reaches you well. In 2019, the City of Jackson applied for a WIFIA loan. To our understanding, EPA received a total of 51 letters of interest in 2019, and the agency selected 38 projects. Jackson was not selected. We would like to talk with someone at EPA about why the city's application was not selected and how it could potentially be strengthened moving forward. Could you connect us with the right person at EPA?

Thank you!

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram

Message

From: Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Sent: 3/5/2021 6:29:22 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Klasen, Matthew [Klasen.Matthew@epa.gov]
CC: Shamaskin, Andrew (Wicker) [Andrew_Shamaskin@wicker.senate.gov]
Subject: RE: Sen. Wicker Inquiry on Jackson WIFIA Application

That would be great, Sven. We appreciate your looking into this.

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Friday, March 5, 2021 1:20 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>
Subject: Sen. Wicker Inquiry on Jackson WIFIA Application

Chloe – thanks for the request on Jackson's 2019 WIFIA application. We'll be glad to look into it and get back to you with a response. I'm checking with our WIFIA folks and with Region 4 and will share what we find out as soon as possible. Please let us know if any additional questions. Best,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Thursday, March 4, 2021 6:20 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>
Subject: WIFIA

Hi Radha,

I hope this reaches you well. In 2019, the City of Jackson applied for a WIFIA loan. To our understanding, EPA received a total of 51 letters of interest in 2019, and the agency selected 38 projects. Jackson was not selected. We would like to talk with someone at EPA about why the city's application was not selected and how it could potentially be strengthened moving forward. Could you connect us with the right person at EPA?

Thank you!

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram

Message

From: Byrne-Haupt, Nannette (Hickenlooper) [Nannette_Byrne-Haupt@hickenlooper.senate.gov]
Sent: 3/8/2021 1:38:13 AM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Sen Hickenlooper's Inquiry on OffBoard Shields

Hi Sven,

Mr. Onwaller reached out to our office requesting a status update on his case. Could you provide an estimation of completion?

Thank you for your time and assistance.

Sincerely,
Nannette Byrne-Haupt
U.S. Senator John Hickenlooper
Constituent Advocate
Nannette_byrne-haupt@hickenlooper.senate.gov

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, February 11, 2021 8:56 AM
To: Byrne-Haupt, Nannette (Hickenlooper) <Nannette_Byrne-Haupt@hickenlooper.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Sen Hickenlooper's Inquiry on OffBoard Shields

Nanette- thanks for the inquiry on behalf of Sen. Hickenlooper's constituent's product. We'll be glad to take a look at the request and provide a response. Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

202-566-2753

kaiser.sven-erik@epa.gov

From: Byrne-Haupt, Nannette (Hickenlooper) <Nannette_Byrne-Haupt@hickenlooper.senate.gov>
Sent: Thursday, February 11, 2021 10:33 AM
To: OCIRmail <OCIRmail@epa.gov>
Subject: Sen Hickenlooper's Office: Congressional inquiry

Greetings,

I am writing on behalf of Mr. Art Onwaller, who is a wholesaler of a non-pesticide product for an Amazon fulfillment center. Recently, Mr. Onwaller's product was removed until he can provide a certificate from the EPA that his product does not contain pesticides.

Mr. Onwaller has provided a letter of explanation, along with the privacy release form that details the components of his product and requests a review and certificate from the EPA approving the product as safe and free of pesticides.

Could you please provide an approximate timeline for a response?

Thank you in advance for your time and assistance, and please do not hesitate to reach out if there are further questions.

Sincerely,

Nannette Byrne-Haupt

U.S. Senator John Hickenlooper

Constituent Advocate

102 S. Tejon Street, Suite 930

Colorado Springs, CO 80903

Nannette_byrne-haupt@hickenlooper.senate.gov

O: 303-244-1628

Message

From: Swing, Samantha (Cortez Masto) [Samantha_Swing@cortezmasto.senate.gov]
Sent: 3/8/2021 5:12:02 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Haman, Patricia [Haman.Patricia@epa.gov]; Boylan, Thomas [boylan.thomas@epa.gov]
CC: Lokken, Sean (Cortez Masto) [Sean_Lokken@cortezmasto.senate.gov]
Subject: RE: QFR Follow-up/Biointermediates
Attachments: Biointermediates Overview.pdf

Hi Radha, Pat, and Thomas,

Thank you so much for taking the time to meet with Sean and me on Friday. As promised, I am attaching a one pager on the company in Nevada that is being impacted by the delay of the biointermediates item in the REGS Rule. Would it be worth circling back at the end of the week should there be any additional information you can share on where things are or if there is something more we can do to be helpful in elevating the need for action on this rule?

Thank you,
Sammi

From: Swing, Samantha (Cortez Masto)
Sent: Wednesday, March 3, 2021 3:54 PM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

3pm on Friday works well on my end. Thank you for getting something on the calendar, Radha. We look forward to connecting on this.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, March 3, 2021 3:42 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey Sammi, just added something to your calendar. Can y'all let us know if this time works? Just took a shot and am happy to move things around.

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Wednesday, March 3, 2021 9:00 AM
To: Haman, Patricia <Haman.Patricia@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hi Pat and Radha,

Hope you are both well. I saw that there was a recent White House meeting between Gina McCarthy and the aviation industry, given the nexus to biointermediates, I thought it might be a good time to reconnect on the issue and see if there are any updates on the REGS Rule. Fridays are still looking the most flexible on my end, but let me know what works best for you all.

Thank you,
Sammi

From: Swing, Samantha (Cortez Masto)
Sent: Friday, February 19, 2021 5:53 PM
To: 'Haman, Patricia' <Haman.Patricia@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Thank you, Pat, and happy to set up a time to talk, Radha.

Friday is looking most open on my end next week. Let me know if there are a few times that might work for you all.

From: Haman, Patricia <Haman.Patricia@epa.gov>
Sent: Friday, February 19, 2021 5:07 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Got it. We will check in with the technical staff. Pat

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 4:58 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey y'all, I am looping in my colleague Pat who is our team expert on this. Maybe we can get a call on the books for later next week?

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Friday, February 19, 2021 3:59 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Awesome, thank you so much, Radha. And Congratulations, again!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 19, 2021 3:57 PM
To: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hey Sammie!
Let me check in with the team and circle back. Looking forward to working with you on this!
Radha

From: Swing, Samantha (Cortez Masto) <Samantha_Swing@cortezmasto.senate.gov>
Sent: Friday, February 19, 2021 2:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>

Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: RE: QFR Follow-up/Biointermediates

Hi Radha,

Happy Friday! Just wanted to circle back on the email below. I apologize. I know things are insane right now, but any guidance you can provide would be greatly appreciated!

-Sammi

From: Swing, Samantha (Cortez Masto)
Sent: Thursday, February 11, 2021 2:53 PM
To: 'Adhar.Radha@epa.gov' <Adhar.Radha@epa.gov>
Cc: Lokken, Sean (Cortez Masto) <Sean_Lokken@cortezmasto.senate.gov>
Subject: QFR Follow-up/Biointermediates

Hi Radha,

Congratulations on the move over to EPA! Well deserved, and I look forward to working with you in your new role. I am sure things are insanely busy as you settle into the new position, but I hoped to follow-up on a response to a question for the record that Senator Whitehouse submitted to Mr. Regan following his nomination hearing.

We worked with Senator Whitehouse's office on the question below, and I believe Senator Braun also raised the issue of biointermediates in a question for the record. We appreciate the response we received and would like to check in on the timeline for considering and finalizing the REGS rule, specifically the biointermediates item. Getting this long-delayed item across the finish line is hugely important to a project in Nevada that has garnered federal support in the past, and it would be helpful to open a line of communication on the issue as we look to elevate it within the agency.

Please let me know when might be a good time to connect.

Thank you,
Sammi

Biointermediates QFR and Response:

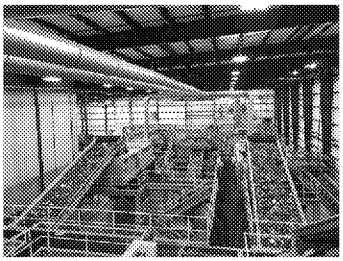
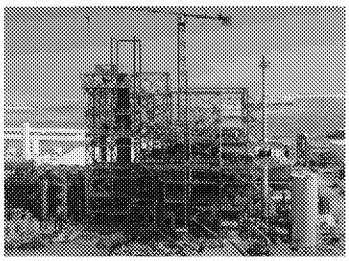
The Renewables Enhancement Growth Support (REGS) Rule (EPA-HQ-OAR-2016- 0041) has been stalled at EPA for more than four years. Among other items, this rule would allow biointermediates to produce low-carbon fuel for which renewable identification numbers would be generated. The REGS rule went through the entire rulemaking and commenting process as specified in the Administrative Procedures Act. Comments on the biointermediates section were overwhelmingly positive. Most recently, Congress directed EPA to finalize this portion of the rulemaking for the REGS Rule (in Division G of the report accompanying the FY 2021 omnibus appropriations bill). The language directs EPA to complete the rulemaking within 90 days of the act's enactment (December 27, 2020) and report to Congress within 60 days about EPA's plans for action on this important rule. Should you be confirmed, will you commit to adhere to Congress's instructions, under the prescribed timeline, to finalize the REGS Rule to address the long-delayed decision on biointermediates?

RESPONSE: If confirmed, I will confer with my legal and policy team to understand EPA's responsibilities under the report accompanying the Consolidated Appropriations Act of 2021 and determine a path forward on this rulemaking.

Samantha Swing
Legislative Assistant | Office of Senator Catherine Cortez Masto

202.224.3542 | www.cortezmasto.senate.gov

Sign up for updates from the Senator.

Fulcrum BioEnergy

Fulcrum BioEnergy is a developer of municipal solid waste (MSW)-to-fuels projects. Fulcrum's first plant is currently under construction outside Reno, NV, with start-up expected in 2021. Once operational, the Sierra BioFuels facility is expected to produce 11 million gallons of fuel annually while creating 500 construction and 120 permanent jobs. On December 13, 2018, Fulcrum announced it would build the Centerpoint BioFuels Plant in Gary, Indiana. Construction on the facility is expected to begin in 2021 and will take an estimated 18-24 months to completion. Centerpoint is projected to produce 33 million gallons of fuel annually while creating 900 construction jobs and 160 permanent jobs.

Bio-Intermediates

Fulcrum BioEnergy and other advanced biofuel companies, in partnership with obligated parties under the RFS, have developed a two-step process to produce advanced cellulosic biofuels. The first step involves the processing of an advanced biofuel feedstock at one facility, which produces a product otherwise known as a bio-intermediate or advanced syncrude. The next step involves the shipment of that bio-intermediate product to a separate facility for upgrading into advanced renewable fuels. This may include co-processing the bio-intermediate alongside conventional petroleum in an existing refinery.

This two-step process leverages existing refining and other infrastructure, which can significantly accelerate the introduction of large volumes of advanced renewable fuels, thereby substantially reducing compliance costs by generating large volumes of cellulosic RINs while generating hundreds of well-paying jobs in economically disadvantaged areas.

Problem

Processes using bio-intermediates are currently not in a position to generate RINs under the RFS because of a technical definition of a production facility (40 CFR §80.1401). In November 2016, EPA issued a proposed rule known as the Renewables Enhancement and Growth Support (REGS) Rule which proposed a wide range of technical fixes to the RFS, including a pathway for bio-intermediates to generate RINs. The REGS Rule includes other supporting fixes such as the approval of mass-balance to determine the content of the fuel that comes from a renewable feedstock and therefore qualifies for generating RINs. The REGS Rule went through the commenting period and the EPA received positive comments on bio-intermediates and mass-balance approaches from a diverse set of stakeholders.

Solution

The EPA should act without delay to ensure that bio-intermediates are fully encompassed within the RFS program. The EPA could do so by finalizing language already developed in the REGS Rule dealing with bio-intermediates and with the allowance for quantifying bio-intermediates using a mass balance approach. As noted, such language has already gone through APA notice and comment requirements during the REGS Rule process, received support from a wide set of stakeholders, and will ultimately unlock the potential to significantly grow the cellulosic fuels industry and generate well-paying jobs.

Fulcrum BioEnergy, Inc.
4900 Hopyard Road
Suite 220
Pleasanton, CA 94588
www.fulcrum-bioenergy.com

Message

From: Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Sent: 3/9/2021 3:51:04 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Shamaskin, Andrew (Wicker) [Andrew_Shamaskin@wicker.senate.gov]; Jenkins, Brandi [Jenkins.Brandi@epa.gov]; Browning, Mary Alice (Wicker) [MaryAlice_Browning@wicker.senate.gov]
Subject: RE: WIFIA

Hi Radha,

Thanks for talking with us yesterday. I'm looping in Mary Alice Browning who is Senator Wicker's grants coordinator. You mentioned finding a time later this week to talk with some of the technical folks at EPA. We are available tomorrow from 12:30pm-2pm ET. Would folks from EPA be available in that time frame?

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 1:29 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

You bet, will send an invite in a sec.

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, March 5, 2021 1:27 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Unfortunately, we have something on the calendar for 3 that can't be moved. We appreciate your being willing to move things around!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 1:25 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Thanks Chloe- is there any way we could grab y'all at 3? If not, let me know and I'll move some things around!

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, March 5, 2021 1:24 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>

Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

That would be great. We'd welcome the opportunity to talk with you both about Jackson. Would you be available sometime between 11am-1:30pm ET on Monday? Happy to suggest some other times if that won't work.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 12:54 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Hey Chloe,

Thanks so much for your note. I'd be happy to get a call on the books with your team re: Jackson's WIFIA loan. I also wanted to ask if you have some time to chat with me and my colleague Brandi, who you probably know from her leadership in EPA Region 4. We wanted to chat about how we can assist your office in its efforts to support the residents of Jackson, who as you know have been out of water for about two weeks. Do you mind letting me know if you have time for a call?

Will circle back soon re: WIFIA!

Radha

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Thursday, March 4, 2021 6:20 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>
Subject: WIFIA

Hi Radha,

I hope this reaches you well. In 2019, the City of Jackson applied for a WIFIA loan. To our understanding, EPA received a total of 51 letters of interest in 2019, and the agency selected 38 projects. Jackson was not selected. We would like to talk with someone at EPA about why the city's application was not selected and how it could potentially be strengthened moving forward. Could you connect us with the right person at EPA?

Thank you!

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram

Message

From: Patel, Vandan (Schumer) [Vandan_Patel@schumer.senate.gov]
Sent: 3/9/2021 5:34:52 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Rescheduling

Hi Radha –

Just wanted to see if you were still good to join.

From: Patel, Vandan (Schumer)
Sent: Wednesday, March 3, 2021 2:41 PM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Rescheduling

Thank you! Moving this to 12:30pm. Conference line will remain the same.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, March 3, 2021 2:39 PM
To: Patel, Vandan (Schumer) <Vandan_Patel@schumer.senate.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Rescheduling

Absolutely, just schedule it for when is best and I'll work around team Schumer's calendars. Appreciate your help Vandan!

From: Patel, Vandan (Schumer) <Vandan_Patel@schumer.senate.gov>
Sent: Wednesday, March 3, 2021 2:03 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Rescheduling

Hi Radha –

Sorry to do this but could we move this later in the day on Tuesday? We have availability at 12:30pm, 2pm, and 4pm.

Thank you!

From: Patel, Vandan (Schumer)
Sent: Wednesday, March 3, 2021 8:49 AM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Rescheduling

Great! We can use the conference line below.

Join by phone

Ex. 6 Personal Privacy (PP)	(US)	English (United States)
	(US)	English (United States)

Ex. 6 Personal Privacy (PP) S) English (United States)
S) English (United States)
(US) English (United States)

Find a local number

Conference ID: Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 1:01 PM
To: Patel, Vandan (Schumer) <Vandan_Patel@schumer.senate.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Rescheduling

That works great, thanks Vandan. This meeting is to discuss next steps re: climate modeling and e-rins and I welcome other agenda items!

From: Patel, Vandan (Schumer) <Vandan_Patel@schumer.senate.gov>
Sent: Tuesday, March 2, 2021 12:36 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Rescheduling

Hi Radha –

Would 11am on Tuesday (3/9) work for you? If not, we have more availability in the week if you want to let me know what works for you?

Best,
Vandan

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 12:14 PM
To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>; Patel, Vandan (Schumer) <Vandan_Patel@schumer.senate.gov>
Subject: RE: Rescheduling

Thank you! Vandan, appreciate your assistance.

From: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Sent: Tuesday, March 2, 2021 11:39 AM
To: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>; Patel, Vandan (Schumer) <Vandan_Patel@schumer.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Rescheduling

Looping in Vandan who can help us find a time to talk next week

Message

From: Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Sent: 3/10/2021 3:43:00 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Jenkins, Brandi [Jenkins.Brandi@epa.gov]
Subject: Re: WIFIA

Sorry for not getting back to you sooner! That time is confirmed. We've got a couple of questions that I'll send over to you first thing tomorrow.

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker(R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253

On Mar 9, 2021, at 11:46 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Hey Chloe, can you confirm 1-1:30 for our team?
>
> We are looking forward to it, and if you have any specific questions you can share in advance, we will make sure to address them. Brandi and I are doing a pre-briefing with our team later today and are happy to raise them then.
>
> ---
>
> **From:** Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
> **Sent:** Tuesday, March 9, 2021 11:34 AM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
> **Subject:** RE: WIFIA
>
> We will hold that time and wait to hear from you on confirmation. Thank you!
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Tuesday, March 9, 2021 11:32 AM
> **To:** Jenkins, Brandi <Jenkins.Brandi@epa.gov>; Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
> **Subject:** RE: WIFIA
>
> Chloe, can you please hold 1:30 for us? I will confirm the team is good with that soon, but right now it looks like that's the time most folks have available.
>
> ---
>
> **From:** Jenkins, Brandi <Jenkins.Brandi@epa.gov>
> **Sent:** Tuesday, March 9, 2021 10:59 AM
> **To:** Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
> **Cc:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** RE: WIFIA
>
> Chloe,
>
> Thanks for your call. As discussed, Dr. Omari will likely lead the effort from Jackson to coordinate the in-person meeting in DC. Dr. Omari's email address is Safiya Omari somari@city.jackson.ms.us
>
> Please let me know if you need anything else.

Brandi Jenkins, Director
Outreach and External Engagement Office
U.S. Environmental Protection Agency – Region 4
404-562-9124 (office)
678-575-2148 (cell)

Twitter: @EPASoutheast
Facebook: U.S. EPA Southeast Region
Webpage: EPA Region 4 (Southeast Region)

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Tuesday, March 9, 2021 10:51 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>; Browning, Mary Alice (Wicker) <MaryAlice_Browning@wicker.senate.gov>
Subject: RE: WIFIA

Hi Radha,

Thanks for talking with us yesterday. I'm looping in Mary Alice Browning who is Senator Wicker's grants coordinator. You mentioned finding a time later this week to talk with some of the technical folks at EPA. We are available tomorrow from 12:30pm-2pm ET. Would folks from EPA be available in that time frame?

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram
<image003.png>

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 1:29 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

You bet, will send an invite in a sec.

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, March 5, 2021 1:27 PM

To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Unfortunately, we have something on the calendar for 3 that can't be moved. We appreciate your being willing to move things around!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 1:25 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Thanks Chloe- is there any way we could grab y'all at 3? If not, let me know and I'll move some things around!

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, March 5, 2021 1:24 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

That would be great. We'd welcome the opportunity to talk with you both about Jackson. Would you be available sometime between 11am-1:30pm ET on Monday? Happy to suggest some other times if that won't work.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 5, 2021 12:54 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Subject: RE: WIFIA

Hey Chloe,

Thanks so much for your note. I'd be happy to get a call on the books with your team re: Jackson's WIFIA loan. I also wanted to ask if you have some time to chat with me and my colleague Brandi, who you probably know from her leadership in EPA Region 4. We wanted to chat about how we can assist your office in its efforts to support the residents of Jackson, who as you know have been out of water for about two weeks. Do you mind letting me know if you have time for a call?

Will circle back soon re: WIFIA!

Radha

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Thursday, March 4, 2021 6:20 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>

Cc: Shamaskin, Andrew (Wicker) <Andrew_Shamaskin@wicker.senate.gov>
Subject: WIFIA

Hi Radha,

I hope this reaches you well. In 2019, the City of Jackson applied for a WIFIA loan. To our understanding, EPA received a total of 51 letters of interest in 2019, and the agency selected 38 projects. Jackson was not selected. We would like to talk with someone at EPA about why the city's application was not selected and how it could potentially be strengthened moving forward. Could you connect us with the right person at EPA?

Thank you!

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram
<image003.png>

Message

From: Silverthorn, Mary (Cramer) [Mary_Silverthorn@cramer.senate.gov]
Sent: 3/10/2021 7:12:11 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Carlile, Amy L [acarlile@iu.edu]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Works great, thank you.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, March 10, 2021 2:11 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary – Yes, March 16th at 11:45am ET will work. Thank you for finding time.

Let's stick with the call-info I sent earlier, if that works for you:
Phone Number: Ex. 6 Personal Privacy (PP)
Phone Conference ID: Ex. 6 Personal Privacy (PP)

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Wednesday, March 10, 2021 12:14 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Would 11:45am ET on Tuesday, March 16th work?

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, March 10, 2021 11:15 AM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary,

Just checking back in about another time that would work with Sen Cramer?

Thank you,

Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Monday, March 08, 2021 8:00 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
I apologize, but we need to reschedule this meeting. Senator Cramer will no longer be available tomorrow. I will be in touch shortly with a new time.
Thanks,
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, March 4, 2021 5:00 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary – March 9th at 5:15pm will work. Amy, chime if you know something different.

Mary, I think you preferred a phone call over a video link. Is that the case? If so, we can use this number:
Phone Number: Ex. 6 Personal Privacy (PP)
Phone Conference ID: Ex. 6 Personal Privacy (PP)

Or I can send a Teams invite. Just let me know – thanks again!

Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Thursday, March 04, 2021 3:37 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Does 5:15pm on March 9th work?

Thanks,
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, March 4, 2021 2:56 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary,

Thanks for your email. That time won't work on the 17th. Is there another time, perhaps earlier in the week that might work?

I appreciate your help with this - - Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Wednesday, March 03, 2021 3:09 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Senator Cramer is no longer is available on the 9th due to a committee hearing. Is Janet McCabe available at 9:00am on March 17th? Thank you, and I look forward to hearing back.

Best,
Mary

From: Silverthorn, Mary (Cramer)
Sent: Friday, February 26, 2021 4:21 PM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Unfortunately, Senator Cramer will not be available prior to McCabe's hearing. Would March 9th at 9:00am EST work for a call?

Thanks!
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 23, 2021 11:41 AM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Mary – thank you for letting us know! If it's possible, it would be great if Senator Cramer and Janet McCabe could speak before her expected nomination hearing date of March 3rd.

Take care,

Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Tuesday, February 23, 2021 11:37 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Good morning all,

Senator Cramer will no longer be able to do this call today. I am so sorry for the last minute cancellation. I will reach back out when I have a new date. Again, I apologize for the short notice!

Thank you,
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Monday, February 22, 2021 5:39 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great – thanks, Mary!

Karen.
202 564 1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Monday, February 22, 2021 5:35 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Here is the info for tomorrow. We will just do a phone call and no video.
Ex. 6 Personal Privacy (PP) Conference ID: Ex. 6 Personal Privacy (PP)
Thanks!
Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Monday, February 22, 2021 11:52 AM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

HI Mary – tomorrow 2/23 at 3:15 ET works. Will you be able to send a video link?

Thank you – Karen.
202 564 1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Monday, February 22, 2021 9:45 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Good morning all,

Any chance we could move this call to tomorrow 2/23 at 3:15pm ET? Sorry for the last minute change. Thank you in advance for your help!

Mary

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 5:28 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Much appreciated, Mary!
Take care - - Karen.

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Wednesday, February 17, 2021 5:24 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Micah Chambers, our LD, will be on the call with the Senator. Thanks!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 5:22 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you, Mary. We'll keep an eye out for the conference line.
Would you please share who will join Sen Cramer on next Wednesday's call? Radha Adhar and I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Tuesday, February 16, 2021 5:49 PM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Perfect. Thank you for confirming. I will send a conference line 24hrs prior to the call.
Thanks,
Mary

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Tuesday, February 16, 2021 5:46 PM
To: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

February 24th @3:30 is good for Janet.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Sent: Tuesday, February 16, 2021 5:43 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen,

Thanks for reaching out. Senator Cramer would be available for a call at 3:30pm ET on Wednesday, February 24th. Would that work on your end?

Thanks!
Mary Silverthorn
Deputy Scheduler
Senator Kevin Cramer | North Dakota
SR-400 | 202-224-2043

Email Website vCard

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:20 PM
To: Buening, Rachel (Cramer) <Rachel_Buening@cramer.senate.gov>; Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Rachel & Mary,

I hope you are doing well. I'm reaching out to find time on Senator Cramer's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 3/10/2021 10:09:29 PM
To: Byck, Sabina [Byck.Sabina@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letter from Leader Schumer to EPA

Thank you very much!

From: Byck, Sabina <Byck.Sabina@epa.gov>
Sent: Wednesday, March 10, 2021 5:04 PM
To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Letter from Leader Schumer to EPA

Hi Tim,

Thank you for sharing the letter from Senator Schumer and Congressman Jones. EPA is actively in discussion with the appropriate state agencies to see how we can be most helpful.

NYSDOH is coordinating with the Rockland County Department of Health to identify ways that EPA can assist and our office will continue to work with NYSDOH as well as New York State Department of Environmental Conservation to support needs that they identify.

We will keep you in the loop with any updates.

Thanks,
Sabina

Sabina Byck
Chief, Intergovernmental and Community Affairs
U.S. Environmental Protection Agency Region 2
212-637-3574 (office)
347-403-3820 (cell)

From: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Sent: Wednesday, March 03, 2021 9:21 AM
To: Byck, Sabina <Byck.Sabina@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Letter from Leader Schumer to EPA

Hi Sabina and Radha,

Please find attached a letter from Leader Schumer and Representative Jones for Acting Administrator.

Thank you!
Tim

Message

From: Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]
Sent: 3/11/2021 9:16:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can I call you first thing

Radha – I have some updates on topics.

In addition to what I sent a few weeks ago on biofuels, the Senator may also want to generally discuss:

- Addressing the Climate Crisis
  - Rules: Clean Power Plan, Fuel Efficiency, and Methane
- Great Lakes
  - GLRI: funding at $375m
  - Algal blooms in GLRI Action Plan
  - Vessel Incidental Discharge Act
- PFAS

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, March 11, 2021 3:00 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Will do!

Joining will be Radha Adhar and John Lucey. Radha is copied on this email, and I know will be reaching out!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Thursday, March 11, 2021 2:44 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

That's great. Thank you, Kathleen! Will anyone from your staff be joining the Administrator?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, March 11, 2021 2:43 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Perfect! Can I send you a Microsoft Teams link?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Thursday, March 11, 2021 2:36 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

No worries. Would 5:30pm work?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, March 11, 2021 1:22 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thank you for reaching out! My sincere apologies for a delayed response. Could we look at Tuesday next week? 9:30am or 5:00pm?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Thursday, March 11, 2021 1:14 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Hi Kathleen,

Wanted to circle back and see if the 15th at 3pm worked. Thanks!

Savanna

From: Peterson, Savanna (Klobuchar)
Sent: Tuesday, March 9, 2021 8:42 AM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

No worries at all. How does Monday, March 15th work for you all? The Senator is available around 3pm ET. Thank you!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, March 9, 2021 7:10 AM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Good morning Savanna,

I hope you are having a great start to the week!

I am reaching out to ask if we can look for a date next week to connect Senator Klobuchar and Administrator-nominee Regan.

The schedules have shifted this week, and I am so sorry for the last minute change!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Monday, March 1, 2021 10:12 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thank you, Kathleen!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, March 1, 2021 9:45 AM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Next Wednesday, 3/10 at 3:00pmCT (4:00pmEST) works great, thank you.

The video-call link is:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting
Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Washington DC

Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN
By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
Learn More | Meeting options

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Monday, March 1, 2021 9:24 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

How does next Wednesday afternoon work – around 3pm CT? Thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Saturday, February 27, 2021 4:28 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Hi Savanna,

Not a problem. What days work best for your office?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Saturday, February 27, 2021 2:33 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: Re: Can I call you first thing

Kathleen,

So sorry to shift on you again, but could we possibly look at a new time for them to connect the week after next? Our hearing schedule is shifting the schedule a bit.

Thank you and my apologies!

Savanna

On Feb 26, 2021, at 5:14 PM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

9:30amEST on Monday works great! The Microsoft Teams link remains the same (listed below).

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Friday, February 26, 2021 3:54 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: Re: Can I call you first thing

Would 9:30 or 10am work? Thank you!

On Feb 26, 2021, at 3:53 PM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

HI Savanna,

Not a problem! Does Senator Klobuchar have any availability earlier then 10:30amEST?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Friday, February 26, 2021 2:14 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Kathleen,

I'm so sorry for the last minute notice, but could we possibly shift this up to 10:30am ET? We had a last minute change with a hearing. Appreciate you checking!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 24, 2021 1:44 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Wonderful!

Confirmed for Monday, March 1 at 2:30pEST via Teams video-call:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting
Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Washington DC
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN
By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
Learn More | Meeting options

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Wednesday, February 24, 2021 1:06 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Kathleen – thank you. A video call would be great. Do you mind sending over the Teams link?

Appreciate it!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 23, 2021 11:25 AM
To: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Next Monday, March 1 at 2:30pEST works great. Would Senator Klobuchar prefer a video-call? I am happy to setup and share a Microsoft Teams Link. If you would prefer to use Zoom, could you please share a link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Sent: Tuesday, February 23, 2021 11:15 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Not to throw a wrench in things, but would next Monday between 2:30p – 4:30p or next Wednesday between 4p – 5p be an option?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 2:08 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Can I call you first thing

Hi Brian and Blair,

I am happy to work with you to connect Administrator Nominee Regan and Senator Klobuchar this week.

Please share the Senator's availability Wed, Thu and Fri.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 1:29 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Can I call you first thing

Thanks for connecting us Brian!

Blair and Kathleen,

Brian and I would like your assistance finding time for Senator Klobuchar and Secretary Regan to chat this week, if possible. Do you mind letting us know if we could make that work?

Best,
Radha

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Monday, February 22, 2021 8:14 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thanks again Radha for the call this morning.

Looping you with Blair to schedule a call between Amy and Michael.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, February 21, 2021 6:26 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: Can I call you first thing

Gotta give you an update on an issue you have been following around 8 if possible! Just send over your cell!

Message

From: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Sent: 3/15/2021 5:24:57 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Cellulosic Biofuel Opportunity

Thanks so much! Will do now.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, March 15, 2021 1:23 PM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: RE: Cellulosic Biofuel Opportunity

Absolutely Joe, can you connect them to me and I'll make sure we get a meeting on the books for them?

From: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Sent: Monday, March 15, 2021 1:14 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Cellulosic Biofuel Opportunity

Hi Radha –

Just following up to see if you would have someone who could meet with the representatives from this company?

Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, March 3, 2021 3:56 PM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: RE: Cellulosic Biofuel Opportunity

Hey Joe! Let me get to work and circle back.

From: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Sent: Wednesday, March 3, 2021 2:02 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Cellulosic Biofuel Opportunity

Hi Radha –

Thanks in advance for being so responsive to our office. I'm flagging this attachment as we have a new company in Iowa who is producing cellulosic biofuel. Up to now, cellulosic biofuels volumes have been a small fraction of the RFS standard due to the limited availability and reliability of these fuel supplies which mostly come from dairies or landfills.

This company has industrialized the manufacturing process of creating cellulosic biofuels and is poised to ramp up production should volume requirements increase.

To note, the 2020 statutory volumes for cellulosic biofuel was set at 10.5 billion gallons by Congress.

But because there wasn't the technology to produce this type of biofuel the final volumes for 2020 was set by EPA at 0.59 billion gallons.

I know they would like to have the opportunity to meet with someone at the EPA and was wondering if you or a colleague might be interested in hearing from them.

Thanks so much for your consideration and let me know if there's anything my office can assist with.
Joe

Joseph Gilson
Legislative Assistant | Senator Chuck Grassley
135 Hart Senate Office Building | Washington, DC 20510
202-224-4120
joseph_gilson@grassley.senate.gov

Message

From: Tavar, Lauren (Booker) [Lauren_Tavar@booker.senate.gov]
Sent: 3/15/2021 6:14:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Status update for EPA report

That would do it—thanks!

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, March 15, 2021 at 2:13 PM
To: "Tavar, Lauren (Booker)" <Lauren_Tavar@booker.senate.gov>
Subject: RE: Status update for EPA report

You bet: Kaplan.Jennifer@epa.gov

From: Tavar, Lauren (Booker) <Lauren_Tavar@booker.senate.gov>
Sent: Monday, March 15, 2021 2:13 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Status update for EPA report

Do you mind confirming her email?

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, March 15, 2021 at 1:21 PM
To: "Tavar, Lauren (Booker)" <Lauren_Tavar@booker.senate.gov>
Cc: "McGuinness, Kaitlin (Booker)" <Kaitlin_McGuinness@booker.senate.gov>
Subject: RE: Status update for EPA report

Hey lady, I'm 99.995% sure this is an OIG report which operates outside my office. Can you reach out to Jennifer Kaplan? They can help!

From: Tavar, Lauren (Booker) <Lauren_Tavar@booker.senate.gov>
Sent: Monday, March 15, 2021 10:11 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: McGuinness, Kaitlin (Booker) <Kaitlin_McGuinness@booker.senate.gov>
Subject: Re: Status update for EPA report

Thank you!

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, March 15, 2021 at 10:10 AM
To: "Tavar, Lauren (Booker)" <Lauren_Tavar@booker.senate.gov>
Cc: "McGuinness, Kaitlin (Booker)" <Kaitlin_McGuinness@booker.senate.gov>
Subject: RE: Status update for EPA report

I'll find out and circle back!

From: Tavar, Lauren (Booker) <Lauren_Tavar@booker.senate.gov>
Sent: Monday, March 15, 2021 9:05 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: McGuinness, Kaitlin (Booker) <Kaitlin_McGuinness@booker.senate.gov>
Subject: Re: Status update for EPA report

Hi Radha—just wanted to follow up on this. Thanks!

Lauren

From: "Tavar, Lauren (Booker)" <Lauren_Tavar@booker.senate.gov>
Date: Wednesday, February 24, 2021 at 8:58 AM
To: "adhar.radha@epa.gov" <adhar.radha@epa.gov>
Cc: "McGuinness, Kaitlin (Booker)" <Kaitlin_McGuinness@booker.senate.gov>
Subject: Status update for EPA report

Hi Radha,

Hope this finds you well!

I wanted to reach out regarding the "Communication of Human Health Risks Posed by Sites in the Office of Land and Emergency Management's Programs" report that was supposed to be released winter 2020. Some folks have reached out to us on this and we were hoping to get an update on when the report will be finalized and released?

Not sure if you are the right person for this, but hoping you can make sure it gets to the right place. It would be great to set up a quick call to chat through the status and plans for the report.

Thanks!
Lauren

Message

From: Dickinson, Jordan [Jordan.Dickinson@mail.house.gov]
Sent: 3/16/2021 9:56:01 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Congressman Dan Kildee Appointed to House Science, Space and Technology Committee

Radha, it's been too long. We need to chat!!

From: Dickinson, Jordan
Sent: Wednesday, February 10, 2021 4:53 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Congressman Dan Kildee Appointed to House Science, Space and Technology Committee

Call any time!

Jordan Dickinson
Legislative Director
Rep. Daniel T. Kildee
(810) 252-1029

On Feb 10, 2021, at 4:47 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey Jordan! Congrats on the new appointment. Do you mind letting me know if you have time for me to give you a quick ring? No rush just want to catch up when you have time.

From: Dickinson, Jordan <Jordan.Dickinson@mail.house.gov>
Sent: Wednesday, February 10, 2021 2:03 PM
To: Dickinson, Jordan <Jordan.Dickinson@mail.house.gov>
Subject: Congressman Dan Kildee Appointed to House Science, Space and Technology Committee

Congressman Dan Kildee Appointed to House Science, Space and Technology Committee

New Appointment to Committee Expands Kildee's Leadership in the House

FLINT — Congressman Dan Kildee (MI-05), Chief Deputy Whip of the House Democratic Caucus, has been appointed to serve on the House Science, Space and Technology Committee—his third committee appointment in the 117th Congress. Serving on this committee, Kildee will expand his leadership in the House, strengthen his advocacy for investments in innovation and science to create economic opportunities for Michiganders, sustainable infrastructure and to protect communities from harmful chemicals such a per- and polyfluoroalkyl substances (PFAS).

The House Science, Space and Technology Committee works to expand America's long-term economic competitiveness through investments in science and technology. Jurisdiction of the committee involves oversight of most of the non-defense federal research and development

programs, including in the U.S. Environmental Protection Agency and U.S. Department of Energy. It also includes exclusive jurisdiction over the National Aeronautical and Space Administration (NASA).

"I am grateful for the opportunity to serve on the Science, Space and Technology Committee, where I will be able to advance legislation investing in research and development to create good-paying jobs and ensure our communities have access to clean drinking water," Congressman Kildee said. "This pandemic has reinforced the importance of scientific research through the incredible development of a safe and effective coronavirus vaccine. Investments in research and technology will ensure America remains a global leader in science and innovation. I thank Speaker Pelosi and Chairwoman Eddie Bernice Johnson for their confidence in me to serve on this important committee."

"Congressman Dan Kildee is a proven leader and tireless voice for the people of Michigan," said Speaker Nancy Pelosi. "His expertise, future-focused thinking and commitment to advancing the health and well-being of his community and all Americans will make him a valuable asset on the Space, Science and Technology Committee. As our nation faces grave health and economic challenges, Congressman Kildee and his fellow committee members are ready to advance policies that ensure we can Build Back Better, by strengthening our economy, creating good-paying jobs and ensuring American innovation continues to lead us into the future."

"I am thrilled to welcome Congressman Dan Kildee to the House Science, Space, and Technology Committee," said Chairwoman Eddie Bernice Johnson. "Congressman Kildee has for many years advocated for issues that are of great importance to the Science Committee. He brings a record of supporting the development of sustainable infrastructure, of bolstering American manufacturing, and promoting that science should once again play a key role in the creation of public policy. I look forward to working with him more closely this Congress to address the many challenges this nation faces."

Kildee also serves as Chief Deputy Whip, part of the Democratic leadership in the 117th Congress, a role that he also held in the previous Congress. The Chief Deputy Whip acts as a liaison among Members of Congress and the Democratic leadership team to build support for Democratic priorities. Congressman Kildee also serves on the prestigious Ways and Means Committee, the oldest and most powerful committee in the U.S. House of Representatives and the Budget Committee.

###

Message

From: Mallin, Blair (Klobuchar) [Blair_Mallin@klobuchar.senate.gov]
Sent: 3/17/2021 1:05:05 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]; Peterson, Savanna (Klobuchar) [Savanna_Peterson@klobuchar.senate.gov]
Subject: RE: Can I call you first thing

Hi Kathleen!

Sen. Klobuchar loved talking with the Administrator yesterday- very engaging on all fronts. Would you be able to share the his cell phone number for her personal contacts.

Thanks again for all of you help!

--
Blair Mallin
Director of Operations
Office of Senator Amy Klobuchar
(202) 224-3244

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Tuesday, March 16, 2021 5:25 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Hi Kathleen,

Just left you a voicemail but wanted to let you know that our Legislative Assistant, Brian Werner will be on with the Senator. Thanks!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, March 11, 2021 3:00 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Will do!

Joining will be Radha Adhar and John Lucey. Radha is copied on this email, and I know will be reaching out!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance

U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Thursday, March 11, 2021 2:44 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

That's great. Thank you, Kathleen! Will anyone from your staff be joining the Administrator?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, March 11, 2021 2:43 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Perfect! Can I send you a Microsoft Teams link?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Thursday, March 11, 2021 2:36 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

No worries. Would 5:30pm work?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, March 11, 2021 1:22 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thank you for reaching out! My sincere apologies for a delayed response. Could we look at Tuesday next week? 9:30am or 5:00pm?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Thursday, March 11, 2021 1:14 PM

To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Hi Kathleen,

Wanted to circle back and see if the 15th at 3pm worked. Thanks!

Savanna

From: Peterson, Savanna (Klobuchar)
Sent: Tuesday, March 9, 2021 8:42 AM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

No worries at all. How does Monday, March 15th work for you all? The Senator is available around 3pm ET. Thank you!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, March 9, 2021 7:10 AM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Good morning Savanna,

I hope you are having a great start to the week!

I am reaching out to ask if we can look for a date next week to connect Senator Klobuchar and Administrator-nominee Regan.

The schedules have shifted this week, and I am so sorry for the last minute change!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Monday, March 1, 2021 10:12 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thank you, Kathleen!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, March 1, 2021 9:45 AM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Next Wednesday, 3/10 at 3:00pmCT (4:00pmEST) works great, thank you.

The video-call link is:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting
Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Washington DC
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN
By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
Learn More | Meeting options

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Monday, March 1, 2021 9:24 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

How does next Wednesday afternoon work – around 3pm CT? Thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Saturday, February 27, 2021 4:28 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Hi Savanna,

Not a problem. What days work best for your office?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Saturday, February 27, 2021 2:33 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: Re: Can I call you first thing

Kathleen,

So sorry to shift on you again, but could we possibly look at a new time for them to connect the week after next? Our hearing schedule is shifting the schedule a bit.

Thank you and my apologies!

Savanna

> On Feb 26, 2021, at 5:14 PM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:
>
> 9:30amEST on Monday works great! The Microsoft Teams link remains the same (listed below).
>
> Kindly,
>
> Kathleen C. Lance
> Director of Scheduling and Advance
> U.S. Environmental Protection Agency
> Cell: (202) 941-1109
>
> ---
>
> **From:** Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
> **Sent:** Friday, February 26, 2021 3:54 PM
> **To:** Lance, Kathleen <Lance.Kathleen@epa.gov>
> **Cc:** Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
> **Subject:** Re: Can I call you first thing
>
> Would 9:30 or 10am work? Thank you!
>
>> On Feb 26, 2021, at 3:53 PM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:
>>
>> HI Savanna,
>>
>> Not a problem! Does Senator Klobuchar have any availability earlier then 10:30amEST?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Friday, February 26, 2021 2:14 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Kathleen,

I'm so sorry for the last minute notice, but could we possibly shift this up to 10:30am ET? We had a last minute change with a hearing. Appreciate you checking!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 24, 2021 1:44 PM
To: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Wonderful!

Confirmed for Monday, March 1 at 2:30pEST via Teams video-call:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting
Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Washington DC
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN
By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
Learn More | Meeting options

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>
Sent: Wednesday, February 24, 2021 1:06 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Kathleen – thank you. A video call would be great. Do you mind sending over the Teams link?

Appreciate it!

Savanna

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 23, 2021 11:25 AM
To: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Next Monday, March 1 at 2:30pEST works great. Would Senator Klobuchar prefer a video-call? I am happy to setup and share a Microsoft Teams Link. If you would prefer to use Zoom, could you please share a link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Sent: Tuesday, February 23, 2021 11:15 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Peterson, Savanna (Klobuchar) <Savanna_Peterson@klobuchar.senate.gov>; Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Not to throw a wrench in things, but would next Monday between 2:30p – 4:30p or next Wednesday between 4p – 5p be an option?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 22, 2021 2:08 PM

To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Can I call you first thing

Hi Brian and Blair,

I am happy to work with you to connect Administrator Nominee Regan and Senator Klobuchar this week.

Please share the Senator's availability Wed, Thu and Fri.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 22, 2021 1:29 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Can I call you first thing

Thanks for connecting us Brian!

Blair and Kathleen,

Brian and I would like your assistance finding time for Senator Klobuchar and Secretary Regan to chat this week, if possible. Do you mind letting us know if we could make that work?

Best,
Radha

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Monday, February 22, 2021 8:14 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Mallin, Blair (Klobuchar) <Blair_Mallin@klobuchar.senate.gov>
Subject: RE: Can I call you first thing

Thanks again Radha for the call this morning.

Looping you with Blair to schedule a call between Amy and Michael.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, February 21, 2021 6:26 PM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Subject: Can I call you first thing

Gotta give you an update on an issue you have been following around 8 if possible! Just send over your cell!

Message

From: James, Alice (L. Graham) [Alice_James@lgraham.senate.gov]
Sent: 3/18/2021 12:25:40 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Mercer, Edward (L. Graham) [Edward_Mercer@lgraham.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Graber, Scott (L. Graham) [Scott_Graber@lgraham.senate.gov]
Subject: Re: Michael Regan, EPA Administrator and Senator Graham

Monday's and Friday's are always tough because he is traveling — he will be on a plane at that time

Alice James
Office of Senator Lindsey Graham

On Mar 18, 2021, at 08:17, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Would 11:45am work well on Monday?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Sent: Thursday, March 18, 2021 8:03 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Graham

Today won't work but happy to look at next week.

Alice James
Office of Senator Lindsey Graham

On Mar 18, 2021, at 06:34, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Thank you, Alice! This would be a general conversation with the Administrator and Senator Graham, and he was hoping to give him a call directly at a time that works well for the Senator tomorrow.

By chance, does 8:00am or 9:00am work well for the Senator?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance

U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Sent: Wednesday, March 17, 2021 2:27 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Graham

Kathleen,

I'm happy to help. Is there a particular topic or just a reschedule?

Best,
Alice

Alice James
U.S. Senator Lindsey Graham

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, March 17, 2021 12:57 PM
To: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Graham

Hi Edward,

Does Senator Graham have a few minutes this Friday to connect with Administrator Regan?

Is there a window of time the Administrator could give Senator Graham a call directly?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Monday, February 8, 2021 11:00 AM
To: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Graham

Thank you for letting us know. Look forward to hearing back from you on rescheduling.

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Sent: Monday, February 8, 2021 10:58 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Graham

Hey Kathleen,

We need to postpone the call today at 1:00pm. I'll get back to you with what we can do etc.

Edward

Edward Mercer
Office of Senator Lindsey Graham

> On Feb 8, 2021, at 10:06 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:
>
> Confirmed for 1pm today, thanks so much. Also joining will be Ms. Radha Adhar from our office.
>
> Kathleen C. Lance
> Director of Scheduling and Advance
> U.S. Environmental Protection Agency
> Cell: (202) 941-1109
>
> ---
>
> **From:** Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
> **Sent:** Monday, February 8, 2021 10:03 AM
> **To:** Lance, Kathleen <Lance.Kathleen@epa.gov>
> **Cc:** James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
> **Subject:** RE: Michael Regan, EPA Administrator nominee and Senator Graham
>
> Let's use this conference line and ID. Scott Graber from our staff will be on the line.

Dial In: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 8, 2021 9:44 AM
To: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Graham

Thank you for your help, Edward!

Is there a conference line number your office can provide?

Will Senator Graham also be joined by any of his staff?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Sent: Monday, February 8, 2021 9:39 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Graham

Kathleen,

Please call Scott at Ex. 6 Personal Privacy (PP) today at 1:00pm and he will connect to Senator Graham.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 8, 2021 8:58 AM
To: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Graham

Great, thank you.

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Sent: Monday, February 8, 2021 8:57 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Graham

That should work fine, but let me double check.

Edward Mercer
Office of Senator Lindsey Graham

> On Feb 8, 2021, at 8:54 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:
>
> Could we do 1:00pm? Thank you!
>
> Kathleen C. Lance
> Director of Scheduling and Advance
> U.S. Environmental Protection Agency
> Cell: (202) 941-1109
>
> ---
>
> **From:** Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
> **Sent:** Monday, February 8, 2021 8:52 AM
> **To:** Lance, Kathleen <Lance.Kathleen@epa.gov>
> **Cc:** James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Michael Regan, EPA Administrator nominee and Senator Graham
>
> Hi Kathleen,
>
> Would 1:30 today work for you.
>
> Edward
>
> Edward Mercer
> Office of Senator Lindsey Graham

On Feb 8, 2021, at 8:14 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Good morning Edward and Alice,

Please let me know if we can connect on a time for Senator Graham and Administrator Nominee Regan today.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Friday, February 5, 2021 4:33 PM
To: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>; Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Graham

Great – thank you, Alice.

Edward – please let me know what time works best for Senator Graham before 2:00pm.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
Sent: Friday, February 5, 2021 4:07 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Mercer, Edward (L. Graham) <Edward_Mercer@lgraham.senate.gov

>
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Graham

Adding Edward as the Senator will be in SC Monday but before 2 should work out well

Alice James
Office of Senator Lindsey Graham

> On Feb 5, 2021, at 16:04, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:
>
> Thank you, please let me know what works best for the Senator before 2pm, at 3:15pm, 5:45pm-6:30pm, or after 7:30pm.
>
> Kindly,
>
> Kathleen C. Lance
> Director of Scheduling and Advance
> U.S. Environmental Protection Agency
> Cell: (202) 941-1109
>
> ---
>
> **From:** James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>
> **Sent:** Friday, February 5, 2021 4:00 PM
> **To:** Lance, Kathleen <Lance.Kathleen@epa.gov>
> **Cc:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Michael Regan, EPA Administrator nominee and Senator Graham

Just realized the hearing is at 10 on Tuesday. Let me check on Monday for you. Sorry

Alice James
Office of Senator Lindsey Graham

On Feb 5, 2021, at 14:46, James, Alice (L. Graham) <Alice_James@lgraham.senate.gov> wrote:

Senator Graham would most definitely like to do this...how is 10:30 on Tuesday?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday,

February 4, 2021 3:18 PM

To: James, Alice (L. Graham) <Alice_James@lgraham.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>

Subject: Michael Regan, EPA Administrator nominee and Senator Graham

Good afternoon Alice,

I am reaching out to set up an introductory meeting via video or phone betwee

n Senator Graham and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Graham has availability on Monday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: McPherson, Chloe [Chloe.McPherson@mail.house.gov]
Sent: 3/19/2021 8:28:01 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Miller, Kurtis [Kurtis.Miller@mail.house.gov]; Charney, Alyssa (Casey) [Alyssa_Charney@casey.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Rep. Houlahan and Sen. Casey Inquiry on Thiabendazole - Update

Sven,

Thank you so much for keeping us apprised and for sharing the follow-ups from your meeting with USDA and AMI. We're glad to hear that you had a productive discussion and that AMI, Syngenta and USDA are willing to submit an SMC study protocol to answer additional questions that EPA has.

We appreciate your responsiveness as well as your transparency into EPA's justifications on this matter. As you communicate with stakeholders on TBZ, our office requests that EPA continues to give fair, thorough consideration of the data and information that they submit. We trust the EPA to make a scientifically-sound decision and just ask that you continue to provide AMI with reasonably timely responses to their requests.

Please let us know if we can be of any assistance as EPA and AMI continue this conversation.

Have a great weekend,
Chloe

--
Chloe McPherson (she/her) | *Science & Engineering Fellow*
Rep. Chrissy Houlahan | PA-06
1218 Longworth HOB, Washington, DC
chloe.mcpherson@mail.house.gov | (202) 225-4315

U.S. REPRESENTATIVE
CHRISSYHOULAHAN

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Wednesday, March 17, 2021 10:53 AM
To: McPherson, Chloe <Chloe.McPherson@mail.house.gov>; Miller, Kurtis <Kurtis.Miller@mail.house.gov>; Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Rep. Houlahan and Sen. Casey Inquiry on Thiabendazole - Update

Chloe – following up on the earlier email exchange, we'd like to update you on thiabendazole. On March 3, EPA met with AMI, Syngenta and USDA. We agreed that the next step is for AMI, Syngenta, and USDA to submit a spent mushroom compost (SMC) study protocol that includes a justification and characterization. Points to consider include:

- What are the typical rates of application to fields for thiabendazole treated spent mushroom compost? The BMP indicates a range of 15-80 ton/A. Do farmers typically apply the maximum ton/A rate?
- How long (days) from application of thiabendazole to mushroom houses to application of spent mushroom compost to fields?

- Expectations for plants to uptake thiabendazole residues after applying spent mushroom compost to fields (based on plant metabolism, soil binding, etc.)?
- Information showing stability of thiabendazole residues in soil?
- Are growers typically applying thiabendazole to mushrooms at a lower rate than what is on the label?

Regarding USDA's question about the possibility of setting indirect or inadvertent tolerances for this use of thiabendazole treated SMC, given the available data and information, EPA does not believe that this is an appropriate path forward. EPA believes that submitting a protocol for the residue study and justification/characterization is the best path forward at this time. To set indirect or inadvertent tolerances, EPA would need residue data in order to determine an application rate for a field rotational crop study, which would need to reflect the maximum labeled use of thiabendazole on mushrooms. Depending on the results of that study, EPA would need to provide justification as to recommended tolerance levels in relation to enforcement (which goes back to the registrant providing some justification and characterization). Additionally, indirect or inadvertent tolerances may not be appropriate in this case, as it sounds like previously-treated SMC may not ultimately be under the control of the mushroom growers as it moves through the supply chain.

Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Kaiser, Sven-Erik
Sent: Thursday, February 18, 2021 1:25 PM
To: McPherson, Chloe <Chloe.McPherson@mail.house.gov>; Miller, Kurtis <Kurtis.Miller@mail.house.gov>; Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Rep. Houlahan Inquiry on Thiabendazole

Chloe – this responds to your followup question on Thiabendazole. I'm pleased to let you know that a meeting with AMI, the registrant, USDA and EPA has been scheduled for Weds, March 3. I'll be glad to keep you and Sen. Casey's office apprised on developments related to Thiabendazole. Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: McPherson, Chloe <Chloe.McPherson@mail.house.gov>
Sent: Thursday, February 18, 2021 10:59 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Miller, Kurtis <Kurtis.Miller@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Charney, Alyssa (Casey) <Alyssa_Charney@casey.senate.gov>
Subject: RE: Rep. Houlahan Inquiry on Thiabendazole

Dear Sven,

We appreciate EPA's response to our inquiry. Both our office and Sen. Casey's office (cc'd here) work closely with the American Mushroom Institute (AMI), so this information is helpful, thank you.

AMI shared with our offices that the USDA had similar questions relating to the label change timeline. I believe that AMI has requested a joint meeting with Syngenta, USDA, and EPA to clarify any confusion. I don't know if you had any update on their requested meeting?

Best,
Chloe

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, February 11, 2021 5:36 PM
To: McPherson, Chloe <Chloe.McPherson@mail.house.gov>; Miller, Kurtis <Kurtis.Miller@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Rep. Houlahan Inquiry on Thiabendazole

Chloe – this responds to Rep. Houlahan's questions regarding the interim decision for thiabendazole.

EPA is required to review each registered pesticide at least every 15 years to determine whether it continues to meet the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) standard for registration. EPA must complete registration review by October 1, 2022, for all pesticides registered as of October 1, 2007. The agency's planned final work plans, draft risk assessments, and decision documents are reflected in the Registration Review Schedules. Additional information about EPA's registration review process can be found on our website here.

The docket for the registration review of thiabendazole is EPA-HQ-OPP-2014-0175 at www.regulations.gov. In this docket you will find documents that support this registration review decision. The timeline for the registration review of thiabendazole and salts is located on pages 5-6 of the attached interim registration review decision.

Following issuance of the thiabendazole interim decision in September 2020, the registrants had 60 days to submit amended labels, which includes label changes described in the interim decision, and requests for amendment of registrations to the agency. The agency will then conduct its label review and approval process before new labels can be implemented and available for thiabendazole users.

We received comments on the importance of thiabendazole for mushroom growers, and the impact of the spent mushroom compost (SMC) prohibition, but there weren't data available to resolve the agency's concerns for potential residues in SMC at the time of the issuance of the interim decision. The registrant, in coordination with the mushroom industry, is working to provide that data, and the agency will review and consider any information submitted.

Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: McPherson, Chloe <Chloe.McPherson@mail.house.gov>
Sent: Thursday, February 04, 2021 9:53 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Washam, Todd <Washam.Todd@epa.gov>; Kolb, John (JohnMark) <kolb.john@epa.gov>

Cc: Miller, Kurtis <Kurtis.Miller@mail.house.gov>
Subject: RE: Rep. Houlahan Inquiry on Thiabendazole

Sven,

I hope that you and everyone at EPA are staying safe, healthy and warm during this time. I just wanted to send a quick follow-up inquiry about the questions that our office had on the Thiabendazole interim rule.

All the best,
Chloe

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 3/21/2021 2:40:55 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Lake County EtO updates

Thursday at 1pm works! (If we don't need it we can play by ear)

Also want to flag for you that I was going to send you an edit to the existing Lead Reduction Grant program under 1459B that nrdc says everyone is having issues with because it requires each house to establish they are underprivileged/low income, rather than just doing it by community. So we may have to tweak it in this water infra bill. Just wanted to give you a heads up.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

On Mar 19, 2021, at 8:29 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

No rush just want to make sure you have what you need! I can do Thursday at 1 but we can also just stay in touch! Just let me know.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Friday, March 19, 2021 7:49 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Lake County EtO updates

Yeah that works! Sort of swamped but can do 1pm or 3:30 Monday, 2:30 or 3:30 Wednesday and then Thursday at 1pm. Let me know!

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 19, 2021 4:25 PM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Subject: RE: Lake County EtO updates

Hey lady can we set up a chat next week?

This is what I got:
Update:
EPA looked into the 2016 allegation at Vantage Specialty Chemicals in coordination with Illinois EPA. We did not find any evidence of non-compliance. Of note, the alleged incident took place a month before EPA updated its IRIS value for ethylene oxide and the chemical was more heavily scrutinized.

As previously discussed, Vantage's ethylene oxide permit limit is more than a 93 percent reduction from 2017 levels. To ensure that Vantage does not go over this limit, it must meet several monitoring, recordkeeping and reporting requirements, including continuous monitoring of stack emissions and an enhanced leak detection and repair program. Its most recent compliance report is available here. EPA and Illinois EPA remain committed to ensuring continuous compliance at this facility.

Background: Since the alleged 2016 incident, Vantage has new requirements for both control and monitoring of EtO emissions. On June 21, 2019, the State of Illinois passed legislation to reduce ethylene oxide emissions in the state. These new requirements were incorporated in a permit issued by Illinois EPA. Under this permit, Vantage can emit only 110 pounds of ethylene oxide each year, a reduction of more than 93 percent from 2017 levels. Of the 110 pounds, only 60 pounds may come from small leaks. To ensure that Vantage does not go over these limits, it must meet several monitoring, recordkeeping and reporting requirements, including continuous monitoring of stack emissions and an enhanced leak detection and repair program.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Thursday, March 11, 2021 5:25 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Lake County EtO updates

HI! Know you are busy but wanted to re-ping you on this. Thanks!

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 2, 2021 12:23 PM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Subject: RE: Lake County EtO updates

Hey lady, will circle back but your gut to start with IEPA checks out with my team's instincts.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Tuesday, March 2, 2021 11:55 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FW: Lake County EtO updates

Hi,

The description below is very helpful so I won't re-summarize but this is regarding EtO. They would like to report an active lawsuit and some reporting issues to ILEPA as well as US EPA. How would you like me to proceed on this? Start with ILEPA?
Thanks!

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Tea Tanaka Ex. 6 Personal Privacy (PP)
Sent: Tuesday, March 2, 2021 12:14 AM
To: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Danos, Peter (Duckworth) <Peter_Danos@duckworth.senate.gov>
Cc: Francesca Ex. 6 Personal Privacy (PP)
Subject: Lake County EtO updates

Hi Chelsea and Peter,

Hope you're doing well. I wanted to bring to your attention an incident we uncovered:

In Nov 2018, an ex-contractor, who was hired to measure EtO stack emissions at Vantage, sued them in Cook Cty. The lawsuit alleges he and his co-workers were exposed to extremely high doses of EtO coming out of the stack in Nov 2016. The instruments were reading 30,000 ppm. (OSHA limit for EtO exposure is 1ppm per 8-hour shift).

The lawsuit also alleges that Vantage didn't shut down production after they were told of the high emissions, which continued to be the same for a span of several days.

Vantage is countersuing the company who hired the contractor. The two companies are arguing in court over who should have warned the workers about the EtO exposure. Vantage is not disputing the high readings. The case is still active.

From the public records we obtained from Cook County Clerk's Office, we put this video together explaining what's happening in this case: https://youtu.be/y2Gx54jjns0

These emissions were never reported to ILEPA. Vantage fired the testing company and later hired another company to perform emission testing and report that to ILEPA instead.

The reason why I'm bringing this up to your attention, is two-fold:

1) US EPA is relying on the data these companies self-report to TRI database and what they tell the States. That reliance needs to end. Continuous fenceline monitoring needs to be mandated to know exactly when, how much, and for how long these kind of emissions occur. Could Senator Duckworth use her influence to advocate with the USEPA on this point? How could we help that case? Also, do you have any updates on Picarro testing method from your talks with USEPA? That testing method is designed for continuous fenceline monitoring.

2) We need to get in touch with the USEPA compliance Office to report this incident at Vantage. Would you be able to connect us with someone there who can open an investigation on what happened at Vantage in 2016? We've never done this before and don't know how to go about it. Your help is appreciated.

I also wanted to let you know Stop EtO thoroughly supports Senator Duckworth and Senator Markey's "EJ Mapping and Data Collection Act". Let us know if you need anything from us in this initiative. We'd love to help and be part of it.

Best regards and hope to hear from you soon!

Tea & Francesca

(Stop EtO)

Message

From: Shepherd, Meagan (Romney) [Meagan_Shepherd@romney.senate.gov]
Sent: 3/22/2021 2:22:22 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

You can reach me on my cell, Ex. 6 Personal Privacy (PP) Thanks!

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 10:14 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi! Can we jump on a quick call? What is the best number to reach you at?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Monday, March 22, 2021 9:55 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

I spoke too soon! How's 3:15pm on Wednesday?

From: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Date: Monday, March 22, 2021 at 9:13 AM
To: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

The only window I have tomorrow is 3:30pm

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 9:11 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan – I'm so sorry to follow-up and see if by chance the Senator has any time tomorrow?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency

Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Monday, March 22, 2021 8:37 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

The latest we can do today is 5:45. Does that work?

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 6:12 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

HI Meagan,

By chance, would 6pm or 6:30pmEST work well for Senator Romney?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Sunday, March 21, 2021 8:16 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

Hi Kathleen,

Sorry for the delay. How's 4:30pm tomorrow?

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Thursday, March 18, 2021 at 7:28 PM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan,

Administrator Regan is hoping to reach out to Senator Romney for a quick call on Monday. Is there a general time that works well for the Senator and is there a number the Administrator can dial out to him directly?

Kindly,

Kathleen C. Lance

Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Wednesday, February 24, 2021 10:49 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Yes, I've copied in Kelsey Berg who will be staffing the Senator. Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:26 AM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meghan,

Do you mind connecting me to your team that will be staffing this meeting?

Thank you in advance,
Radha

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Tuesday, February 23, 2021 5:45 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Microsoft Teams works well, thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 23, 2021 4:55 PM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan – thank you for the message! This Thursday, 2/25 at 3p works great. Would Senator Romney prefer a video-call? I am happy to share a Microsoft Teams link. If you prefer to use Zoom, could you please share a link?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Tuesday, February 23, 2021 3:42 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Kathleen,

Sorry for the delay.

Senator Romney is available to meet on Thursday, February 25th at 3:00pm.

Please let me know if this time will work on your end.

Thanks,
Meagan

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 6:50 AM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Good morning Morgan,

I hope you are having a great morning! Circling back on this request. I am happy to work with you to review potential dates and times for early next week.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Tuesday, February 16, 2021 3:54 PM
To: meagan_shepherd@romney.senate.gov
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Romney

Good afternoon Meagan,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Romney and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Romney has availability tomorrow, Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Shepherd, Meagan (Romney) [Meagan_Shepherd@romney.senate.gov]
Sent: 3/22/2021 5:28:43 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

Yes, that still works! Thank you!

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 1:18 PM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

I'm so sorry, but that time is committed. Can we still connect them at 7:00pm?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Monday, March 22, 2021 12:18 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

We just had 3:00-3:30 tomorrow open up. Any chance that works?

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 11:12 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Confirmed, thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Monday, March 22, 2021 11:06 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

Confirming 7:00pm ET tomorrow. We can use the dial in below.

Dial in: Ex. 6 Personal Privacy (PP)
Conf ID: Ex. 6 Personal Privacy (PP)

Thanks!

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 10:14 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi! Can we jump on a quick call? What is the best number to reach you at?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Monday, March 22, 2021 9:55 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

I spoke too soon! How's 3:15pm on Wednesday?

From: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Date: Monday, March 22, 2021 at 9:13 AM
To: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

The only window I have tomorrow is 3:30pm

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 9:11 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan – I'm so sorry to follow-up and see if by chance the Senator has any time tomorrow?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Monday, March 22, 2021 8:37 AM

To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

The latest we can do today is 5:45. Does that work?

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, March 22, 2021 at 6:12 AM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

HI Meagan,

By chance, would 6pm or 6:30pmEST work well for Senator Romney?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Sunday, March 21, 2021 8:16 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator and Senator Romney

Hi Kathleen,

Sorry for the delay. How's 4:30pm tomorrow?

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Thursday, March 18, 2021 at 7:28 PM
To: "Shepherd, Meagan (Romney)" <Meagan_Shepherd@romney.senate.gov>
Cc: "Berg, Kelsey (Romney)" <Kelsey_Berg@romney.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan,

Administrator Regan is hoping to reach out to Senator Romney for a quick call on Monday. Is there a general time that works well for the Senator and is there a number the Administrator can dial out to him directly?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Wednesday, February 24, 2021 10:49 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Berg, Kelsey (Romney) <Kelsey_Berg@romney.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Yes, I've copied in Kelsey Berg who will be staffing the Senator. Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:26 AM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meghan,

Do you mind connecting me to your team that will be staffing this meeting?

Thank you in advance,
Radha

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Tuesday, February 23, 2021 5:45 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Microsoft Teams works well, thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 23, 2021 4:55 PM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Meagan – thank you for the message! This Thursday, 2/25 at 3p works great. Would Senator Romney prefer a video-call? I am happy to share a Microsoft Teams link. If you prefer to use Zoom, could you please share a link?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Sent: Tuesday, February 23, 2021 3:42 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Hi Kathleen,

Sorry for the delay.

Senator Romney is available to meet on Thursday, February 25th at 3:00pm.

Please let me know if this time will work on your end.

Thanks,
Meagan

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 18, 2021 6:50 AM
To: Shepherd, Meagan (Romney) <Meagan_Shepherd@romney.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Romney

Good morning Morgan,

I hope you are having a great morning! Circling back on this request. I am happy to work with you to review potential dates and times for early next week.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Tuesday, February 16, 2021 3:54 PM
To: meagan_shepherd@romney.senate.gov
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Romney

Good afternoon Meagan,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Romney and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Romney has availability tomorrow, Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Lesofski, Emy (Appropriations) [Emy_Lesofski@appro.senate.gov]
Sent: 3/22/2021 7:54:22 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Hi, Radha, it's Emy from the Interior Approps Subcommittee. Do you have a minute to chat?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 1, 2021 9:33 AM
To: Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you for your note Emily! Do you mind letting me know if I could give you a ring? Won't take too much of your time!

From: Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>
Sent: Monday, February 1, 2021 9:24 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Hi, Radha, I saw Kristen's note and thought I would shoot you a quick email. I'm Sen. Murkowski's Interior Approps clerk. While we work primarily with the budget office, I'm sure we'll get to work together. Looking forward to it and hope you are settling in over there—I'm guessing it is crazy busy!
Take care, and if you need anything from me, let me know.
Thanks!
Emy

> On Feb 1, 2021, at 9:10 AM, Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:
>
> Sent from my iPad
>
> > On Feb 1, 2021, at 9:08 AM, Adhar, Radha <adhar.radha@epa.gov> wrote:
> >
> > Hi Kristen,
> >
> > Would you mind connecting me with your colleagues who will be staffing this meeting? I would appreciate touching base with them beforehand if they are available.
> >
> > Thanks in advance,
> > Radha
> >
> > ---
> >
> > **From:** Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>

Sent: Monday, February 1, 2021 8:40 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Yes i can make that work

Sent from my iPhone

On Feb 1, 2021, at 7:52 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Not a problem. 3:30pm works great!

Can we still use the same conference line? Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 7:46 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler
Importance: High

Hi she has been asked to be at the White House when we have our meeting – do you have a 2:30 or 3:00 or 3:30 pm available today? My apologies.

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:32 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-

Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Confirmed, thank you. And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Monday, January 25, 2021 3:29 PM
To: Lance, Kathleen
Cc: Adhar, Radha
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can offer 4:30 pm EST on 2/1? The call in number would be Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you, Claire. Moved you to bcc.

Hi Kristen – Does Senator Murkowski have availability Monday, Feb. 1? We are fairly flexible with the exception of 2-3pm.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, January 25, 2021 3:11 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

What would work for next week?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 3:09 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Whoops! Here you go!
Claire Reuschel

On Mon, Jan 25, 2021 at 2:24 PM Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

> They aren't on here ☺
>
> Kristen Daimler Nothdurft
>
> Executive Assistant/Scheduler
>
> Office of Senator Lisa Murkowski
>
> Hart Senate Office Building, room 522

202-224-6665 phone

202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:31 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Subject: connected Michael Regan's schedulers with Murkowski's scheduler

Kristen-

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

Message

From: Atkins, Abby (Wicker) [Abby_Atkins@wicker.senate.gov]
Sent: 3/23/2021 4:20:19 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Jett, Jen (Wicker) [Jen_Jett@wicker.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]; Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Subject: RE: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,
We really appreciate the additional offer for a quick chat. However, I do not think it is necessary at this time.

Thanks so much!
Abby

—
Abby Atkins
Deputy Scheduler & Assistant to the Chief of the Staff
Senator Roger F. Wicker (R-MS)

From: Atkins, Abby (Wicker)
Sent: Monday, March 22, 2021 10:11 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>; Jett, Jen (Wicker) <Jen_Jett@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Subject: RE: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Thanks so much for reaching out again. We will circle back on this, and we will be back in touch!

Thanks,

—
Abby Atkins
Deputy Scheduler & Assistant to the Chief of the Staff
Senator Roger F. Wicker (R-MS)

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Monday, March 22, 2021 9:41 AM
To: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>; Jett, Jen (Wicker) <Jen_Jett@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Abby,

Thanks again for getting back to me last month while Senator Wicker's schedule has been so hectic. I just wanted to check in and see if any space might be available for Senator Wicker to meet Janet McCabe, nominee for EPA Deputy Administrator. Janet McCabe had her nomination hearing in front of EPW earlier this month and this week, the committee will hold a business meeting that will consider her nomination.

Janet McCabe would be more than happy to chat with Senator Wicker at a time that works for him.

Take care,

Karen.

From: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Sent: Tuesday, February 23, 2021 10:45 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Jett, Jen (Wicker) <Jen_Jett@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,
Thanks so much again for this request. Unfortunately, Senator Wicker's schedule is extremely hectic for the foreseeable future, so he will be unable to meet at this time.

Kind regards,
Abby

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:07 PM
To: Jett, Jen (Wicker) <Jen_Jett@wicker.senate.gov>; Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Jen & Abby,

I hope you are doing well. I'm reaching out to find time on Senator Wicker's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Hamilton, Jill (Whitehouse) [Jill_Hamilton@whitehouse.senate.gov]
Sent: 3/23/2021 5:41:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Memo for Administrator Regan from Senator Whitehouse re: marine debris

Hi Radha,

My apologies for the delay in getting back to you. I'd be happy to chat about this memo anytime. I saw that Mary Eileen from Senator Sullivan's office also reached out to set up a time to talk – I'm happy to speak in that larger group, or touch base individually first, whichever you prefer.

Thanks,
Jill

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, March 12, 2021 10:57 PM
To: Hamilton, Jill (Whitehouse) <Jill_Hamilton@whitehouse.senate.gov>
Subject: RE: Memo for Administrator Regan from Senator Whitehouse re: marine debris

Hi Jill,

Hope all is well and TGIF! Do you have a second to chat about this memo next week?

Looking forward to hearing from you.

Radha

From: Hamilton, Jill (Whitehouse) <Jill_Hamilton@whitehouse.senate.gov>
Sent: Wednesday, March 3, 2021 9:01 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Memo for Administrator Regan from Senator Whitehouse re: marine debris

Hello Karen and Radha,

Attached is a memo from Senator Whitehouse to Administrator Regan discussing opportunities to address marine debris and ocean plastic waste, including through the new authorities established under Save Our Seas 2.0.

Thank you, and please let me know if I can answer any questions.
Jill

Jill A. Hamilton
Legislative Assistant
U.S. Senator Sheldon Whitehouse
jill_hamilton@whitehouse.senate.gov

Message

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 3/23/2021 9:29:09 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Deveny, Adrian (Schumer) [Adrian_Deveny@schumer.senate.gov]
Subject: RE: Clean Air Act Exemption Discussion

Hi Radha,

Anything you can share here? Our regional staff is reaching out about this one again.

Thank you!
Tim

From: Ryder, Tim (Schumer)
Sent: Monday, March 22, 2021 11:38 AM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

Hi Radha!

Any updates on the right Point of Contact for our question re: Richard Sands?

Thank you!
Tim

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 10:15 PM
To: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>; Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

I'm working on it! That one I didn't forget!

From: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Sent: Wednesday, February 24, 2021 10:14 PM
To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Clean Air Act Exemption Discussion

I'll call you tomorrow on Regan. Also while we're bumping how about that E-RIN convo!

Sent from my iPhone

> On Feb 24, 2021, at 8:57 PM, Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov> wrote:
>
> Thank you, defer to our favorite mastermind on that one
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Wednesday, February 24, 2021 8:55 PM

To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Cc: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

Thank you for your understanding! And book it. Also, any news you can share on Regan?

From: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Sent: Wednesday, February 24, 2021 8:51 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

No worries! I am sure things are absolutely crazy right now.

That would be great, how about noon on Tuesday?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 24, 2021 8:50 PM
To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Cc: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

Uh oh two bumps, so sorry Tim! Let me get to it and circle back asap. Also, please let me know if y'all are free to huddle post our modeling hearing. Maybe next week? Happy to work around your schedule, just let me know.

From: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Sent: Wednesday, February 24, 2021 8:46 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

Circling back here, thanks Radha!

From: Ryder, Tim (Schumer)
Sent: Thursday, February 18, 2021 4:35 PM
To: 'Adhar.Radha@epa.gov' <Adhar.Radha@epa.gov>
Cc: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: RE: Clean Air Act Exemption Discussion

Hey Radha! Bumping this back up, thanks!

From: Ryder, Tim (Schumer)
Sent: Thursday, February 11, 2021 1:49 PM
To: 'Adhar.Radha@epa.gov' <Adhar.Radha@epa.gov>
Cc: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: Clean Air Act Exemption Discussion

Hi Radha!

We got some outreach from a constituent that is looking to import some machinery that does not meet EPA standards but intends to import them, perform upgrades, and then start manufacturing in New

York. Our understanding is that EPA does provide an exemption for this kind of import then upgrade model, but our constituent is looking to speak with someone at EPA about this process. **Who is the right high-level EPA official we can connect them with?**

Our initial thought was EPA's Region 2 Administrator or the AA for Air, but without those folks in place we aren't sure who the right person would be.

For context, the individual is Richard Sands of Constellation Brands, he is working on sustainable housing.

Please let me know if you have additional questions about this.

Thank you!
Tim
202-557-9173

Appointment

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 3/26/2021 1:04:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; McIntosh, Mackie (EPW) [Mackie_McIntosh@epw.senate.gov]; McIntosh, Margarett G (Mackie) CIV USARMY CESAS (USA) [Margarett.G.McIntosh@usace.army.mil]; D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]

Subject: Canceled: Weekly EPA - Water Meeting
Location: Microsoft Teams Meeting

Start: 2/12/2021 3:00:00 PM
End: 2/12/2021 3:30:00 PM
Show Time As: Free

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Message

From: Dziadon, Daniel [Daniel.Dziadon@mail.house.gov]
Sent: 4/1/2021 3:03:00 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Connally, Tom [Tom.Connally@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: SST Ranking Members Letter re: TSCA - IRIS

Thank you Sven! We appreciate the response.

Best,
Daniel

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Wednesday, March 31, 2021 3:47 PM
To: Dziadon, Daniel <Daniel.Dziadon@mail.house.gov>; Connally, Tom <Tom.Connally@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: SST Ranking Members Letter re: TSCA - IRIS

Daniel – please see attached EPA's response to the letter from Ranking Members Lucas, Bice and Obernolte on TSCA systematic review. Please let us know if any questions. Thanks,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Dziadon, Daniel <Daniel.Dziadon@mail.house.gov>
Sent: Wednesday, March 03, 2021 3:32 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Connally, Tom <Tom.Connally@mail.house.gov>
Subject: SST Ranking Members Letter re: TSCA - IRIS

Radha & Sven,

Apologies if there should be more people on the recipient line, I know people are coming and going from the Agency every day so it's hard to track. Please find attached a letter from Science Committee Ranking Member Lucas and 2 of our Subcommittee Ranking Members, Mrs. Bice and Mr. Obernolte, regarding the proposed overhaul of TSCA's systematic review process and it's relation to IRIS.

Please let me know if you have any questions.

Best,
Daniel

Daniel Dziadon
Professional Staff
Committee on Science, Space, and Technology
(202) 225-6371

Message

From: Youngen, Angie (Portman) [Angie_Youngen@portman.senate.gov]
Sent: 4/1/2021 7:04:53 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]; Scheduler (Portman) [_Scheduler@portman.senate.gov]
Subject: RE: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks Karen per our earlier email we appreciate the outreach but do not anticipate a need for a meeting in advance of her confirmation.

If there is something additional she is now looking to discuss, thanks for letting us know

---

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, April 1, 2021 2:58 PM
To: Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Scheduler (Portman) <_Scheduler@portman.senate.gov>
Subject: RE: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Angie – I appreciate your quick attention to my email request!
Would later in April work for the Senator? Happy to work around his schedule.

Take care,

Karen.

From: Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>
Sent: Thursday, April 01, 2021 2:41 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Scheduler (Portman) <_Scheduler@portman.senate.gov>
Subject: RE: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks Karen- we appreciate the follow up but regrettably have a full recess schedule and will not be able to connect this upcoming week

Thanks again

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, April 1, 2021 2:37 PM
To: Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Scheduler (Portman) <_Scheduler@portman.senate.gov>
Subject: RE: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Angie – Just wanted to check back. Janet McCabe, nominee for the post of EPA Deputy Administrator, would welcome the chance to connect with Senator Portman. Could a short meeting late next week or the week of April 12th work for the Senator? We would work around his schedule.

Thanks for considering the request,

Karen.

From: Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>
Sent: Thursday, February 25, 2021 10:39 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>; Scheduler (Portman) <_Scheduler@portman.senate.gov>
Subject: RE: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Senator Portman appreciates the invitation but a meeting is not needed at this time

Again our thanks

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:29 PM
To: Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Angie,

I hope you are doing well. I'm reaching out to find time on Senator Portman's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Serrano, Andrew (Booker) [Andrew_Serrano@booker.senate.gov]
Sent: 1/22/2021 3:58:13 PM
To: Emily Spain [espain@jbrpt.org]
CC: Claire Reuschel [creuschel@jbrpt.org]; Duron, Veronica (Booker) [Veronica_Duron@booker.senate.gov]; Giertz, Jeff (Booker) [Jeff_Giertz@booker.senate.gov]; Kathleen Lance [klance@jbrpt.org]; Kendra Lamy [Ex. 6 Personal Privacy (PP)] Matt Lee-Ashley [mleeashley@jbrpt.org]; Rojas, Sarah (Booker) [Sarah_Rojas@booker.senate.gov]; Tavar, Lauren (Booker) [Lauren_Tavar@booker.senate.gov]; Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; ty.matsdorf[Ex. 6 Personal Privacy (PP)]
Subject: Re: Michael Regan, Biden-Harris nominee

Emily –

There was a vote called and Senator Booker is running 5 min late. He will be on by 11:05am. Our apologies on the delay.

-Andrew

From: Emily Spain <espain@jbrpt.org>
Date: Thursday, January 21, 2021 at 9:01 PM
To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>
Cc: Claire Reuschel <creuschel@jbrpt.org>, "Duron, Veronica (Booker)" <Veronica_Duron@booker.senate.gov>, "Giertz, Jeff (Booker)" <Jeff_Giertz@booker.senate.gov>, Kathleen Lance <klance@jbrpt.org>, Kendra Lamy [Ex. 6 Personal Privacy (PP)], Matt Lee-Ashley <mleeashley@jbrpt.org>, "Rojas, Sarah (Booker)" <Sarah_Rojas@booker.senate.gov>, "Tavar, Lauren (Booker)" <Lauren_Tavar@booker.senate.gov>, "Zipkin, Adam (Booker)" <Adam_Zipkin@booker.senate.gov>, "adhar.radha@epa.gov" <adhar.radha@epa.gov>, "ty.matsdorf[Ex. 6 Personal Privacy (PP)]
Subject: Re: Michael Regan, Biden-Harris nominee

Thank you! Adding our Communications folks Kendra, Ty, Matt.

On Thu, Jan 21, 2021 at 8:15 PM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

Emily – Adding a few colleagues to this chain. Veronica, Zip, and Lauren will be on the meeting tomorrow. Jeff and Sarah are from our comms shop in case there are any releases being planned.

Thanks!

-Andrew

From: Emily Spain <espain@jbrpt.org>
Date: Thursday, January 21, 2021 at 6:05 PM
To: Kathleen Lance <klance@jbrpt.org>, "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>, "adhar.radha@epa.gov" <adhar.radha@epa.gov>

Cc: Claire Reuschel <creuschel@jbrpt.org>
Subject: Re: Michael Regan, Biden-Harris nominee

Hi Andrew,

Thanks so much for this. Looking forward to the conversation tomorrow.

Cheers,

Emily

On Thu, Jan 21, 2021 at 5:57 PM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

Hey Emily –

Just a reminder on tomorrow's meeting with Michael and Sen. Booker at 11am EST. Below is the zoom link.

Join ZoomGov Meeting

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)

Passcode: Ex. 6 Personal Privacy (PP)

One tap mobile

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Claire Reuschel <creuschel@jbrpt.org>
Date: Wednesday, January 13, 2021 at 3:53 PM

To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>, Emily Spain <espain@jbrpt.org>
Subject: Re: Michael Regan, Biden-Harris nominee

Great! we are confirmed for Friday the 22nd at 11 am. Emily Spain is included on this emails. Can you provide a video link or conference line?

Claire Reuschel

On Wed, Jan 13, 2021 at 3:29 PM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

Confirmed. Thanks so much, Claire. Again, I apologize about the crazy schedule changes.

From: Claire Reuschel <creuschel@jbrpt.org>
Date: Wednesday, January 13, 2021 at 3:28 PM
To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

Andrew-

Secretary Regan is available at 11 am on the 22nd. Please confirm. Thanks.

Claire Reuschel

On Wed, Jan 13, 2021 at 3:01 PM Claire Reuschel <creuschel@jbrpt.org> wrote:

Andrew, I'm double checking those times now.

Claire Reuschel

On Wed, Jan 13, 2021 at 10:35 AM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

We can make anytime on Friday, January 22 work between 11am-6pm. Let me know if there is anything that works and I can hold the time. Again, apologies for the change.

-Andrew

From: Claire Reuschel <creuschel@jbrpt.org>
Date: Wednesday, January 13, 2021 at 10:30 AM
To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

Andrew-

You will need to check with Emily Spain on the hearing date, but as the senate hasn't formally organized yet I'm not sure anything has been set. As for moving the time, please send me some dates and times that work for Senator Booker and I will check Secretary Regan's calendar.

On Wed, Jan 13, 2021 at 9:53 AM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

> Hey Claire –
>
> I am really sorry but something again popped up for Senator Booker. I wanted to check and see if there was any possibility of shifting the meeting with Michael to January 22 or sometime the week of January 18th. We hate having to ask to move it again, but wanted to see what was possible.
>
> Also do you know the hearing date yet?
>
> Let me know if it is possible to push back. Thanks!
>
> -Andrew
>
> ---
>
> **From:** Claire Reuschel <creuschel@jbrpt.org>
> **Date:** Tuesday, January 5, 2021 at 10:23 PM
> **To:** "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>, Emily Spain <espain@jbrpt.org>, Chris Slevin <cslevin@jbrpt.org>
> **Subject:** Re: Michael Regan, Biden-Harris nominee

Great! A Zoom meeting between Senator Booker and Secretary Regan is confirmed for Friday, January 15, at 12:30 pm et. Below is the Zoom link. Emily Spain is included on this email and will be staffing the nominee. Please let us know if you have any questions.

creuschel@jbrpt.org is inviting you to a scheduled Zoom meeting.

Topic: Michael Regan meeting with Senator Booker
Time: Jan 15, 2021 12:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile
Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number: Ex. 6 Personal Privacy (PP)

Claire Reuschel

On Tue, Jan 5, 2021 at 10:42 AM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

I can confirm now. We are good to go with that.

Sent from my iPhone

On Jan 5, 2021, at 10:42 AM, Claire Reuschel <creuschel@jbrpt.org> wrote:

Yes, just let me know when you can confirm.

Claire Reuschel

On Tue, Jan 5, 2021 at 10:05 AM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

Thanks so much! Can we hold January 15 at 12:30pm EST?

From: Claire Reuschel <creuschel@jbrpt.org>
Date: Monday, January 4, 2021 at 8:59 PM
To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

Ok. Secretary Regan's availability currently is below. Let me know what works.

January 11

12

12:30

January 12

10-11

12-3

January 15

12:30-2

Claire Reuschel

On Mon, Jan 4, 2021 at 6:58 PM Claire Reuschel <creuschel@jbrpt.org> wrote:

Andrew-

No worries! When I saw Michelle's email come through on my other phone I figured things would change. I'll let you know tonight/tomorrow morning what Secretary Regan has available next week.

On Mon, Jan 4, 2021 at 6:52 PM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

Claire –

Something has come up tomorrow for Senator Booker (and the Dem caucus) tomorrow. I am hoping we can try and reschedule the meeting with Michael to next week if possible. Are there any days next week that may work?

My sincere apologies for the last minute change. It's shaping up to be a pretty wild week in the Senate.

-Andrew

From: Claire Reuschel <creuschel@jbrpt.org>
Date: Wednesday, December 23, 2020 at 8:07 PM
To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

Andrew-

Great! A virtual meeting between Senator Booker and Secretary Regan is confirmed for Tuesday, January 5, at 2:30 pm. Emily Spain is included on this email and will be staffing the nominee. I don't have access to a Zoom link or conference line at that time, could you provide one? Please let us know if you have any questions.

Claire Reuschel

On Wed, Dec 23, 2020 at 5:21 PM Serrano, Andrew (Booker) <Andrew_Serrano@booker.senate.gov> wrote:

Hey Claire –

Would any of the following days and times work:

Monday, January 4

Anytime from 2-4pm EST

Tuesday, January 5

11am EST

Anytime from 2:30-4:00PM EST

Let me know and we will hold the time. Thanks!

-Andrew

From: Claire Reuschel <creuschel@jbrpt.org>
Date: Tuesday, December 22, 2020 at 3:02 PM
To: "Serrano, Andrew (Booker)" <Andrew_Serrano@booker.senate.gov>
Subject: Michael Regan, Biden-Harris nominee

Andrew-

I am reaching out on behalf of the Biden-Harris transition team to set up a meeting via video or phone between Senator Booker and Michael Regan, nominee for EPA Administrator. Please let me know what would work for your boss. Thank you.

Claire Reuschel

--

Claire Reuschel

--

Claire Reuschel

Message

From: Deveny, Adrian (Schumer) [Adrian_Deveny@schumer.senate.gov]
Sent: 1/22/2021 4:09:48 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat EPA noms and CRA?

Hi Radha! So glad you are at EPA now! Can we hope on the phone at 2pm on Monday with the right ppl at EPA to discuss CRAs?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, January 21, 2021 3:17 PM
To: Deveny, Adrian (Schumer) <Adrian_Deveny@schumer.senate.gov>
Subject: Time to chat EPA noms and CRA?

Is this thing on?

Hey homey just started at EPA and would love to touch base sooner than later when you have time. Think you can make time for me?

On my personal- Ex. 6 Personal Privacy (PP)

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 1/22/2021 5:46:22 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Davis, Cameron [DavisC@mwrd.org]
Subject: RE: Congrats Radha

Thank you Radha!

Commissioner,

It is good to connect with you and please let me know if I can ever be helpful.

Best,
Chelsea

Chelsea McDonald
Legislative Aide
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 22, 2021 12:41 PM
To: Davis, Cameron <DavisC@mwrd.org>
Cc: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: RE: Congrats Radha

You're in good hands with Chelsea!

From: Davis, Cameron <DavisC@mwrd.org>
Sent: Friday, January 22, 2021 12:26 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Congrats Radha

Call me Cam.

Can you please intro me to your replacement in Sen D's office?

> On Jan 22, 2021, at 10:40 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Thanks Commissioner! Looking forward to working with you and appreciate the note.
>
> ---
>
> **From:** Davis, Cameron <DavisC@mwrd.org>
> **Sent:** Friday, January 22, 2021 11:09 AM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Congrats Radha
>
> Congrats on the new gig, Radha. I probably spent half my time working with/through OCIR on the Hill in my time at EPA. Please let me know if you ever need help.

Cameron Davis

Commissioner

Metropolitan Water Reclamation District

312-751-5470 (o)

312-366-9808 (c)

cameron.davis@mwrd.org

www.mwrd.org

<image001.png>

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 1/22/2021 5:58:23 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Cassady, Alison [Cassady.Alison@epa.gov]
Subject: Re: Hi!

That would be great! I can be pretty flexible because I am sure you guys are slammed. Right now, I am free on Monday between 10-1 and 2-3.

Sent from my iPhone

On Jan 22, 2021, at 12:40 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Thank you for connecting me Alison! Jackie, I have heard so many wonderful things about you over the years and I am looking forward to working with you. If I can help set up a call for the three of us, please let me know.
>
> Best,
> Radha
>
> **From:** Cassady, Alison <Cassady.Alison@epa.gov>
> **Sent:** Friday, January 22, 2021 12:20 PM
> **To:** Cohen, Jacqueline <jackie.cohen@mail.house.gov>
> **Cc:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Hi!
>
> Hi Jackie,
>
> You found me! I'm copying Radha Adhar, who is doing congressional affairs for EPA. We don't have much info on upcoming EOs but would be happy to talk priorities.
>
> Alison
>
> Alison L. Cassady
> (202) 941-6036
>
>> On Jan 22, 2021, at 12:13 PM, Cohen, Jacqueline <jackie.cohen@mail.house.gov> wrote:
>>
>> Do you have official email yet? Is this it? If so, can we set up a time to talk about what is coming on the 27th and other priorities?
>>
>> Jacqueline G. Cohen
>> Chief Environmental Counsel
>> Committee on Energy and Commerce
>> 202-225-4470

Appointment

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 1/22/2021 6:03:06 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted:
Location: Microsoft Teams Meeting

Start: 1/25/2021 3:00:00 PM
End: 1/25/2021 3:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Deveny, Adrian (Schumer) [Adrian_Deveny@schumer.senate.gov]
Sent: 1/25/2021 2:07:25 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: is 430 ok for tomorrow?

Yes it's ok

Sent from my iPhone

> On Jan 24, 2021, at 8:36 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> If not, lets stick to our current time!

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 1/25/2021 1:43:12 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Rhodeside, Benjamin (Duckworth) [Benjamin_Rhodeside@duckworth.senate.gov]
Subject: Questions for Regan Meeting
Attachments: 2021.01.27 - Video Call with Michael Regan EPA Administrator_CM.docx

Hey Radha,

Attached are our current question lines for the meeting between Mr. Regan and Senator Duckworth.

Best,
Chelsea

Chelsea McDonald
Legislative Aide
Office of Senator Tammy Duckworth

Video Call with Michael Regan, EPA Administrator Nominee
3:00 PM

Dial-In Info		**Type**	Nomination Meeting
Staff + #	Chelsea Ben R.	**Purpose**	• Michael Regan would like to discuss his nomination to be Administrator of the U.S. EPA
Attendance			

Agenda

Important Flags

- **YOUR Macro Approach to Federal Environmental Policy:**
  - **Environmental Justice:** Begin to correct the longstanding injustices shouldered by low income communities and communities of color who experience higher rates of pollution and experience lower environmental quality.
  - **Climate Crisis:** Aggressively reduce the release of greenhouse gases to slow the climate crisis.
  - **Just Transition:** Work to make sure communities, such as in coal country, impacted by the changing energy market have the resources to successfully transition.
- **Bipartisan Covid-19 Relief:** The recently enacted Coronavirus Disease 2019 (COVID-19) Emergency Relief Package compromise agreement includes the Water Resources and Development Act (WRDA) Reauthorization, as well as $11.8 million for EJ programs, which translates into an increase of 24 percent compared to prior year. Though this included the advancement of many of YOUR water infrastructure priorities, WRDA did not include drinking water provisions that are a priority for YOU and YOUR constituents.

Organization Background

Michael Regan is meeting with Senate Environment and Public Works Committee members who will vote to advance his nomination to be the U.S. Environmental Protection Agency (EPA) Administrator to the full Senate. The EPA Administrator oversees 14,000 Federal employees and a budget of around $9 billion per year.

Local Notes

-
-
-

Legislative Notes

Staff has prepared conversation topics and questions related to staffing, environmental justice and biofuels.

Enforcement and staffing:

- For the last four years, EPA management decisions have drained staff and reallocated resources in a manner that hampers the EPA from fulfilling its obligations to the public.

- The drain on EPA capacity is clear when you consider its record low staffing and inspection levels.

- For example, since 2017 Region 5 has lost over 120 engineers and scientists due to attrition and retirement.

- **Staff suggests asking what he will do as Administrator to increase staffing levels at EPA over the next 6 months?**

- **Staff suggests asking how EPA will specifically work to achieve that goal?**

ED_013012_00003439-00001

Environmental Justice:

- Environmental justice issues are front of mind for many of YOUR constituents. For too long, low income communities and communities of color have borne the brunt of our environmental burdens and it is critical that they have an ally at EPA to protect their public health.

- One environmental justice community that needs EPA's support is in Sauget, Illinois which is home to a hazardous waste incinerator operated by Veolia.

- YOU urged the Agency for Toxic Substances and Disease Registry to conduct a health consultation in Sauget to understand the impacts this facility is having on the community. YOU were disappointed when they determined that they could not identify the concentration of metals and their health risks due to a lack of recent air monitoring data.

- YOU sent a letter asking the EPA to install multi-metal emissions monitoring at the Veolia North American Trade Waste Incinerator.

- **Staff suggest asking if he will commit to installing those monitors?**

- **Staff suggest asking if Mr. Regan if he can share with YOU any other early actions on environmental justice priorities he is planning to take as Administrator?**

Small refinery hardship waivers:

- The Tenth Circuit delivered a major win for the biofuels community in a decision that directed EPA to end its abuse of small refinery hardship waivers under the Renewable Fuels Standard, and reevaluate previously administered waivers. The 10th Circuit's holding is currently under review by the Supreme Court.

- **Staff suggests asking if he will work to adopt the Tenth Circuit's decision and swiftly reject any pending and future petitions for small refinery exemptions that do not meet the court's standards.**

Biofuels:

- EPA faces a backlog of applications from companies seeking to produce biofuel from various feedstocks and have them qualify under the Renewable Fuel Standard. Additionally, the EPA's emissions monitoring under the Renewable Fuel Standard does not reflect biofuels contribution to our greenhouse gas emission reduction goals.

- **Staff suggests asking if he will commit to quickly approving pending pathway applications?**

- **Staff suggests asking if he will consider adoption of Argonne National Laboratory's Greenhouse gases, Regulated Emissions and Energy use in Technologies model as a way to update EPA's emission modeling?**

Region 5 Administrator:

- Illinois is the proud home to EPA's Region 5 Office, which features civil servants who are leaders in the fields of water quality, Superfund cleanup and Great Lakes restoration. However, Region 5 needs a strong Regional Administrator, capable of boosting moral and getting the office back on track.

- Micah Ragland served as EPA Assistant Administrator for Public Engagement during the Obama administration and played an instrumental role in the Obama administration's efforts to provide assistance to Flint, Michigan during the Flint Water Crisis.

• **Staff recommends sharing your support of Micah Ragland with Mr. Regan.**
Biographies
Talking Points
•

Meeting Readout			
Staff		**Did TD Attend?**	☐ Yes ☐ No
Actual Participants/Attendees		**Subjects Covered**	
•		•	
Invitations		**Due-Back**	
•		•	
Other Notes			

ED_013012_00003439-00004

Message

From: Sorensen, Michael (Burr) [Michael_Sorensen@burr.senate.gov]
Sent: 1/25/2021 4:27:10 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: 'Claire Reuschel' [creuschel@jbrpt.org]
Subject: RE: Michael Regan, Biden-Harris nominee

Thanks, Claire. Moving you to bcc.

Kathleen & Radha, Senator Burr has already spoken to Secretary Regan and has committed to introducing him at his nomination hearing when that is scheduled. Nothing more is needed on our end! Hope that makes the schedule shuffling a little easier for you all!

Michael M. Sorensen
Scheduler
U.S. Senator Richard Burr
Direct: 202-228-2975

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:24 AM
To: Sorensen, Michael (Burr) <Michael_Sorensen@burr.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan. Thanks.

Claire Reuschel

On Tue, Dec 22, 2020 at 11:19 AM Claire Reuschel <creuschel@jbrpt.org> wrote:

> Michael-
> I am reaching out on behalf of the Biden-Harris transition team to set up a meeting via video or phone between Senator Burr and Michael Regan, nominee for EPA Administrator. Please let me know what would work for your boss. Thank you.
>
> Claire Reuschel

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 1/25/2021 8:06:24 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Cassady, Alison [Cassady.Alison@epa.gov]
Subject: RE: SO sorry Jackie

No worries! Happy to connect when things have settled down a bit.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, January 25, 2021 10:30 AM
To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Cc: Cassady, Alison <Cassady.Alison@epa.gov>
Subject: SO sorry Jackie

Hi Jackie,

I am SO sorry that I left you and Alison high and dry. My call with my boss ran wayyyy over, and I couldn't get to a point where I could shoot y'all a note and alert you of the delay. What an awful first impression! I hope we can connect soon, whenever you're available.

Best,
Radha

Message

From: Schulze, Angela (Tillis) [Angela_Schulze@tillis.senate.gov]
Sent: 1/25/2021 8:26:04 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, Biden-Harris nominee
Attachments: ATT00001.txt

You are very welcome.

Angela Schulze
Director of Scheduling
Senator Thom Tillis
113 Senate Dirksen Building
202-224-6342 Main
202-228-1037 Direct
angela_schulze@tillis.senate.gov
Follow Senator Tillis on social media!

PLEASE NOTE: *Washington-based meetings are scheduled pending votes and committee business, and may change at any time. If a last minute schedule change occurs, the meeting will be handled by staff. Thank you in advance for your understanding.*

THOM TILLIS
U.S. SENATOR for NORTH CAROLINA

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:22 PM
To: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, Biden-Harris nominee

Wonderful, thank you! And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, Biden-Harris nominee

Kathleen,
Thank you. Let's take 9:30 am Wednesday, Jan. 27th.

We can use my conference line, Ex. 6 Personal Privacy (PP) if that works for Mr. Regan.

Take care,
Angela

Angela Schulze
Director of Scheduling
Senator Thom Tillis
113 Senate Dirksen Building
202-224-6342 Main
202-228-1037 Direct
angela_schulze@tillis.senate.gov
Follow Senator Tillis on social media!

PLEASE NOTE: *Washington-based meetings are scheduled pending votes and committee business, and may change at any time. If a last minute schedule change occurs, the meeting will be handled by staff. Thank you in advance for your understanding.*

THOM TILLIS
U.S. SENATOR for NORTH CAROLINA

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:17 PM
To: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, Biden-Harris nominee

Thank you, Claire. Moved you to bcc.

Angela,

Thank you so much for your message. Secretary Regan has availability this Wednesday at 8:00am, 9:30am or 11:30am.

Please let me know which time works best for your office.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>
Sent: Monday, January 25, 2021 2:50 PM
To: Claire Reuschel <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>

Cc: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>
Subject: RE: Michael Regan, Biden-Harris nominee

Thank you Claire.

Kathleen and Radha,
Sorry this has taken so long. Getting a handle on the schedule after inauguration and the
Ex. 6 Personal Privacy (PP)

Would Mr. Regan be available for a call, Jan. 27th Wednesday morning this week or next week, Feb. 3rd Wednesday morning?

Thank you,
Angela

Angela Schulze
Director of Scheduling
Senator Thom Tillis
113 Senate Dirksen Building
202-224-6342 Main
202-228-1037 Direct
angela_schulze@tillis.senate.gov
Follow Senator Tillis on social media!

PLEASE NOTE: *Washington-based meetings are scheduled pending votes and committee business, and may change at any time. If a last minute schedule change occurs, the meeting will be handled by staff. Thank you in advance for your understanding.*

THOM TILLIS
U.S. SENATOR *for* NORTH CAROLINA

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:26 AM
To: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

On Wed, Dec 30, 2020 at 1:26 PM Claire Reuschel <creuschel@jbrpt.org> wrote:

> Thanks!
> Claire Reuschel

On Wed, Dec 30, 2020 at 12:52 PM Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov> wrote:

Claire,

Thank you. Yes, Sen. Tillis would like to meet with Michael. They already know each other. I'm looking at options and will get back to you as soon as I can.

Take care,

Angela

Angela Schulze

Director of Scheduling

Senator Thom Tillis

113 Senate Dirksen Building

202-224-6342 Main

202-228-1037 Direct

angela_schulze@tillis.senate.gov

Follow Senator Tillis on social media!

PLEASE NOTE: *Washington-based meetings are scheduled pending votes and committee business, and may change at any time. If a last minute schedule change occurs, the meeting will be handled by staff. Thank you in advance for your understanding.*

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Tuesday, December 22, 2020 11:20 AM

To: Schulze, Angela (Tillis) <Angela_Schulze@tillis.senate.gov>
Subject: Michael Regan, Biden-Harris nominee

Angela-

I am reaching out on behalf of the Biden-Harris transition team to set up a meeting via video or phone between Senator Tillis and Michael Regan, nominee for EPA Administrator. Please let me know what would work for your boss. Thank you.

Claire Reuschel

Message

From: Wedgewood, Jessica (Braun) [Jessica_Wedgewood@braun.senate.gov]
Sent: 1/26/2021 2:49:16 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]; Claire Reuschel [creuschel@jbrpt.org]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Emily Spain [espain@jbrpt.org]; Zephranie Buetow [zbuetow@jbrpt.org]
Subject: RE: confirmed Regan & Braun meeting

Thanks for the call – confirmed for 11:00 am today, same conference line.

Jessica Wedgewood
Director of Scheduling
Senator Mike Braun
(202) 228-5712

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, January 26, 2021 9:08 AM
To: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>; Claire Reuschel <creuschel@jbrpt.org>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Emily Spain <espain@jbrpt.org>; Zephranie Buetow <zbuetow@jbrpt.org>
Subject: RE: confirmed Regan & Braun meeting

HI Jessica,

I will give you a call at 9:45am.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>
Sent: Tuesday, January 26, 2021 8:52 AM
To: Claire Reuschel <creuschel@jbrpt.org>; Adhar, Radha <Adhar.Radha@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Emily Spain <espain@jbrpt.org>; Zephranie Buetow <zbuetow@jbrpt.org>
Subject: RE: confirmed Regan & Braun meeting

Good morning – we are expecting a vote at 12:00 pm today. Could someone on the team give me a call about moving this call up? My direct is Ex. 6 Personal Privacy (PP)

Jessica Wedgewood
Director of Scheduling
Senator Mike Braun
(202) 228-5712

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 9:09 AM
To: Adhar, Radha <adhar.radha@epa.gov>; Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>;

lance.kathleen@epa.gov
Cc: Emily Spain <espain@jbrpt.org>; Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>; Zephranie Buetow <zbuetow@jbrpt.org>
Subject: Re: confirmed Regan & Braun meeting

Jessica,
I am adding Kathleen Lance and

On Fri, Jan 22, 2021 at 12:33 PM Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov> wrote:

Good afternoon,

I am including the conference line below for the 12:00 pm call with Senator Braun on Tuesday, January 26.

Dial In Number: Ex. 6 Personal Privacy (PP)

Conference ID: Ex. 6 Personal Privacy (PP)

Our office will act as host.

Thanks!

Jessica Wedgewood

Director of Scheduling

Senator Mike Braun

(202) 228-5712

From: Wedgewood, Jessica (Braun)
Sent: Thursday, January 14, 2021 3:25 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Emily Spain <espain@jbrpt.org>; Zephranie Buetow <zbuetow@jbrpt.org>
Cc: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: RE: confirmed Regan & Braun meeting

Confirmed, thank you.

Jessica Wedgewood

Director of Scheduling

Senator Mike Braun

(202) 228-5712

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Thursday, January 14, 2021 3:24 PM
To: Wedgewood, Jessica (Braun) <Jessica_Wedgewood@braun.senate.gov>; Emily Spain <espain@jbrpt.org>; Zephranie Buetow <zbuetow@jbrpt.org>
Subject: confirmed Regan & Braun meeting

Jessica-

We are confirmed for a virtual meeting between Senator Braun and Michael Regan on Tuesday, January 26, at 12 pm. I have included Emily Spain on this email and she will staff the nominee. We'll connect next week about a video link or conference line. Let us know if you have any questions.

Claire Reuschel

--
Claire Reuschel

Message

From: Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Sent: 1/26/2021 4:22:02 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Ag letter

Of course thank you(sorry if I missed this in an earlier email).

Do you have a date for his hearing yet?

Sent from my iPhone

On Jan 26, 2021, at 11:21 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Hey Payne,
>
> Wanted to make sure you had the letter attached. Can you please share with Senator Braun? Thanks for chatting before this hearing, would appreciate chatting before our hearing if you have time.
>
> Thanks again,
> Radh a
>
> <20210220 - Ag Association Regan Support Letter FINAL.pdf>

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/26/2021 6:35:23 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]
CC: Emily Spain [espain@jbrpt.org]; Lucey, John [Lucey.John.D@epa.gov]
Subject: RE: Regan Hearing

The documents are more important.

-----Original Message-----
From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 1:34 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Emily Spain <espain@jbrpt.org>; Lucey, John <Lucey.John.D@epa.gov>
Subject: RE: Regan Hearing

Hi MFR,

John, copied, is working on shaking the FBI background check loose and will keep this group updated.

Radha

-----Original Message-----
From: Adhar, Radha
Sent: Tuesday, January 26, 2021 12:32 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Emily Spain <espain@jbrpt.org>
Subject: RE: Regan Hearing

Thank you for your note MFR and for sharing the great news about having a room available. You will have Mr. Regan's questionnaire at 2:00pm today!

-----Original Message-----
From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Tuesday, January 26, 2021 12:27 PM
To: Utech, Dan <Utech.Dan@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Emily Spain <espain@jbrpt.org>
Subject: Regan Hearing

Hi Dan and Radha,

I am reaching back to check on the status of Secretary Regan's questionnaire and FBI background check.

I need the questionnaire to notice.

I now have available hearing room space on Wednesday, January 3rd at 2 pm.

I need to notice tomorrow by 10 am, so please advise on the status of the paperwork as soon as you can.

Thank you,
Mary Frances

Mary Frances Repko
Minority Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Sent: 1/26/2021 7:31:09 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat meeting with Regan?
Attachments: Harry Brower Jr. WSJ OpEd Goldman Sachs to Native Alaskans -- Drop Dead.pdf

Hey Radha—My boss wanted to pass on this op-ed from the North Slope Borough Mayor in preparation for the 4 pm call with Secretary Regan.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, January 25, 2021 12:19 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Time to chat meeting with Regan?

Ringing you now!

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Monday, January 25, 2021 12:14 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Regan?

Sure. Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, January 25, 2021 11:40 AM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Time to chat meeting with Regan?

YOOOOo so good to hear from you! Can give you a ring now if that works!

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Monday, January 25, 2021 11:30 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Regan?

Hey and Congrats! I should be around this afternoon. I am tied up from 1:30 to 2:30 and after 4:45 pm. What time works for you?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, January 24, 2021 9:32 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: Time to chat meeting with Regan?

Hey Pierce!

I hope all is well with you and your family during these tough times! I just joined EPA and while I'll miss seeing you in EPW am thrilled my boss has a meeting with your this week. Do you have 5 minutes to chat beforehand- can you fit me in tomorrow- to make sure my boss is prepared to meet yours?

Looking forward to catching up,
Radha

THE WALL STREET JOURNAL.

OP-ED: Goldman Sachs to Native Alaskans: Drop Dead

The bank claims to value 'stakeholder engagement' but dropped Arctic drilling without consulting us.

By Harry Brower Jr.
Jan. 24, 2020
https://on.wsj.com/37ZMBQl

As the mayor of Alaska's North Slope Borough, I represent about 10,000 people in an area larger than most states. Beneath our lands are some of the largest oil and gas reserves in the world, including Prudhoe Bay and the coastal plain of the Alaska National Wildlife Refuge.

Since the 19th century, when our Inupiat ancestors made initial contact with the West, we have worked to maintain a balance between the modern world and our rich cultural inheritance. Largely because of the oil and gas under our lands, which are developed using the highest environmental standards, we have come far. My biggest fear is that we will be set back in our quest—this time by those who claim to care about us but are using my lands and my people as symbols for a larger political goal.

Last month, Goldman Sachs announced it will no longer fund oil and gas development in the Arctic region. The announcement came as a shock to me and my constituents, particularly because the New York-based investment bank claims "stakeholder engagement" and "consultation" with indigenous peoples are core business principles. No one will be more affected by Goldman Sachs's decision than the people of Alaska's North Slope, yet we learned about it in the media.

By ignoring the concerns of Alaska Natives and basking in positive publicity, Goldman Sachs demonstrated the condescending, subtly racist attitude that too often has been the hallmark of the way Westerners deal with indigenous people. Had anyone at Goldman Sachs bothered to ask us what we thought about funding energy plays on the North Slope, here's what we would have said:

From the time of Western contact until we were able to claim the rights to our lands, the people of the North Slope and other indigenous Alaskan communities suffered and lived under horrific conditions. In 1953, researchers from the University of Pittsburgh traveled throughout rural Alaska conducting a health survey. The visitors were shocked by what they found.

"The indigenous peoples of Native Alaska are the victims of sickness, crippling conditions and premature death to a degree exceeded in very few parts of the world," the team wrote. "Among them, health problems are nearly out of hand." They documented "the large numbers of the tuberculosis [sufferers], the crippled, the blind, the deaf, the malnourished and the desperately ill."

These were my direct forbears—including my mother—and the ancestors of many who still live on the North Slope. In the face of such desperate poverty, our ancestors—some still alive—organized to get access to our lands and resources. Elders, including my father, helped organize Alaska Natives throughout the state. They formed associations. They started a newspaper.

They traveled to Washington in large numbers, some even sleeping in tents outside, to lobby Congress for the Alaska Native Claims Settlement Act of 1971, the largest lands claim act in history. The act transferred ownership of what had been federal land to the indigenous people who lived there and paved the way for North Slope oil production as well as logging, mining and fishing rights in other areas of the state.

I'm proud that Prudhoe Bay has produced 18 billion barrels of oil since 1977, contributing billions of dollars to state coffers and funding development in Native Alaskan communities. Today I see fellow residents becoming doctors, lawyers, teachers and engineers. Some, like me, have become whaling captains.

We have a long way to go to enjoy the amenities that most people in the "lower 48" take for granted. But thanks to oil production, our children are no longer forced to live hundreds of miles away from their families simply to attend high school. We are able to eat our native foods, practice our native ceremonies and speak in our native tongues. Many of us now live near a cutting-edge medical clinic. We can heat our homes, turn on our lights with a flick of the switch, and in some cases we even have indoor plumbing. We are no longer one whaling hunt from starvation.

We are able to have all this because we treasure and protect our land and wildlife—the resources that executives and environmental groups in cities thousands of miles away claim to care about. The way we see it, caring about the land and wildlife should also mean caring about the indigenous people who inhabit the land—and that means knowing us, which Goldman Sachs hasn't bothered to do. We aren't hungry for oil, we are hungry for progress and understanding from those on the East Coast and beyond. We don't need your protection or judgment. We need your respect. We need to be treated like fellow Americans.

Goldman Sachs says its decision to forgo participation in Arctic drilling projects was born of a desire to fight climate change. But given its business interests in oil-producing states around the world, including involvement in last year's initial public offering of Saudi Arabia's oil company, Aramco, that can't be true.

Goldman executives are simply looking to curry political favor with powerful green interests. The cost of Goldman Sachs's hypocrisy will be paid by my people, who may soon be on a path back to the deprivation and hardship our ancestors worked so hard to leave behind.

Mr. Brower, a whaling captain, was elected mayor of Alaska's North Slope Borough in 2016.

Message

From: Watts, John (Feinstein) [John_Watts@feinstein.senate.gov]
Sent: 1/26/2021 6:04:24 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Letter from Senator Feinstein to Acting EPA Administrator Nishida
Attachments: Feinstein to EPA 1-26-21 letter with attachments.pdf

Radha,

Congratulations on your appointment to EPA! We will miss you here in the Senate, but we are glad you are not far away.

I have attached a letter from Senator Feinstein to Acting Administrator Jane Nishida. Can you confirm that you received the letter and will distribute it?

Thank you very much!

I am at Ex. 6 Personal Privacy (PP) if you have any questions.

John

U.S. SENATOR DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON THE JUDICIARY - RANKING MEMBER
SELECT COMMITTEE ON INTELLIGENCE
COMMITTEE ON APPROPRIATIONS
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

January 26, 2021

Jane Nishida
Acting Administrator, Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Acting Administrator Nishida,

I write to urge the Environmental Protection Agency (EPA) to expeditiously review requests from the company Intelligent Fabric Technologies North Americas (IFTNA) to approve labeling claims for two products that your agency has already registered and determined to be safe under the Pesticide Registration Improvement Act.

The two products are Protx2 W and Protx2 AV (EPA Reg. Nos. 87246-7 and 87246-8), and they are antimicrobial, antifungal, and antibacterial chemicals that are injected into hospital scrubs, gloves, and other clothing to remove the virus that causes COVID-19 and the bacteria that causes Staphylococcus aureus (staph infections) and other serious diseases. EPA's approval of the labeling claims for these products could help reduce disease transmission in hospitals.

The Pesticide Registration Improvement Act establishes a four-month review timeline under code A570 for products that have been approved and now require approval of labeling claims. I understand that this four-month timeline has been exceeded for both products based on EPA's need for more information to evaluate the claims, an administrative backlog, and other reasons. (See attached claim review timelines submitted by IFTNA.)

IFTNA has informed my staff that on November 24, 2020, EPA had already told the company the labeling claims it would approve for Protx2 W. (See attached November 24, 2020 email from EPA.) Given that EPA has already determined the appropriate claims for Protx2 W, and both Protx2 W and Protx2 AV could help reduce disease transmission in hospitals, I ask that EPA expeditiously review the labeling claims for these products. I appreciate your attention to this matter.

Sincerely,

Dianne Feinstein
United States Senator

DF:jw
Enclosures

Timeline for EPA Review of Claims Regarding Protx2 W (EPA Reg No. 87246-7)
Prepared by Intelligent Fabric Technologies North America

Protx2 W is an antifungal and antibacterial product that is based on the precedent product EPA Reg No. 88721-1. Protx2 W has been on the market since 2014 and previously under a different product name. The purpose of this submission was to add label claims to make stronger claims including preventing the growth of/ kill >99.9% of Staphylococcus aureus, Klebsiella Pneumoniae and Staphylococcus aureus (ATCC 33592) (MRSA) on its surface at 1 hr, with continuous kill at2 hr, 6 hrs & 24 hrs (or for up to 24 hrs). The main issue EPA had with this had to do with product performance and a few of the data points (as detailed below) not hitting the 99.9% reduction in every case out of approximately 90 data sets in triplicate testing, which is to be expected with triplicate testing. IFTNA was willing to adjust claims as per EPA instruction and data submitted.

Date	Event	Notes
March 3, 2020	Michael Yanchulis (information Service Branch, EPA) emailed confirming receipt of Hard Copy Application	Intertek submitted through CDX at end of January, there were issues in general with the online portal (multiple clients) which is why Intertek instead submitted a hard copy of the application which arrived March 3, 2020.
June 24, 2020	Received PRIA Tracking email to provide review date end of July 27th 2020.	After several emails, between Intertek and EPA Gopal Sarngadharan, Christopher Green and Steven Snyderman where we responded to the requests for clarification, additional signatures and edits and due to now working from home due to the pandemic to resubmit via email directly to Gopal as requested by the EPA.
June 19, 2020	Email from Perri Moeller Requesting timeline Renegotiation	The negotiation was for the PRIA timeline to start the day the PRIA timeline was supposed to end (email provided) Start Date: July 27, 2020 45-Day Due Date: September 10, 2020 Pre-Decisional Due Date: November 2, 2020 Due Date: November 16, 2020
June 26, 2020	Perri Moeller requests Intertek uploads all documents to CDX	In order to ensure all documents were being reviewed properly Perri requested we re upload all documents to CDX again since the original submission was paper.
July 10, 2020	Intertek reuploads documents as requested by Perri after we agree to a new timeline end date of **PRIA due date of October 16**	
October 6, 2020	Receive email from Perri with the Efficacy teams findings.	Email provided. The team does not think that the data supports the claims requested by IFTNA due to a few data points out of ~

		90 data points. Request to remove claims (purpose of submission), withdrawal, or rejected (Not Grant Decision)
October 7, 2020	IFTNA/ Terry Gaffney sends a Request for a call to address Efficacy team's results.	
October 13, 2020	Call to discuss efficacy team's findings	Present on Call: Joseph Varco EPA Perri Moeller EPA Samantha Collins EPA Thao Pham EPA Terry Gaffney, The life sciences group Raquel Tranquada, Intertek Giancarlo Beevis, IFTNA Jason Garay, IFTNA
October 16, 2020	IFTNA requested an extension EPA denied extension request Withdrawal letter sent to Perri and call requested as pre-submission call with EPA.	Wanted to know what claims would be allowed based on data submitted.
November 3, 2020	Call with EPA: Pre-submission Call	Present on Call: Joseph Varco EPA Perri Moeller EPA Samantha Collins EPA Thao Pham EPA John Herbert EPA Kirstin Willis EPA Ibrahim Laniyan EPA Aiden Fife EPA Terry Gaffney, The life sciences group Raquel Tranquada, Intertek Jessica Walsh Intertek Giancarlo Beevis, IFTNA Jason Garay, IFTNA Meeting Minutes prepared by EPA attached.
November 6, 2020	IFTNA submitted the proposed hand tag and master label as an action outcome from the call	EPA said they would provide feedback on what claims would be acceptable within 2 weeks of receiving these items.
November 24, 2020	EPA Provided confirmation of what claims would be supported	As per email provided and let us know to resubmit the application.
December 1, 2020	A570 Application with new claims submitted via CDX	
December 2, 2020	Giancarlo requests an expedited review.	EPA says they cannot support this.
December 9, 2020	Intertek investigates status of application & resubmits the application as per the	Intertek had not received any PRIA milestones or emails from EPA, as such reached out to CDX helpdesk to determine 3

	request of CDX helpdesk via chat (no email proof)	submission (two IFTNA submissions, one other) were bumped out of the system- CDX helpdesk is unsure what has occurred and recommends resubmitting. Intertek re-submits the application.
January 6, 2020	Auto-generated email PRIA tracking Milestone received providing the PRIA due date is 30-April-21	After email correspondence with Tiffany Tran and Christopher Green of EPA we received the PRIA tracking.

Timeline for EPA Claims Review for Protx2 AV (EPA Reg. No. 87246-8)
Prepared by Intelligent Fabric Technologies North America

Protx2 AV is a repack of an already registered Antimicrobial product (EPA Reg. No. 1258-1253). The purpose of the submission was to request an expedited review of the product to add Covid-19 Claims to the label (PRIA Code A570). In order to do so the final advice provided is that we had to also provide data that supported broad spectrum data, which IFTNA has and provided in all submissions.

The main issue that was not addressed in time with the EPA was regarding the broad-spectrum results being in an inappropriate format with some missing administrative details, the results were provided. The lab was able to update and provide a more thorough report as requested by EPA.

Date	Event	Notes
April-May 2020	Corresponded with Steven Snyderman, Acting Product Manager Antimicrobials Division, Team 33 EPA regarding path forward with SARS-CoV-2 Claims	While the product was being reviewed for Re-registration (explained below) Intertek reached out on behalf of IFTNA to determine appropriate and quickest path forward to add SARS-CoV-2 Claims to the application. Email dated May 14, 2020 provided shows Mr. Snyderman's recommendation of what specifically to submit to support the application.
June 26, 2020	Received Re-Registration of the Protx2 AV	This product was previously reviewed for safety, efficacy etc. registered under EPA Reg. No. 87246-5) and cancelled by IFTNA. Since there was now a need for the product, they re-registered it. This registration went through smoothly.
June 26, 2020	Email from Stacey Grigsby Risk Manager, Team 34, Antimicrobials Division EPA proposing a call to discuss the SARS-CoV-2 claims	Email attached (June 26th)
August 26, 2020	Call scheduled with EPA to discuss the efficacy claims requested and what IFTNA should provide.	Attendees: Kirsten Willis EPA Thao Pham EPA Samantha Collins EPA Jacqueline Hardy EPA Walt Sanders P. Terrence Gaffney The Life Science Law Group Giancarlo Beevis IFTNA Raquel Tranquada Intertek Jason Garay IFTNA Outcome: On the call they mentioned what specifically the EPA wanted and asked us to send them what was previously provided to Mr. Snyderman.

August 27, 2020	Resubmitted Application for expedited Label Amendment to the EPA.	Decision # 566025, on the same day asked to resubmit differently so that the system can recognize it on their end.
September 23, 2020	Aline Heffernan followed up with questions she had sent via email with an official Letter requesting information and **10 business days** (letter provided) to respond.	Intertek confirmed receipt Sept 24th. One of the requests was to have Intertek provide an updated report so that it resembled a GLP report more closely. China was on national holiday as of September 29th until Oct 8th and could not address our concerns before holiday.
October 6, 2020	Aline emailed informing us we had "passed our 10 days", however we still had one more business day.	Intertek Replied and Aline emailed Oct 7th (provided) stating that since we could not provide ALL required information within 10 days we had to withdraw.
October 13, 2020	Aline let us know the only way to move forward would be to withdraw and resubmit or be rejected	Email string provided.
October 16, 2020	Withdrawal Letter sent to EPA.	
October 17 2020	Resubmit application for a second time with the updated reports as requested by EPA.	
December 9, 2020	Intertek investigates status of application & resubmits the application as per the request of CDX helpdesk via chat (no email proof)	Intertek had not received any PRIA milestones or emails from EPA, as such reached out to CDX helpdesk to determine 3 submission (two IFTNA submissions, one other) were bumped out of the system- CDX helpdesk is unsure what has occurred and recommends resubmitting. Intertek re-submits the application for a third time.
December 31, 2020	PRIA tracking Milestone provided, Expected due date April 21, 2021.	After some clarifying question from Aline Heffernan and Christopher Green, PRIA milestone provided.
January 15, 2020	Intertek to provide response to EPA questions sent by Perri Moeller.	To be sent by EOD January 15th.

From: Moeller, Perri
To: Raquel Tranquada
Cc: Giancarlo Beevis; Terry Gaffney; Jessica Walsh Intertek
Subject: [External] RE: 87246-7 Follow Up to teleconference Phone Call
Date: Tuesday, November 24, 2020 9:36:16 AM
Attachments: image001.png
image002.png

Hi Raquel,
Thank you for reaching out. I have just received word from the efficacy team. They have indicated that based on the data set, these are the conditions and claims that would be supported:
-Disposable product, sealed, individually packaged items
-24 hour claim after 2 hours –(example: "kills 99.9% bacteria after 2 hours for up to 24 hours")
-For polyester and poly/cotton blend (up to 50/50%) fabrics only
Please let me know if you have any further questions related to this and I will be happy to answer them!
Have a warm and safe Thanksgiving,
Perri

From: Raquel Tranquada <raquel.tranquada@intertek.com>
Sent: Monday, November 23, 2020 5:35 PM
To: Moeller, Perri <Moeller.Perri@epa.gov>
Cc: Giancarlo Beevis <gc@iftna.com>; Terry Gaffney <tg@thelslg.com>; Jessica Walsh Intertek <jessica.ann.walsh@intertek.com>
Subject: RE: 87246-7 Follow Up to teleconference Phone Call
Hi Perri,
I hope you are keeping safe.
Just checking in to see if the team has provided a path forward after their review last week. If they haven't had a chance yet please let us know an approximate timeline ?
Kind regards,
Raquel

Raquel Tranquada, HBSc.
Regulatory Associate II
Chemicals Group
Health, Environmental & Regulatory Services (HERS)
Direct +1 905 286 4138
Office +1 905 542 2900 ext. 0238
www.intertek.com [gcc01.safelinks.protection.outlook.com]

Intertek, 2233 Argentia Rd., Suite 201 W, Mississauga, ON L5N 2X7

A picture containing diagram Description automatically generated

[gcc01.safelinks.protection.outlook.com]

This e-mail message is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.
Intertek Health Environmental & Regulatory Services is a global leader in delivering expert scientific, toxicological, and regulatory consulting services that help companies to assess the safety of their products and to understand and comply with a variety of regulatory approval and reporting requirements. Any regulatory guidance provided will not constitute an exemption from any other relevant laws or regulations that are in force. Intertek Health Environmental & Regulatory Services is not a law firm, and, as such, we are not authorized to practice law or to represent that we do so. The information provided should not be construed as an opinion of counsel or legal opinion.

From: Moeller, Perri <Moeller.Perri@epa.gov>
Sent: Thursday, November 19, 2020 3:07 PM
To: Raquel Tranquada <raquel.tranquada@intertek.com>
Subject: [External] RE: 87246-7 Follow Up to teleconference Phone Call

Hi Raquel,

Thanks for following up! Attached are the official EPA meeting notes, and the efficacy team had a meeting about it yesterday. As soon as I get the information from them regarding their decision, I will send it right over to you.
Sincerely,
Perri Moeller
^^^ 87246-7 Meeting Minutes 11.03.2020 Intertek.pdf^^^

From: Raquel Tranquada <raquel.tranquada@intertek.com>
Sent: Wednesday, November 18, 2020 9:43 AM
To: Moeller, Perri <Moeller.Perri@epa.gov>
Subject: RE: 87246-7 Follow Up to teleconference Phone Call

Hi Perri,
I hope you are well! I am just checking in, I know we haven't hit our two weeks yet, but the client is wondering if we will still meet the 2 week turnaround as it brings us to this week.
Also, just checking in on the meeting minutes- apologies if this was already sent. This is not a rush just checking to make sure I didn't miss it and of course the client is more interested in the feedback on label claims.
Thanks again,
Raquel

Raquel Tranquada, HBSc.
Regulatory Associate II
Chemicals Group
Health, Environmental & Regulatory Services (HERS)
Direct +1 905 286 4138

Office +1 905 542 2900 ext. 0238
www.intertek.com [gcc01.safelinks.protection.outlook.com]
[gcc01.safelinks.protection.outlook.com]

Intertek, 2233 Argentia Rd., Suite 201 W, Mississauga, ON L5N 2X7

A picture containing diagram Description automatically generated

[gcc01.safelinks.protection.outlook.com] [gcc01.safelinks.protection.outlook.com]

This e-mail message is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.
Intertek Health Environmental & Regulatory Services is a global leader in delivering expert scientific, toxicological, and regulatory consulting services that help companies to assess the safety of their products and to understand and comply with a variety of regulatory approval and reporting requirements. Any regulatory guidance provided will not constitute an exemption from any other relevant laws or regulations that are in force. Intertek Health Environmental & Regulatory Services is not a law firm, and, as such, we are not authorized to practice law or to represent that we do so. The information provided should not be construed as an opinion of counsel or legal opinion.

From: Moeller, Perri <Moeller.Perri@epa.gov>
Sent: Friday, November 6, 2020 11:05 AM
To: Raquel Tranquada <raquel.tranquada@intertek.com>
Cc: Giancarlo Beevis <gc@iftna.com>; Jessica Walsh Intertek <jessica.ann.walsh@intertek.com>; Garay, Jason <jgaray@deloitte.ca>; Terry Gaffney <tg@thelslg.com>
Subject: [External] RE: 87246-7 Follow Up to teleconference Phone Call

Dear Raquel,
Thank you for sending this along to us! And so quickly too! I have shared it with my colleagues and we will get back to you if we have any further questions.
Additionally, please keep your eyes peeled for official meeting minutes which we will send to you.
Sincerely,
Perri Moeller

From: Raquel Tranquada <raquel.tranquada@intertek.com>
Sent: Wednesday, November 4, 2020 5:28 PM
To: Moeller, Perri <Moeller.Perri@epa.gov>
Cc: Giancarlo Beevis <gc@iftna.com>; Jessica Walsh Intertek <jessica.ann.walsh@intertek.com>; Garay, Jason <jgaray@deloitte.ca>; Terry Gaffney <tg@thelslg.com>
Subject: 87246-7 Follow Up to teleconference Phone Call

Hi Perri,
Thank you to you and your team for taking the time to speak with us yesterday regarding next steps. We appreciate that your team is willing to review the efficacy submitted and proposed label to determine what claims can be made. We understand based on our call that the feedback on this

may take up to two weeks.
Please find attached IFTNA's proposed hand tag and master label. As mentioned on the call we are open to editing it as your team sees fit based on the efficacy results. At this time the items will be tagged individually, however, it is possible in the future multipacks may be an option.
Kindly advise if you have any questions.
Kind regards,
Raquel

Raquel Tranquada, HBSc.
Regulatory Associate II
Chemicals Group
Health, Environmental & Regulatory Services (HERS)
Direct +1 905 286 4138
Office +1 905 542 2900 ext. 0238
www.intertek.com [gcc01.safelinks.protection.outlook.com]
[gcc01.safelinks.protection.outlook.com] [gcc01.safelinks.protection.outlook.com]

Intertek, 2233 Argentia Rd., Suite 201 W, Mississauga, ON L5N 2X7

A picture containing diagram Description automatically generated

[gcc01.safelinks.protection.outlook.com] [gcc01.safelinks.protection.outlook.com]
[gcc01.safelinks.protection.outlook.com]

This e-mail message is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.
Intertek Health Environmental & Regulatory Services is a global leader in delivering expert scientific, toxicological, and regulatory consulting services that help companies to assess the safety of their products and to understand and comply with a variety of regulatory approval and reporting requirements. Any regulatory guidance provided will not constitute an exemption from any other relevant laws or regulations that are in force. Intertek Health Environmental & Regulatory Services is not a law firm, and, as such, we are not authorized to practice law or to represent that we do so. The information provided should not be construed as an opinion of counsel or legal opinion.

Total Quality. Assured.

CONFIDENTIALITY NOTICE

This email may contain confidential or privileged information, if you are not the intended recipient, or the person responsible for delivering the message to the intended recipient then please notify us by return email immediately. Should you have received this email in error then you should not copy this for any purpose nor disclose its contents to any other person.

http://www.intertek.com [gcc01.safelinks.protection.outlook.com] [gcc01.safelinks.protection.outlook.com]
[gcc01.safelinks.protection.outlook.com]

This message is from an EXTERNAL SENDER - please be CAUTIOUS, particularly with links and

attachments.

This message is from an EXTERNAL SENDER - please be CAUTIOUS, particularly with links and attachments.

This message is from an EXTERNAL SENDER - please be CAUTIOUS, particularly with links and attachments.

Message

From: Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]
Sent: 1/26/2021 9:10:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat meeting with Regan?

Sorry I am calling our scheduler to try and get him on the line ASAP.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 2:41 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Time to chat meeting with Regan?

Thanks Pierce!

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Tuesday, January 26, 2021 2:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Regan?

Hey Radha—My boss wanted to pass on this op-ed from the North Slope Borough Mayor in preparation for the 4 pm call with Secretary Regan.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, January 25, 2021 12:19 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Time to chat meeting with Regan?

Ringing you now!

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Monday, January 25, 2021 12:14 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Regan?

Sure. Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, January 25, 2021 11:40 AM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Time to chat meeting with Regan?

YOOOOo so good to hear from you! Can give you a ring now if that works!

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Monday, January 25, 2021 11:30 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat meeting with Regan?

Hey and Congrats! I should be around this afternoon. I am tied up from 1:30 to 2:30 and after 4:45 pm. What time works for you?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, January 24, 2021 9:32 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: Time to chat meeting with Regan?

Hey Pierce!

I hope all is well with you and your family during these tough times! I just joined EPA and while I'll miss seeing you in EPW am thrilled my boss has a meeting with your this week. Do you have 5 minutes to chat beforehand- can you fit me in tomorrow- to make sure my boss is prepared to meet yours?

Looking forward to catching up,
Radha

Message

From: Gillison, Jacob (Sanders) [Jacob_Gillison@sanders.senate.gov]
Sent: 1/27/2021 1:01:07 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, Biden-Harris nominee

Good morning,

I will look into it today and get back to you.

Jake

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, January 26, 2021 4:25 PM
To: Gillison, Jacob (Sanders) <Jacob_Gillison@sanders.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, Biden-Harris nominee

Thank you, Claire. Moved you to bcc.

Hi Jacob – please let me know if Senator Sanders has time this week to connect for an introductory call with Michael Regan, nominee for EPA Administrator.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:33 AM
To: Gillison, Jacob (Sanders) <jacob_gillison@sanders.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, Biden-Harris nominee

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

On Tue, Dec 22, 2020 at 2:58 PM Claire Reuschel <creuschel@jbrpt.org> wrote:

> Jacob-
> I am reaching out on behalf of the Biden-Harris transition team to set up a meeting via video or phone between Senator Sanders and Michael Regan, nominee for EPA Administrator. Please let me know what would work for your boss. Thank you.
>
> Claire Reuschel

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/27/2021 6:51:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]
CC: Tulou, Christophe (EPW) [Christophe_Tulou@epw.senate.gov]; Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Subject: RE: Invitation for Secretary Regan
Attachments: 012721 Invitation Ltr to Michael Regan.pdf

Apologies, correcting Radha's address.

From: Repko, Mary Frances (EPW)
Sent: Wednesday, January 27, 2021 1:49 PM
To: Adhar, Radha (Duckworth) <Radha_Adhar@duckworth.senate.gov>; Dan Utech (utech.dan@epa.gov) <utech.dan@epa.gov>
Cc: Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Invitation for Secretary Regan

Dan and Radha,

Attached please find the letter of invitation for Secretary Regan to appear before the EPW Committee on February 3 at 2 pm.

Please reach out with any questions, and Caroline cc'd above should receive the Secretary's testimony.

Mary Frances Repko
Minority Staff Director
U.S. Senate Committee on Environment and Public Works

United States Senate

WASHINGTON, DC 20510

January 27, 2021

Michael S. Regan
Secretary
North Carolina Department of Environmental Quality
2600 Glenwood Avenue, Apt. 304
Raleigh NC 27608

Dear Mr. Regan:

On behalf of the Senate Committee on Environment and Public Works, we would like to invite you to testify before the Committee on Wednesday, February 3, 2021, beginning at 2:00 p.m. in Room 106 of the Dirksen Senate Office Building. The purpose of this hearing is to consider your nomination to be Administrator of the Environmental Protection Agency.

In order to maximize the opportunity to discuss this matter with you, we ask that your oral testimony be limited to five minutes. Your written testimony can be comprehensive and will be included in the printed record in its entirety, together with any other materials you would like to submit.

Please email a copy of your testimony to Caroline_Jones@epw.senate.gov 48 hours in advance of the hearing. Please include a brief biography with photo. If you plan to use or refer to any charts, graphs, diagrams, photos, maps or other exhibits in your testimony, please include an electronic or hard copy in your advance submissions. Exhibits or other materials that are not provided to the Committee by this time cannot be used for the purpose of presenting testimony.

If you have any questions about this invitation or the hearing, please feel free to contact Adam Tomlinson, Republican Staff Director, at (202) 224-6176, or Mary Frances Repko, Democratic Staff Director, at (202) 224-8832.

Sincerely,

Shelley Moore Capito

Shelley Moore Capito

Tom Carper

Thomas R. Carper

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 1/27/2021 7:26:16 PM
To: Frye, Tony (Robert) [frye.robert@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Letter on Multi-Metal Air Monitoring at Veolia North America-Trade Waste Incineration Facility
Attachments: 21.01.27 - Senator Duckworth Letter to Acting Administrator Nishida - Multi-Metal Air Monitoring Requirement in Sauget, IL.pdf

Good Afternoon,

Attached please find a letter for Acting Administrator Jane Nishida on a request for multi-metal emissions monitoring at the Veolia North America-Trade Waste Incineration facility.

Thank you,
Chelsea

Chelsea McDonald
Legislative Aide
Office of Senator Tammy Duckworth

TAMMY DUCKWORTH
ILLINOIS

United States Senate

January 27, 2021

VIA ELECTRONIC DELIVERY

Ms. Jane Nishida
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Acting Administrator Nishida:

I write to request the U.S. Environmental Protection Agency (EPA) install multi-metal emissions monitoring at the Veolia North America-Trade Waste Incineration (Veolia-TWI) facility in Sauget, Illinois. My urgent request follows an alarming disclosure my office received from the U.S. Department of Health and Human Services' Agency for Toxic Substances and Disease Registry (ATSDR).

In October 2019, I requested ATSDR conduct a health consultation in Sauget, Illinois to evaluate the Veolia-TWI facility's adverse impact on the public health of the local community. In response to my request, ATSDR discovered there was "no recent air sampling data for metals that was collected in or near the communities close to the facility," and concluded, "The lack of recent air monitoring data means that we cannot determine the concentration of metals that people are currently inhaling or the associated health risks." This is deeply troubling.

My constituents in Sauget deserve environmental justice. ATSDR's inability to conduct a meaningful public health evaluation in Sauget because of the lack of community-based environmental information for the facility is wrong and a consequence of the Trump administration drastically weakening air monitoring requirements for the Veolia-TWI facility to only cover mercury emissions.

Good government requires good data. I strongly urge EPA take corrective action to require the Veolia-TWI facility to install multi-metal emissions monitors that are vital to safeguarding public health. Thank you in advance for your consideration of my urgent request.

Sincerely,

Tammy Duckworth
United States Senator

Message

From: Tulou, Christophe (EPW) [Christophe_Tulou@epw.senate.gov]
Sent: 1/27/2021 10:34:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]; Utech, Dan [Utech.Dan@epa.gov]
CC: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]; Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: RE: Methane CRA

Does for me.

And congratulations, Radha! Haven't had a chance to acknowledge this great new role for you. Look forward to working with you!

Christophe

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, January 27, 2021 5:21 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Methane CRA

Absolutely, happy too. Does 4:30 Friday work for y'all?

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Wednesday, January 27, 2021 2:03 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Methane CRA

Radha,

I am sorry for my delay.

Today ended up not working all that well, would you be able to send some windows for Thursday and Friday?

-Mary Frances

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 10:14 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
Cc: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Methane CRA

Hi MF,

Do you mind sharing if tomorrow at 11:30, 2:30 or 3:30 works for y'all? If not, please let me know!

Thanks always,
Radha

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Tuesday, January 26, 2021 9:24 PM
To: Utech, Dan <Utech.Dan@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Methane CRA

Hi Dan and Radha,

Understand from a conversation earlier today that Adrian talked to Dan and Joe about a methane CRA.

We'd like to talk at well at a time that is convenient. Please let us know when that might work, and we can provide a conference line.

Thanks,
Mary Frances

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/28/2021 2:49:26 AM
To: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]; Tulou, Christophe (EPW) [Christophe_Tulou@epw.senate.gov]; Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: RE: Methane CRA

The 4:30 time doesn't work for me, but given that it does work for my staff, I am going to let them proceed.

Radha, let's try to connect before, if we can.

From: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>
Sent: Wednesday, January 27, 2021 6:08 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Re: Methane CRA

4:30 works for me too.

Sent from my iPhone

> On Jan 27, 2021, at 5:22 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Absolutely, happy too. Does 4:30 Friday work for y'all?
>
> ---
>
> **From:** Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
> **Sent:** Wednesday, January 27, 2021 2:03 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>
> **Cc:** Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
> **Subject:** RE: Methane CRA
>
> Radha,
>
> I am sorry for my delay.
>
> Today ended up not working all that well, would you be able to send some windows for Thursday and Friday?
>
> -Mary Frances
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Tuesday, January 26, 2021 10:14 PM
> **To:** Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Utech, Dan <Utech.Dan@epa.gov>
> **Cc:** Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW)

<Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Methane CRA

Hi MF,

Do you mind sharing if tomorrow at 11:30, 2:30 or 3:30 works for y'all? If not, please let me know!

Thanks always,
Radha

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Tuesday, January 26, 2021 9:24 PM
To: Utech, Dan <Utech.Dan@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>; Tulou, Christophe (EPW) <Christophe_Tulou@epw.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Methane CRA

Hi Dan and Radha,

Understand from a conversation earlier today that Adrian talked to Dan and Joe about a methane CRA.

We'd like to talk at well at a time that is convenient. Please let us know when that might work, and we can provide a conference line.

Thanks,
Mary Frances

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Watts, John (Feinstein) [John_Watts@feinstein.senate.gov]
Sent: 1/28/2021 3:28:29 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; OCIRmail [OCIRmail@epa.gov]
Subject: FW: Letter from Senator Feinstein to Acting EPA Administrator Nishida
Attachments: Feinstein to EPA 1-26-21 letter with attachments.pdf

Good morning. On Tuesday, I emailed the attached letter from Senator Feinstein to Acting Administrator Nishida, per the below email.

Can someone confirm that you have received the letter and distributed it?

Thank you.

I am at Ex. 6 Personal Privacy (PP) if you have any questions.

John Watts
Senior Counselor to Senator Dianne Feinstein

From: Watts, John (Feinstein)
Sent: Tuesday, January 26, 2021 1:04 PM
To: adhar.radha@epa.gov
Subject: Letter from Senator Feinstein to Acting EPA Administrator Nishida

Radha,

Congratulations on your appointment to EPA! We will miss you here in the Senate, but we are glad you are not far away.

I have attached a letter from Senator Feinstein to Acting Administrator Jane Nishida. Can you confirm that you received the letter and will distribute it?

Thank you very much!

I am at Ex. 6 Personal Privacy (PP) if you have any questions.

John

Message

From: Watts, John (Feinstein) [John_Watts@feinstein.senate.gov]
Sent: 1/28/2021 5:13:19 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letter from Senator Feinstein to Acting EPA Administrator Nishida

Radha,

Thanks – and we are very glad you are helping us all out over at EPA.

John

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, January 28, 2021 11:51 AM
To: Watts, John (Feinstein) <John_Watts@feinstein.senate.gov>
Subject: RE: Letter from Senator Feinstein to Acting EPA Administrator Nishida

John, thank you SO much for your kind note. I apologize for having not responded earlier, and wanted to assure you we have received and distribued it!

Hope to be in touch, and don't be a stranger!

Radha

From: Watts, John (Feinstein) <John_Watts@feinstein.senate.gov>
Sent: Tuesday, January 26, 2021 1:04 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Letter from Senator Feinstein to Acting EPA Administrator Nishida

Radha,

Congratulations on your appointment to EPA! We will miss you here in the Senate, but we are glad you are not far away.

I have attached a letter from Senator Feinstein to Acting Administrator Jane Nishida. Can you confirm that you received the letter and will distribute it?

Thank you very much!

I am at Ex. 6 Personal Privacy (PP) if you have any questions.

John

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/28/2021 5:47:25 PM
To: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]
Subject: RE: EPW/EPA check in

Yes, I have moved my schedule around.

-----Original Message-----
From: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>
Sent: Thursday, January 28, 2021 12:34 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Utech, Dan <Utech.Dan@epa.gov>; Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>
Subject: Re: EPW/EPA check in

MF is trying to move around her schedule to make it.

Sent from my iPhone

> On Jan 28, 2021, at 12:29 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> Joe and Dan, can you please let me know if you can join this meeting? Laura and MFR need to touch base with us ASAP. MFR's calendar is unclear, but Laura can do this time and we need to get it scheduled as soon as possible.
> _____
> Microsoft Teams meeting
> Join on your computer or mobile app
> Click here to join the meeting Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

> By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.
> Learn

Ex. 6 Personal Privacy (PP)

> _____
>

Message

From: Thompson, Janie [Janie.Thompson@mail.house.gov]
Sent: 1/28/2021 6:29:45 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: introducing House Science staff

Ok great! talk to you tomorrow

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, January 28, 2021 1:20 PM
To: Thompson, Janie <Janie.Thompson@mail.house.gov>
Subject: RE: introducing House Science staff

Thank you! Book me for 2!

From: Thompson, Janie <Janie.Thompson@mail.house.gov>
Sent: Thursday, January 28, 2021 1:13 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: RE: introducing House Science staff

No problem, how about 10:30 or 2 instead?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, January 28, 2021 1:06 PM
To: Thompson, Janie <Janie.Thompson@mail.house.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: RE: introducing House Science staff

Hey y'all,

I apologize, but do you mind sharing if the team has other availability tomorrow? I hate to inconvenience you but have to ask!

From: Thompson, Janie <Janie.Thompson@mail.house.gov>
Sent: Tuesday, January 26, 2021 12:21 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: RE: introducing House Science staff

Great. We'll call you on Teams then!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 12:16 PM

To: Thompson, Janie <Janie.Thompson@mail.house.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: RE: introducing House Science staff

Wonderful! Book me!

From: Thompson, Janie <Janie.Thompson@mail.house.gov>
Sent: Tuesday, January 26, 2021 12:15 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: RE: introducing House Science staff

How about 11 on Friday? We're all free then

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 10:50 AM
To: Thompson, Janie <Janie.Thompson@mail.house.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: RE: introducing House Science staff

Thank you for the note and kind introduction Janie! I would love to chat with you all when you have time. Do you mind sharing if we could touch base and introduce our selves Friday?
I can make my calendar work around yours.

Looking forward to working together,
Radha

From: Thompson, Janie <Janie.Thompson@mail.house.gov>
Sent: Tuesday, January 26, 2021 10:29 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Hooghan, Priyanka <Priyanka.Hooghan@mail.house.gov>; Linsmayer, Lauren <Lauren.Linsmayer@mail.house.gov>; Kovalovich, Aria <Aria.Kovalovich@mail.house.gov>; Schneider, Josh <Josh.Schneider@mail.house.gov>; Palasits, Sara <Sara.Palasits@mail.house.gov>; Cohen, Dylan <Dylan.Cohen@mail.house.gov>
Subject: introducing House Science staff

Radha,

Congratulations on your new post! I'm so excited for you. And the rest of the political team at EPA…I mean seriously, what an all-star cast.

By way of introduction, here are the other SST staff that do work in the EPA space:

Priyanka Hooghan is the Subcommittee staff director for Environment and Lauren Linsmayer and Aria Kovalovich work on her team.

Josh Schneider, Sara Palasits and Dylan Cohen are both part of the Investigations subcommittee with me.

Everybody is cc'd here. I imagine you're still getting sea legs but maybe we can hop on the phone sometime to talk about shared priorities. E.g. how to dispense with the Transparency Rule as quickly as possible! Looking forward to working together --

Janie

Janie Wise Thompson
Staff Director
Subcommittee on Investigations & Oversight
House Committee on Science, Space & Technology
4212 O'Neill House Office Building
Desk: 202-226-8892
Mobile: 865-382-1433

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 1/28/2021 8:00:06 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
Subject: RE: Sorry about that

Great, confirmed for Monday at 9:30a.

Conference line Ex. 6 Personal Privacy (PP) **ID** Ex. 6 Personal Privacy (PP) I will open the line a few minutes prior. Pierce, Cc'd, will be on the call as well.

Thank you again for your flexibility.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 2:53 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

A phone call Monday at 9:30am would be great!

Could you please share with Radha and I your conference line?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Thursday, January 28, 2021 1:40 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Monday works for us if it we can do before 12p EST, he has to be en route to the airport by 12:30p latest. Also, because he will be on his own he asked if we can just do a conference call instead of a zoom/webex. Is that ok? We are happy to use our line and host

---

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 1:00 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Thank you!

Kathleen C. Lance

Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Thursday, January 28, 2021 12:57 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Let me double check and get back to you ASAP, Monday is a little difficult for us logistically but let me see what I can do!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 12:46 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Hi Avery!

Does Senator Sullivan have any time available on Monday?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, January 28, 2021 12:40 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Sorry about that

Thanks Avery. I am looping in our Director of Scheduling to help with this effort.

Best,
Radha

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Wednesday, January 27, 2021 5:38 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Good evening,
Sorry again for the inconvenience, we really appreciate the opportunity to have them speak again!

Any chance Tuesday the 2nd at 6:00p EST or 6:30p is available?

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Wednesday, January 27, 2021 5:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>

Cc: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Subject: RE: Sorry about that

Of course. Avery can help with finding a time that works.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, January 27, 2021 5:29 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

No worries at all. If its possible, could we try one more time to get the bosses to chat?

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Tuesday, January 26, 2021 5:02 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Certainly: dss1@sullivan.senate.gov or sullivands1 Ex. 6

Again I am so sorry about the delay, I also didn't realize you all had a hard out at 4:30.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 4:41 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

Hey Pierce, can you help me get Senator Sullivan's email address? Secretary Regan would like to send him an email.

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Tuesday, January 26, 2021 4:27 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Sorry about that

Call me when you get a chance today or tomorrow.

Message

From: Merchant, Kusai [Kusai.Merchant@mail.house.gov]
Sent: 1/29/2021 3:09:32 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: EJ language

Sec.___ Environmental Justice Grants
a) IN GENERAL- In addition to amounts otherwise made available, there are appropriated, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, to advance the environmental justice purposes and objectives described in Executive Order 12898, as amended, in section 219 of presidential action entitled "Executive Order on Tackling the Climate Crisis at Home and Abroad," published January 27, 2021, and in the Environmental Protection Agency's Environmental Justice 2020 Action Agenda, published May 22, 2016;
b) Of the amounts provided in the preceding subsection, $49,000,000 shall be for grants and contracts, and up to $1,000,000 shall be available for related administrative purposes.

Message

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 1/29/2021 2:06:31 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: So you have me

Thanks. At office if you need me. Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 8:40 AM
To: Kane, John (EPW) <John_Kane@epw.senate.gov>
Subject: So you have me

Hey John,

Gonna try you this morning, but also wanted to make sure you have my email.

Message

From: Frede, Shannon (Cardin) [Shannon_Frede@cardin.senate.gov]
Sent: 1/29/2021 2:27:29 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

Sure, I've got a 9:30 so we'll talk fast!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 9:25 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: RE: Time to chat

Hey lady I am annoyingly jammed then and I apologize! Can could gran you for 5 now and then harass you later when yo'ure free?

From: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Sent: Friday, January 29, 2021 9:21 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Absolutely, I'm free at 10 or 11.

Shannon Frede
Environmental Policy Counsel
Office of Senator Ben Cardin (MD)
Remote Direct Line: (202) 440-2931

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 8:41 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: Time to chat

Hey Shannon,

I hope all is well! Do you have a second to chat this morning? Looking forward to catching up.

Let me know,
Radha

Message

From: Frede, Shannon (Cardin) [Shannon_Frede@cardin.senate.gov]
Sent: 1/29/2021 2:30:52 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

Bumped it back a bit if now suits!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 9:25 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: RE: Time to chat

Hey lady I am annoyingly jammed then and I apologize! Can could gran you for 5 now and then harass you later when yo'ure free?

From: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Sent: Friday, January 29, 2021 9:21 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Absolutely, I'm free at 10 or 11.

Shannon Frede
Environmental Policy Counsel
Office of Senator Ben Cardin (MD)
Remote Direct Line: (202) 440-2931

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 8:41 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: Time to chat

Hey Shannon,

I hope all is well! Do you have a second to chat this morning? Looking forward to catching up.

Let me know,
Radha

Message

From: Thompson, Janie [Janie.Thompson@mail.house.gov]
Sent: 1/29/2021 7:27:44 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: suggested questions we sent to Brian Eiler
Attachments: 21-1-26 Suggested Qs for Regan from SST.docx

Janie Wise Thompson
Staff Director
Subcommittee on Investigations & Oversight
House Committee on Science, Space & Technology
4212 O'Neill House Office Building
Desk: 202-226-8892
Mobile: 865-382-1433

TO: Brian Eiler
FROM: House Science Committee Democratic staff / [HYPERLINK "mailto:Janie.thompson@mail.house.gov"] / Ex. 6 Personal Privacy (PP)
RE: Suggested Questions for Michael Regan
DATE: January 26, 2021

On Scientific Integrity

EPA and other agencies have plainly politicized science over the last four years. The last two EPA Administrators have promulgated rulemakings that misrepresent the state of the science in order to achieve a pre-determined political outcome. The violations of scientific integrity will manifest as real-world harms to our environment and human health. There are two keys to restoring trust in EPA: an agency-wide commitment to EPA's written scientific integrity policy, and a scientific integrity Officer who is empowered to do her job.

- **Will you study the EPA Scientific Integrity policy and what it requires of you and all EPA employees, whether they are career staff or political appointees?**
- **Will you support a process for making sure new and existing EPA employees are fully aware of their rights and responsibilities regarding the conduct of scientific research, publication of scientific research, communication with the media and the public regarding scientific research?**
- **Will you commit to meet with the EPA Scientific Integrity Officer on a regular basis and seek status reports on her observations?**
- **President Biden has directed EPA to reconsider a rash of past agency rulemakings, including CAFE standards for vehicles, methane emissions standards, and greenhouse gas standards for power plants. As you do so, will you take care to consider how scientific integrity violations may have played a role in advancing any of these old rules?**

On cooperation with the EPA Inspector General

> *NOTE: The Memo described below is here:* [HYPERLINK "https://www.epa.gov/sites/production/files/2019-11/documents/epa_general_counsel_opinion_on_oig_7-day_letter.pdf"]. *A letter to EPA from House Science, COR and E&C arguing against that Memo is here:* [HYPERLINK "https://science.house.gov/imo/media/doc/12.12.19%20Joint%20Committee%20Letter%20to%20EPA%20re%20IG%20Cooperation.pdf"]. *Jeff Lagda from EPA has pledged to flag for SST staff if this memo gets removed and we will let you know if that happens so this question can be updated or scrapped.*

In 2019, the EPA Inspector General saw unprecedented, "open defiance" from political officials who refused to cooperate with IG inquiries. On November 5, 2019, the then-General Counsel for EPA prepared a memorandum which asserted sweeping claims of legal authority for EPA to obstruct or ignore IG investigations and Audits. The memo included dubious legal claims that would eviscerate the authority of the IG and undermine transparency in the agency. This Memo remains on the books at EPA and represents an encumbrance to the IG in performance of its duties.

Will you commit to withdrawing the November 5, 2019 memorandum on Compliance with the Inspector General Act? Will you send a clear message to EPA staff that affirms the authorities of the Inspector General and that cooperation with IG investigations is not optional?

On advisory boards

Advisory boards comprised of independent scientific experts serve a crucial role in ensuring that EPA policies are based in the best available science. Unfortunately, the last administration compromised the credibility of these boards by barring EPA grant recipients from service and stacking them with science-for-hire types and representatives of regulated industry.

- **In order to restore integrity to EPA's advisory boards, will you prioritize appointing the most qualified scientific experts and vetting all candidates for conflicts of interest before they are appointed?**
- **Will you direct the Advisory Board Staff Office and EPA Ethics officials to ensure that advisory board members either recuse or divest where they might have a conflict of interest on a matter under their review?**
- **Will you consider restoring the Clean Air Scientific Advisory Committee subpanels on Particulate Matter and Ozone that were shuttered by the last Administrator?**
- **Will you consider appointing new leadership at EPA advisory boards to ensure that the boards have the leaders they need to provide scientifically rigorous assessments of Agency rulemakings?**

On IRIS evaluation of formaldehyde

NOTE: Senator Markey asked a similar question of Administrator Pruitt in 2018 and wrote him a follow-up[HYPERLINK "https://www.markey.senate.gov/imo/media/doc/Pruitt%20Letter%20formaldehyde%20assessment.pdf"] *on the same.*

The IRIS program within the Office of Research and Development develops extremely detailed, sophisticated toxicity assessments to evaluate the health effects of commonly used chemicals. EPA had a draft of the IRIS assessment for formaldehyde ready to be released to the public, and our understanding is that the assessment established a link between formaldehyde exposure and leukemia. But political officials under the last Administration implemented elaborate programmatic barriers in order to prevent the science from reaching the public. **Will you commit to a review of the last Administration's decision to suspend the IRIS formaldehyde assessment, and will you pledge to work expeditiously towards completing the assessment?**

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/29/2021 7:44:21 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Call

Do you have 2 mins for a call?

Thanks!

Ex. 6 Personal Privacy (PP)

Mary Frances Repko
Minority Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Frede, Shannon (Cardin) [Shannon_Frede@cardin.senate.gov]
Sent: 1/29/2021 8:40:45 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

Thanks again for your attention to this! I had a follow-on question if you're free after 4; I'm finally done with virtual field events. As discussed, my boss will likely focus on the following priorities:

1. Recommit EPA to Chesapeake Bay restoration
    a. Appoint a Bay "czar"
    b. Strengthen coordination with USDA
2. Increase investments for drinking water, wastewater, and stormwater infrastructure upgrades
    a. Expand resilience and sustainability grants (P.L. 115-270)
3. Address downwind pollution pursuant to the Clean Air Act
    a. Section 184(c) https://www.epa.gov/interstate-air-pollution-transport/ozone-transport-commission-otc-clean-air-act-section-184c

---

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 9:25 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: RE: Time to chat

Hey lady I am annoyingly jammed then and I apologize! Can could gran you for 5 now and then harass you later when yo'ure free?

From: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Sent: Friday, January 29, 2021 9:21 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Absolutely, I'm free at 10 or 11.

Shannon Frede
Environmental Policy Counsel
Office of Senator Ben Cardin (MD)
Remote Direct Line: (202) 440-2931

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 8:41 AM
To: Frede, Shannon (Cardin) <Shannon_Frede@cardin.senate.gov>
Subject: Time to chat

Hey Shannon,

I hope all is well! Do you have a second to chat this morning? Looking forward to catching up.

Let me know,
Radha

Message

From: Heins, Jennifer (Grassley) [Jennifer_Heins@grassley.senate.gov]
Sent: 1/29/2021 8:43:13 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Grassley

Yes, Ex. 6 Personal Privacy (PP) conf id Ex. 6 Personal Privacy (PP)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, January 29, 2021 3:19 PM
To: Heins, Jennifer (Grassley) <Jennifer_Heins@grassley.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Grassley

Yes, thank you!

Could we use your conference line?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Heins, Jennifer (Grassley) <Jennifer_Heins@grassley.senate.gov>
Sent: Friday, January 29, 2021 2:40 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Grassley

Yes, would 145pm eastern on Monday work for a phone call?

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, January 29, 2021 7:39 AM
To: Heins, Jennifer (Grassley) <Jennifer_Heins@grassley.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator nominee and Senator Grassley

Good morning Jennifer,

I am reaching out to set up an introductory meeting via video or phone between Senator Grassley and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Grassley has availability on Monday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Appointment

From: Tulou, Christophe (EPW) [Christophe_Tulou@epw.senate.gov]
Sent: 1/29/2021 9:17:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: To Discuss CRA
Location: Microsoft Teams Meeting

Start: 1/29/2021 9:30:00 PM
End: 1/29/2021 10:00:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Rice, James (Grassley) [James_Rice@grassley.senate.gov]
Sent: 1/29/2021 9:50:53 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to connect before our boss's meet?

Sure. Call Ex. 6 Personal Privacy (PP)

James Rice
Legislative Director
Office of Senator Charles E. Grassley
135 Hart Senate Office Building
Washington, DC 20510
202-224-3744

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 4:05 PM
To: Rice, James (Grassley) <James_Rice@grassley.senate.gov>
Subject: Time to connect before our boss's meet?

Hi James!

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Legislative Affairs at EPA. I wanted to reach out because our boss's are chatting on Monday. If you have time, could I give you a ring to chat for a few minutes?

Looking forward to hearing from you,
Radha

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 1/29/2021 9:55:32 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat hearing next week?

For sure, we are still fleshing out our question lines, but I will circle back once I have them!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 4:11 PM
To: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: Time to chat hearing next week?

Hey lady,

Do you mind sharing if we can chat Mr. Regan's hearing next week? Thanks in advance!

Radha

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/30/2021 12:06:48 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: RE: Do you have someone on your team

Radha,

Please call me at: Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 6:59 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: Re: Do you have someone on your team

Thanks Brian! MF so sorry to pester you! Our advance team feels a little nervous about next week and wants to get assistance on the questions below. I assume he doesn't need an escort, that we can use the anteroom, and his family will be seated behind him but please let me know if that's wrong!

Sent from my iPhone

On Jan 29, 2021, at 6:43 PM, Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov> wrote:

Looping in MF.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 3:20 PM
To: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Do you have someone on your team

Who can help answer these questions I got from the boss's advance team?

I need very detailed information on logistics for accessing the building and greeting, parking, hold room, where he and his family will be seated, who will be escorting him through the building, etc.

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 1/30/2021 6:56:04 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Subject: Re: Connecting

Looping Emily at her Carper address. She will meet the Secretary, his family and Radha at 1 pm at St. Joseph's Church and escort them through the 2nd and C NE pedestrian checkpoint to the Dirksen 24 hours door:

My cell is Ex. 6 Personal Privacy (PP)

Emily's is Ex. 6 Personal Privacy (PP)

Mary Frances Repko
Minority Staff Director
U.S. Senate Committee on Environment and Public Works

On Jan 30, 2021, at 11:58 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Thank you! Could you please also share your cell number?

Will you or Emily be meeting Radha, Secretary Regan and his family at St. Joseph's?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Saturday, January 30, 2021 11:54 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: Re: Connecting

It is live webcast. We do have a press seating area in the hearing room, but so far no live reporters have RSVP'd. We haven't had any attend live since COVID.

So, if there are press follow up for the Secretary to our Comms team, it would be good to know where to direct.

Mary Frances Repko
Minority Staff Director
U.S. Senate Committee on Environment and Public Works

On Jan 30, 2021, at 11:49 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Thank you. Can you share what the press plan for the hearing is?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 7:26 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: Connecting

Hey guys,

Waned to put y'all on an email in case anything comes up between now and our hearing.

MF, Mr. Regan's wife's name is Ex. 6 Personal Privacy (PP) and his son is Ex. 6 Personal Privacy (PP)

Message

From: Rice, James (Grassley) [James_Rice@grassley.senate.gov]
Sent: 1/30/2021 8:23:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Subject: Re: Time to connect before our boss's meet?

Sure. Cc'ing him here so you have it.

On Jan 29, 2021, at 10:03 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey James, wanted to share this letter with you and also let you know we are honored to have the support of Mr. Regan's home-state Senators, Burr and Tillis. Can you please share this information with Joe? I don't have his email address.

From: Rice, James (Grassley) <James_Rice@grassley.senate.gov>
Sent: Friday, January 29, 2021 4:51 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to connect before our boss's meet?

Sure. Call Ex. 6 Personal Privacy (PP)

James Rice
Legislative Director
Office of Senator Charles E. Grassley
135 Hart Senate Office Building
Washington, DC 20510
202-224-3744

<image001.png>

<image002.png>

<image003.png>

<image004.jpg>

<image005.jpg>

<image006.png>

<image007.png>

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 4:05 PM
To: Rice, James (Grassley) <James_Rice@grassley.senate.gov>
Subject: Time to connect before our boss's meet?

Hi James!

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Legislative Affairs at EPA. I wanted to reach out because our boss's are chatting on Monday. If you have time, could I give you a ring to chat for a few minutes?

Looking forward to hearing from you,
Radha
<20210220 - Ag Association Regan Support Letter FINAL.pdf>

Message

From: Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Sent: 1/31/2021 5:16:22 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can we check in?

How about around 5? Personal probably slightly more reliable on weekends- Ex. 6 Personal Privacy (PP)

HV

On Jan 31, 2021, at 7:45 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Yes! Can I call you today and will let you let me know what number is best? Will call from my new epa number.
>
> Sent from my iPhone
>
>> On Jan 31, 2021, at 12:21 AM, Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov> wrote:
>>
>> Hi sorry! Want to connect tomorrow or first thing Monday?
>>
>> HV
>>
>> On Jan 29, 2021, at 8:38 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>>
>>> Hey lady so I missed this. Ok to ring you now?
>>>
>>> Sent from my iPhone
>>>
>>>> On Jan 29, 2021, at 4:20 PM, Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov> wrote:
>>>>
>>>> Of course! Is 6 too late?
>>>>
>>>> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
>>>> **Sent:** Friday, January 29, 2021 4:17 PM
>>>> **To:** Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
>>>> **Subject:** Can we check in?
>>>>
>>>> Hey Hannah,
>>>>
>>>> Do you have some time to check in today about the Regan hearing?
>>>>
>>>> Thanks in advance,
>>>> Radha

Message

From: Lesofski, Emy (Appropriations) [Emy_Lesofski@appro.senate.gov]
Sent: 2/1/2021 2:44:49 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Sure, my number is Ex. 6 Personal Privacy (PP)

On Feb 1, 2021, at 9:34 AM, Adhar, Radha <adhar.radha@epa.gov> wrote:

Thank you for your note Emily! Do you mind letting me know if I could give you a ring? Won't take too much of your time!

From: Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>
Sent: Monday, February 1, 2021 9:24 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Hi, Radha, I saw Kristen's note and thought I would shoot you a quick email. I'm Sen. Murkowski's Interior Approps clerk. While we work primarily with the budget office, I'm sure we'll get to work together. Looking forward to it and hope you are settling in over there—I'm guessing it is crazy busy!
Take care, and if you need anything from me, let me know.
Thanks!
Emy

On Feb 1, 2021, at 9:10 AM, Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

Sent from my iPad

On Feb 1, 2021, at 9:08 AM, Adhar, Radha <adhar.radha@epa.gov> wrote:

Hi Kristen,

Would you mind connecting me with your colleagues who will be staffing this meeting? I would appreciate touching base with them beforehand if they are available.

Thanks in advance,
Radha

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 8:40 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Yes i can make that work

Sent from my iPhone

On Feb 1, 2021, at 7:52 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Not a problem. 3:30pm works great!

Can we still use the same conference line? Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 7:46 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler
Importance: High

Hi she has been asked to be at the White House when we have our meeting – do you have a 2:30 or 3:00 or 3:30 pm available today? My apologies.

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone

202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:32 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Confirmed, thank you. And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Monday, January 25, 2021 3:29 PM
To: Lance, Kathleen
Cc: Adhar, Radha
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can offer 4:30 pm EST on 2/1? The call in number would be Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you, Claire. Moved you to bcc.

Hi Kristen – Does Senator Murkowski have availability Monday, Feb. 1? We are fairly flexible with the exception of 2-3pm.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, January 25, 2021 3:11 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

What would work for next week?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 3:09 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Whoops! Here you go!
Claire Reuschel

On Mon, Jan 25, 2021 at 2:24 PM Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

They aren't on here ☺

Kristen Daimler Nothdurft

Executive Assistant/Scheduler

Office of Senator Lisa Murkowski

Hart Senate Office Building, room 522

202-224-6665 phone

202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:31 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Subject: connected Michael Regan's schedulers with Murkowski's scheduler

Kristen-

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

Message

From: Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Sent: 2/1/2021 3:40:30 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Thank you (and so sorry for the typo).

Again, congrats, and best of luck.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 1, 2021 10:38 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Thank you for sharing Ryan and team! We are looking forward to working with you!

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Monday, February 1, 2021 10:16 AM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Redirecting to adhar.radha@epa.gov

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Kaiser, Sven-Erik
Sent: Monday, February 01, 2021 10:12 AM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; 'adhar.radah@epa.gov' <adhar.radah@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Ryan – thanks for forwarding the letter. Also, we're glad to meet with your team to discuss the upcoming year. We'd like to get clear of the confirmation, so let's look at something with Radhika Fox the week of Feb 15. Please let us know availabilities and if any questions. Thanks,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Monday, February 01, 2021 9:52 AM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>; 'adhar.radah@epa.gov' <adhar.radah@epa.gov>
Cc: Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>
Subject: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Team EPA:

First, congrats, Radah, on the move. Hope you are settling in well.

Second, wanted to send an electronic copy of a letter from Chairman Peter DeFazio and Subcommittee Chairwoman Grace Napolitano to the President asking him to immediately repeal the Trump Navigable Waters Protection Rule (aka Dirty Water Rule), and then work towards its eventual replacement.

If you have any questions, please let me know.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

Message

From: Bermudez, Navis [Navis.Bermudez@mail.house.gov]
Sent: 2/1/2021 3:56:21 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Radha!!!!!
Congrats on the move. -nb

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, February 1, 2021 at 10:38 AM
To: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>, "Seiger, Ryan" <Ryan.Seiger@mail.house.gov>, "Richardson, RobinH" <Richardson.RobinH@epa.gov>, Navis Bermudez <Navis.Bermudez@mail.house.gov>, "Williams, Alexa" <Alexa.Williams2@mail.house.gov>
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Thank you for sharing Ryan and team! We are looking forward to working with you!

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Monday, February 1, 2021 10:16 AM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Redirecting to adhar.radha@epa.gov

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Kaiser, Sven-Erik
Sent: Monday, February 01, 2021 10:12 AM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; 'adhar.radah@epa.gov' <adhar.radah@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>
Subject: RE: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Ryan – thanks for forwarding the letter. Also, we're glad to meet with your team to discuss the upcoming year. We'd like to get clear of the confirmation, so let's look at something with Radhika Fox the week of Feb 15. Please let us know availabilities and if any questions. Thanks,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Monday, February 01, 2021 9:52 AM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>; 'adhar.radah@epa.gov' <adhar.radah@epa.gov>
Cc: Bermudez, Navis <Navis.Bermudez@mail.house.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Williams, Alexa <Alexa.Williams2@mail.house.gov>
Subject: Letter from Chairs DeFazio and Napolitano to Pres Biden re: Clean Water/WOTUS Rule

Team EPA:

First, congrats, Radah, on the move. Hope you are settling in well.

Second, wanted to send an electronic copy of a letter from Chairman Peter DeFazio and Subcommittee Chairwoman Grace Napolitano to the President asking him to immediately repeal the Trump Navigable Waters Protection Rule (aka Dirty Water Rule), and then work towards its eventual replacement.

If you have any questions, please let me know.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

Message

From: Lesofski, Emy (Appropriations) [Emy_Lesofski@appro.senate.gov]
Sent: 2/1/2021 4:20:58 PM
To: Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]; Robertson, Ann (Murkowski) [Ann_Robertson@murkowski.senate.gov]
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Hi, all, I'm not going to be able to make the call—sorry! Look forward to working with you Radha and Kathleen!

On Feb 1, 2021, at 10:37 AM, Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov> wrote:

Not a problem – I'll circulate a conference line for the group.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 1, 2021 10:36 AM
To: Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>
Cc: Lance, Kathleen <Lance.Kathleen@epa.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thanks Annie, do you mind if we make it 12:15? I have a meeting beforehand that may run over and don't want to keep y'all waiting.

From: Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>
Sent: Monday, February 1, 2021 10:32 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lance, Kathleen <Lance.Kathleen@epa.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Radha –

Does noon work for a quick call?

Thanks,
Annie

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 9:10 AM
To: Adhar, Radha <adhar.radha@epa.gov>
Cc: Lance, Kathleen <Lance.Kathleen@epa.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>; Boyle, Garrett (Murkowski)

<Garrett_Boyle@murkowski.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Sent from my iPad

On Feb 1, 2021, at 9:08 AM, Adhar, Radha <adhar.radha@epa.gov> wrote:

Hi Kristen,

Would you mind connecting me with your colleagues who will be staffing this meeting? I would appreciate touching base with them beforehand if they are available.

Thanks in advance,
Radha

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 8:40 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Yes i can make that work

Sent from my iPhone

On Feb 1, 2021, at 7:52 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Not a problem. 3:30pm works great!

Can we still use the same conference line? Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 7:46 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>

Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler
Importance: High

Hi she has been asked to be at the White House when we have our meeting – do you have a 2:30 or 3:00 or 3:30 pm available today? My apologies.

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:32 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Confirmed, thank you. And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Monday, January 25, 2021 3:29 PM
To: Lance, Kathleen
Cc: Adhar, Radha
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can offer 4:30 pm EST on 2/1? The call in number would be Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you, Claire. Moved you to bcc.

Hi Kristen – Does Senator Murkowski have availability Monday, Feb. 1? We are fairly flexible with the exception of 2-3pm.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, January 25, 2021 3:11 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

What would work for next week?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 3:09 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>

Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Whoops! Here you go!
Claire Reuschel

On Mon, Jan 25, 2021 at 2:24 PM Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

> They aren't on here ☺
>
> Kristen Daimler Nothdurft
>
> Executive Assistant/Scheduler
>
> Office of Senator Lisa Murkowski
>
> Hart Senate Office Building, room 522
>
> 202-224-6665 phone
>
> 202-224-4349 scheduling fax
>
> **Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.**
>
> **From:** Claire Reuschel <creuschel@jbrpt.org>
> **Sent:** Monday, January 25, 2021 11:31 AM
> **To:** Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
> **Subject:** connected Michael Regan's schedulers with Murkowski's scheduler
>
> Kristen-
>
> I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.
>
> Claire Reuschel

Message

From: Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]
Sent: 2/1/2021 5:21:19 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Lance, Kathleen [Lance.Kathleen@epa.gov]; Robertson, Ann (Murkowski) [Ann_Robertson@murkowski.senate.gov]
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Hey Radha – We are on the conference line and available to chat whenever you are.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 1, 2021 10:36 AM
To: Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>
Cc: Lance, Kathleen <Lance.Kathleen@epa.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thanks Annie, do you mind if we make it 12:15? I have a meeting beforehand that may run over and don't want to keep y'all waiting.

From: Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>
Sent: Monday, February 1, 2021 10:32 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Lance, Kathleen <Lance.Kathleen@epa.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Radha –

Does noon work for a quick call?

Thanks,
Annie

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 9:10 AM
To: Adhar, Radha <adhar.radha@epa.gov>
Cc: Lance, Kathleen <Lance.Kathleen@epa.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>; Boyle, Garrett (Murkowski) <Garrett_Boyle@murkowski.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Sent from my iPad

On Feb 1, 2021, at 9:08 AM, Adhar, Radha <adhar.radha@epa.gov> wrote:

Hi Kristen,

Would you mind connecting me with your colleagues who will be staffing this meeting? I would appreciate touching base with them beforehand if they are available.

Thanks in advance,
Radha

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 8:40 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Yes i can make that work

Sent from my iPhone

On Feb 1, 2021, at 7:52 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Not a problem. 3:30pm works great!

Can we still use the same conference line Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 7:46 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler
Importance: High

Hi she has been asked to be at the White House when we have our meeting – do you have a 2:30 or 3:00 or 3:30 pm available today? My apologies.

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:32 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Confirmed, thank you. And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Monday, January 25, 2021 3:29 PM
To: Lance, Kathleen
Cc: Adhar, Radha
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can offer 4:30 pm EST on 2/1? The call in number would be Ex. 6 Personal Privacy (PP)
CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you, Claire. Moved you to bcc.

Hi Kristen – Does Senator Murkowski have availability Monday, Feb. 1? We are fairly flexible with the exception of 2-3pm.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, January 25, 2021 3:11 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

What would work for next week?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 3:09 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Whoops! Here you go!
Claire Reuschel

On Mon, Jan 25, 2021 at 2:24 PM Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

> They aren't on here ☺
>
> Kristen Daimler Nothdurft
>
> Executive Assistant/Scheduler
>
> Office of Senator Lisa Murkowski
>
> Hart Senate Office Building, room 522
>
> 202-224-6665 phone
>
> 202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:31 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Subject: connected Michael Regan's schedulers with Murkowski's scheduler

Kristen-

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

Message

From: Daimler-Nothdurft, Kristen (Murkowski) [Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: 2/1/2021 5:29:54 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can do 2/9 at 3:00 pm?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 1, 2021 12:28 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Hi! Thank you for the update. Unfortunately we have a conflict at 2:30p-3:30p. Could we look to connecting them early next week? What is her availability Monday, 2/8 and Tuesday, 2/9?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 12:11 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

OK the White House now wants her there at 4pm – aye! Any chance we can do 2:30 or 3:00 – if not can we look at another day?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 1, 2021 7:51 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Not a problem. 3:30pm works great!

Can we still use the same conference line? Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, February 1, 2021 7:46 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler
Importance: High

Hi she has been asked to be at the White House when we have our meeting – do you have a 2:30 or 3:00 or 3:30 pm available today? My apologies.

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:32 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Confirmed, thank you. And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Monday, January 25, 2021 3:29 PM
To: Lance, Kathleen
Cc: Adhar, Radha
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can offer 4:30 pm EST on 2/1? The call in number would be Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you, Claire. Moved you to bcc.

Hi Kristen – Does Senator Murkowski have availability Monday, Feb. 1? We are fairly flexible with the exception of 2-3pm.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, January 25, 2021 3:11 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

What would work for next week?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone

202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 3:09 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Whoops! Here you go!
Claire Reuschel

On Mon, Jan 25, 2021 at 2:24 PM Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

> They aren't on here ☺
>
> Kristen Daimler Nothdurft
>
> Executive Assistant/Scheduler
>
> Office of Senator Lisa Murkowski
>
> Hart Senate Office Building, room 522
>
> 202-224-6665 phone
>
> 202-224-4349 scheduling fax
>
> **Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.**
>
> **From:** Claire Reuschel <creuschel@jbrpt.org>
> **Sent:** Monday, January 25, 2021 11:31 AM
> **To:** Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
> **Subject:** connected Michael Regan's schedulers with Murkowski's scheduler
>
> Kristen-

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/1/2021 6:21:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Check in around 2:30

Are you able to check in for 5 mins at 2:30?

Mary Frances Repko
Minority Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Hagerott, Virginia [Virginia.Hagerott@mail.house.gov]
Sent: 2/1/2021 7:42:09 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: FW: Letter to Biden Administration re Senior Advisor to the Chesapeake Bay
Attachments: 2021.02.01 Letter to Biden Administration on Senior Advisor to Chesapeake Bay (FINAL) .pdf

Hello to you both!

Just wanted to forward this letter along to your inboxes in case the general EPA inbox email did not go through.

Best,
Virginia

From: Hagerott, Virginia
Sent: Monday, February 1, 2021 2:00 PM
To: OCIRmail@epa.gov
Subject: Letter to Biden Administration re Senior Advisor to the Chesapeake Bay

Hello,

Please see the attached letter from Rep. Luria and other Chesapeake Bay Delegation Members to Acting EPA Administrator regarding the Senior Advisor to the Chesapeake Bay.

Best,
Virginia

Virginia Hagerott Schrock
Legislative Assistant
Rep. Elaine G. Luria (VA-02)
Sign up for Congresswoman Luria's e-newsletter here.

Congress of the United States
House of Representatives
Washington, DC 20515

February 1, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States of America
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

The Honorable Jane Nishida, Esq.
Acting Administrator
Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear President Biden and Acting Administrator Nishida,

We appreciate your Administration's plans to protect and restore our nation's waters. As our nation's largest estuary, the health of the Chesapeake Bay is critical for our region. We urge you to appoint a Senior Advisor to the Environmental Protection Agency (EPA) Administrator for the Chesapeake Bay and Anacostia River to continue working to improve the health of the Bay.

The Chesapeake Bay generates $33 billion in economic value annually, is home to spectacular ecological diversity, and hosts two of the United States' five major ports. The Bay's health directly impacts our constituents' livelihoods and the culture of our districts. The EPA's Chesapeake Bay Program has been invaluable in ensuring the Bay will be healthy for generations to come.

The Obama Administration appointed three Senior Advisors to the Environmental Protection Agency Administrator for the Chesapeake Bay and Anacostia River. They helped implement Executive Order 13508 on Chesapeake Bay Protection and Restoration, which required the EPA and departments of Agriculture, Commerce, Defense, Homeland Security, Interior, and Transportation to collaborate on Bay restoration efforts. This laid the foundation for the Chesapeake Clean Water Blueprint, which established the Bay's total maximum daily load (TMDL), an agreement between seven jurisdictions within the watershed on levels of nitrogen, phosphorus, and sediment that can enter the Bay.

Despite this progress, EPA's reluctance to enforce states' TMDL obligations caused setbacks in improving the health of the Bay. This led to a lawsuit brought by Virginia, Maryland, Delaware, Washington, D.C., and other entities against the EPA for failing to ensure Pennsylvania and New York fulfill their commitments to curb runoff into the Chesapeake Bay's tributaries. Additionally, the 2020 State of the Bay Report gave the Chesapeake Bay an overall score of 32 out of 70, a one-point decrease from 2018. Experts have attributed the continued degradation to the previous Administration's rollback of crucial environmental regulations. This trend must not continue, and

we believe a Senior Advisor to the EPA Administrator on the Chesapeake Bay and Anacostia River will pave the way to restoration.

Thank you for your consideration of this request. We look forward to your leadership and sharing our commitment to the Chesapeake Bay.

Sincerely,

ELAINE G. LURIA
Member of Congress

ROBERT C. "BOBBY" SCOTT
Member of Congress

JOHN P. SARBANES
Member of Congress

/s/
STENY HOYER
Member of Congress

/s/
ELEANOR HOLMES NORTON
Member of Congress

/s/
C. A. DUTCH RUPPERSBERGER
Member of Congress

/s/
GERALD E. CONNOLLY
Member of Congress

/s/
DONALD S. BEYER JR.
Member of Congress

/s/
ANTHONY BROWN
Member of Congress

/s/
A. DONALD McEACHIN
Member of Congress

/s/
JAMIE RASKIN
Member of Congress

/s/
DAVID TRONE
Member of Congress

/s/
KWEISI MFUME
Member of Congress

Message

From: Suntag, Aaron (Stabenow) [Aaron_Suntag@stabenow.senate.gov]
Sent: 2/1/2021 8:56:47 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Checking in

Hey – catching up would be great. Should be free between 4:30 and 6:30 today if you have any availability...

Ex. 6 Personal Privacy (PP)

--

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, February 1, 2021 at 12:39 PM
To: Aaron Suntag <Aaron_Suntag@stabenow.senate.gov>
Subject: Checking in

Hey Aaron,

Hope all is well! Do you mind letting me know if you have a second to check in? Would love to touch base.

Thanks,
Radha

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/2/2021 12:56:46 AM
To: Jordan Stoick [jstoick@nam.org]; Utech, Dan [Utech.Dan@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Introductions

Hi Dan and Radha,

I wanted to connect you with Jordan Stoick with NAM. Jordan and I and his colleague Rachel were chatting last month about Secretary Regan's nomination and I realize I had not yet connected you all. I'll let you all take it from here.
Cheers,
Emily

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

Message

From: Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]
Sent: 2/2/2021 3:11:14 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can we connect about the hearing next week

Talk in the am?

On Jan 31, 2021, at 1:11 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Okie dokie let me know when is best!

Sent from my iPhone

On Jan 31, 2021, at 1:09 PM, Zipkin, Adam (Booker) <Adam_Zipkin@booker.senate.gov> wrote:

Hey! Let's talk tomorrow afternoon?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 4:08 PM
To: Zipkin, Adam (Booker) <Adam_Zipkin@booker.senate.gov>
Subject: Can we connect about the hearing next week

Hey Adam,

Wanted to connect when you have some time to chat about the hearing, do you mind sharing if I can give you a ring?

Thanks in advance,
Radha

Message

From: Merchant, Kusai [Kusai.Merchant@mail.house.gov]
Sent: 2/2/2021 3:41:53 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 10:35 AM
To: Merchant, Kusai <Kusai.Merchant@mail.house.gov>
Subject: RE: Time to chat

Thank you- can you please let me know what number is best? I will call you from my new EPA phone.

From: Merchant, Kusai <Kusai.Merchant@mail.house.gov>
Sent: Tuesday, February 2, 2021 10:17 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Sure. Any time before 11:30 should be fine.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 10:10 AM
To: Merchant, Kusai <Kusai.Merchant@mail.house.gov>
Subject: Time to chat

Hi Kusaiji,

Do you have a second to chat this morning?

Looking forward to hearing from you,
Radha

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 2/2/2021 6:55:31 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: RE: Flagging RFA letter in support of Regan

Hey,

Hope all is well with you too. Thank you for the flag!

Best,
Chelsea

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 1:38 PM
To: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Flagging RFA letter in support of Regan

Hey y'all,

I hope all is well with you. I wanted to flag a letter, attached, from the Renewable Fuels Association in support of Secretary Regan's nomination to lead EPA.

Please let me know if you have any questions,
Radha

Message

From: Daimler-Nothdurft, Kristen (Murkowski) [Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: 2/2/2021 7:14:08 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you! number will stay the same Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 2, 2021 2:11 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

4pm EST on Monday 2/8 will work great.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Tuesday, February 2, 2021 1:32 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Hi – I am hearing the trail will start that afternoon – would he have anything available during the morning of 2/9 or between 4:00-5:00 pm on 2/8?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:32 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Confirmed, thank you. And thank you for the conference line!

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski)
Sent: Monday, January 25, 2021 3:29 PM
To: Lance, Kathleen
Cc: Adhar, Radha
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

I can offer 4:30 pm EST on 2/1? The call in number would be Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, January 25, 2021 3:21 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

Thank you, Claire. Moved you to bcc.

Hi Kristen – Does Senator Murkowski have availability Monday, Feb. 1? We are fairly flexible with the exception of 2-3pm.

Kindly,

Kathleen C. Lance
Director for Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Monday, January 25, 2021 3:11 PM
To: 'Claire Reuschel' <creuschel@jbrpt.org>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: connected Michael Regan's schedulers with Murkowski's scheduler

What would work for next week?

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 3:09 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; lance.kathleen@epa.gov; Adhar, Radha <adhar.radha@epa.gov>
Subject: Re: connected Michael Regan's schedulers with Murkowski's scheduler

Whoops! Here you go!
Claire Reuschel

On Mon, Jan 25, 2021 at 2:24 PM Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov> wrote:

> They aren't on here ☺
>
> Kristen Daimler Nothdurft
>
> Executive Assistant/Scheduler
>
> Office of Senator Lisa Murkowski
>
> Hart Senate Office Building, room 522
>
> 202-224-6665 phone
>
> 202-224-4349 scheduling fax
>
> **Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.**

From: Claire Reuschel <creuschel@jbrpt.org>
Sent: Monday, January 25, 2021 11:31 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Subject: connected Michael Regan's schedulers with Murkowski's scheduler

Kristen-

I'm including Kathleen Lance and Radha Adhar on this email. They are handling all nominee meetings for Secretary Regan.

Claire Reuschel

Message

From: Griffin, Payne (Braun) [Payne_Griffin@braun.senate.gov]
Sent: 2/2/2021 7:31:32 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Flagging letter

Hey Radha, thanks for passing this along. congrats on getting settled over there.

Feel free to give me a call at Ex. 6 Personal Privacy (PP) when you are able.

Thank you

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 1:45 PM
To: Griffin, Payne (Braun) <Payne_Griffin@braun.senate.gov>
Subject: Flagging letter

Hey Payne,

I hope all is well and thanks again for chatting the other day. I wanted to share the attached letter with you from the Renewable Fuels Associate. It details their support of Secretary Regan to lead EPA.

I also wanted to share we are honored to have the support of Senator Burr and Tillis, and I'd be happy to ring you and share the other Republican Senators who we expect to support Regan if it's helpful.

Looking forward to hearing from you,
Radha

Message

From: Baha, Meris (Ernst) [Meris_Baha@ernst.senate.gov]
Sent: 2/2/2021 8:34:44 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat?
Attachments: ATT00001.txt

Hi Radha –

Congrats on the new job! Happy to chat. I'm free this afternoon until about 4:45 and then anytime tomorrow morning works as well. Let me know what works, otherwise just give me a call on my cell Ex. 6 Personal Privacy (PP)

Best,
Meris

Meris Baha
Deputy Legislative Director and Policy Advisor
Senator Joni Ernst (IA)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 1:37 PM
To: Baha, Meris (Ernst) <Meris_Baha@ernst.senate.gov>
Subject: Time to chat?

Hi Meris,

I hope all is well with you and your family during these challenging times.

I wanted to share the letter from the Renewable Fuels Association supporting Secretary Regan's nomination to lead EPA. Do you mind sharing if you have some time today or tomorrow to chat? We are proud to have the support of Senators Tilis and Burr.

Looking forward to hearing from you,
Radha

Michael Regan for EPA Administrator

(Pronounced Ree-gan, not Reagan)

Secretary Regan (REE-gan) – It is an honor to welcome you and to have such a highly qualified nominee at my first hearing as a member of this committee.

It is clear from your track record as North Carolina's lead environmental regulator that you possess the knowledge and experience to serve effectively as our next EPA Administrator.

It is hard for me to overstate the importance of EPA's mission to the people of Michigan and our way of life. And that begins with water.

Measuring 3,290 miles, Michigan has the longest shoreline of any state except Alaska.

And we take pride in the fact that no one in Michigan is ever more than 6 miles from a body of water or 85 miles from a Great Lake.

These waters are vital to our economy. They support more than 800,000 jobs, and $7 billion recreational fishing and $36 billion boating industries.

But these precious resources face threats.

- From the climate crisis – our Great Lakes are warming twice as fast as the oceans …

- To PFAS contamination at military and industrial sites …

- To lead and contaminants from aging drinking and wastewater infrastructure.

Given that, I would like to hear your thoughts on the following questions:

- **Are you aware of the importance of the Great Lakes Restoration Initiative – which I authored in 2010 – and can I count on you to advocate for annual funding increases as a laid out in the GLRI Act signed into law last year (with the help of Chairman Carper, and Committee members Duckworth and Braun)?**

- Second, the Department of Defense has been a challenge to work with when addressing

PFAS contamination on legacy bases – like Wurtsmith in Northern Michigan.

As the EPA explores new drinking water standards and a hazardous designation under CERCLA, what more can EPA do today to work with the Defense Department to accelerate cleanup and remediation at legacy bases?

- As Chair of the Senate Agriculture Committee, I was very pleased to see strong support for your nomination from across the agriculture community.

  Groups including the American Farm Bureau, National Farmers Union, National Corn Growers Association and National Turkey

Federation don't always agree, but they agree that you should be EPA Administrator.

As you probably know, the agriculture community often feels that their concerns are not heard at EPA, especially when it comes to rules regulating water.

Can you talk about your interactions with the agriculture community in North Carolina and how you will bring your experiences to the EPA?

Message

From: Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]
Sent: 2/2/2021 10:20:16 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can we connect about the hearing next week

Can you call me Ex. 6 Personal Privacy (PP) thanks!

On Jan 31, 2021, at 1:11 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Okie dokie let me know when is best!

Sent from my iPhone

On Jan 31, 2021, at 1:09 PM, Zipkin, Adam (Booker) <Adam_Zipkin@booker.senate.gov> wrote:

Hey! Let's talk tomorrow afternoon?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 4:08 PM
To: Zipkin, Adam (Booker) <Adam_Zipkin@booker.senate.gov>
Subject: Can we connect about the hearing next week

Hey Adam,

Wanted to connect when you have some time to chat about the hearing, do you mind sharing if I can give you a ring?

Thanks in advance,
Radha

Message

From: Voyles, Travis (EPW) [Travis_Voyles@epw.senate.gov]
Sent: 2/2/2021 11:43:34 PM
To: Vizian, Donna [Vizian.Donna@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]
Subject: RE: EPA Offboarding Issues

Thank you Donna—I will pass this information along to the number of former staff that have experienced issues and I will follow as additional details of particular issues that have been experienced broadly are flagged.

I know there were issues associated with access to the office during the lead up to inauguration day which resulted in many staff mailing in their equipment (as I did myself), but I would appreciate getting more information on the "other issues" referenced by Radha that could also be occurring. Please follow up with anything else the Agency can provide besides the mailing of equipment issue that can support the delays and lack of communication that is being experienced widespread.

Travis Voyles
(202) 603-6152

From: Vizian, Donna <Vizian.Donna@epa.gov>
Sent: Tuesday, February 2, 2021 5:16 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>
Subject: RE: EPA Offboarding Issues

Hi Travis,

I hope all is well. Attached is the full off-boarding guidance that Wes sent out to all the non-career staff. HR is working hard to off board folks as soon as they receive the final clearance from the program offices. If folks have questions about what is missing, they should connect with Wes if they worked in the AO or their program office contact.

Best,
Donna

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 4:12 PM
To: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Subject: RE: EPA Offboarding Issues

Donna, can you please help us with instructions?

Unfortunately because of the events on January 6th, some off boarding issues are related to folks being unable to drop off their equipment and, as you know, it would be a major liability for EPA to offboard folks with thousands of dollars of taxpayer funded technology. There appear to be other issues, but hopefully this gives you a sense of the types of cases we are working through.

From: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
Sent: Tuesday, February 2, 2021 3:54 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Vizian, Donna

<Vizian.Donna@epa.gov>
Subject: RE: EPA Offboarding Issues

Yes, could you please send along those instructions. I'm not sure of the specifics of all the former staff that have identified issues, but I can try to get additional details that could help provide clarity. From the extensive feedback I have received, many staff have been in contact with EPA HR staff, but only gotten high level responses that everything was still processing.

Travis Voyles
(202) 603-6152

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 3:45 PM
To: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Subject: RE: EPA Offboarding Issues

Hi Travis,

I am sorry to hear that your colleagues are having trouble with offboarding. Are you sure that they have met the requirements? My understanding is that HR is clearing them once they have met our offboarding requirements. Do you need us to resend those instructions?

Let us know,
Radha

From: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
Sent: Tuesday, February 2, 2021 2:50 PM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Subject: RE: EPA Offboarding Issues

Sorry—Forgot the H on Robin's email.

Travis Voyles
(202) 603-6152

From: Voyles, Travis (EPW)
Sent: Tuesday, February 2, 2021 2:49 PM
To: 'richardson.robin@epa.gov' <richardson.robin@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; 'Vizian.Donna@epa.gov' <Vizian.Donna@epa.gov>
Subject: EPA Offboarding Issues

Hi Radha, Robin, and Donna—

After some frustrating complications I have experienced myself in getting information, in addition to complaints from dozens of former staffers, I am reaching out to ask for an explanation of why it has nearly been two weeks and I understand that many former Administration staff have yet to receive their off-boarding document package. This is despite many attempts by the former staffers to work with EPA HR staff. The general feeling is that many former staff are trying to move on with their lives or next jobs and the inaction and slow response from EPA HR staff is very concerning. Despite repeated requests, many former staff have yet to receive their SF50 and SF8 forms which are needed for unemployment benefits and also transferring to other federal/state positions. I've been told the deadline for unemployment benefits each week is Wednesday and it is looking like another Wednesday deadline will be missed this week due to EPA not providing those documents. House and Senate HR representative are also having trouble getting the necessary

information from the EPA HR staff. I also know this is not all on the EPA HR staff since in some cases they have claimed to be waiting on separation checklists from individual offices.

Can you please provide me an update on when former staff can expect to receive these specific offboarding documents and the overall package? Has there been any direction given to the EPA HR staff from the new Administration officials on how they should be prioritizing onboarding vs. offboarding?

Appreciate any additional information you can provide now this has been elevated to an issue the Committee is aware of and having a broader impact.

Thanks,

Travis

--

Travis Voyles
Senate Committee on Environment and Public Works
travis_voyles@epw.senate.gov
O: (202) 224-9360
C: (202) 603-6152

Message

From: Merchant, Kusai [Kusai.Merchant@mail.house.gov]
Sent: 2/2/2021 11:53:48 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

I don't want to get in the middle of the Budget team's process on things, I would encourage you to reach out directly to Emily Rampone.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 6:52 PM
To: Merchant, Kusai <Kusai.Merchant@mail.house.gov>
Subject: Re: Time to chat

Hehehe I understood!
How can we be prepared for vote a Rama? Do you guys consult with EPA on our positions on things?

Sent from my iPhone

> On Feb 2, 2021, at 6:50 PM, Merchant, Kusai <Kusai.Merchant@mail.house.gov> wrote:
>
> Omg, that hand pointy emoticon looks WAY too close to flipping the bird. Not what I meant!!!
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Tuesday, February 2, 2021 4:17 PM
> **To:** Merchant, Kusai <Kusai.Merchant@mail.house.gov>
> **Subject:** RE: Time to chat
>
> Thanks homey.
>
> ---
>
> **From:** Merchant, Kusai <Kusai.Merchant@mail.house.gov>
> **Sent:** Tuesday, February 2, 2021 4:05 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Time to chat
>
>> And now the Senate has introduced:
>>
>> You can read the report here.
>>
>> You can read the section-by-section here.
>>
>> You can read the text of the resolution here.
>>
>> Senate budget resolution docs

On Feb 2, 2021, at 10:36 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Thank you- can you please let me know what number is best? I will call you from my new EPA phone.

From: Merchant, Kusai <Kusai.Merchant@mail.house.gov>
Sent: Tuesday, February 2, 2021 10:17 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Sure. Any time before 11:30 should be fine.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 2, 2021 10:10 AM
To: Merchant, Kusai <Kusai.Merchant@mail.house.gov>
Subject: Time to chat

Hi Kusaiji,

Do you have a second to chat this morning?

Looking forward to hearing from you,
Radha

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 2/3/2021 12:17:38 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to chat?

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Feb 2, 2021, at 7:17 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

> Book me! And can you please let me know what number is best for you?
>
> Sent from my iPhone
>
>> On Feb 2, 2021, at 7:11 PM, Cohen, Jacqueline <jackie.cohen@mail.house.gov> wrote:
>>
>> I'm not sure what language you mean but happy to discuss by phone tomorrow. I can do 10:30?
>>
>> Sent from my iPhone
>>
>> On Feb 2, 2021, at 12:32 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>>
>>> Hi Jackie, Favor to ask. Can you please share the language y'all are working on re: funding for the CAA?
>>>
>>> ---
>>>
>>> **From:** Cohen, Jacqueline <jackie.cohen@mail.house.gov>
>>> **Sent:** Tuesday, February 2, 2021 11:08 AM
>>> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
>>> **Subject:** RE: Time to chat?
>>>
>>> Would love to chat. Today is scrambled because of a daycare snow day, so how about tomorrow?
>>>
>>> ---
>>>
>>> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
>>> **Sent:** Tuesday, February 2, 2021 10:31 AM
>>> **To:** Cohen, Jacqueline <jackie.cohen@mail.house.gov>
>>> **Subject:** Time to chat?
>>>
>>> Hi Jackie,
>>>
>>> I apologize that I missed our date a week or so ago, but would love to touch base today if you have time. Do you mind letting me know if you have time to chat?
>>>
>>> Looking forward to hearing from you,
>>> Radha

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/3/2021 1:22:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: did the SEPW not ask for a 5-day letter?

Hi Radha,

Thanks, I have updated Capito's staff director. They understand the situation and know to expect a copy of the letter to be brought with the nominee to the hearing.

If there is a chance we could get it before the hearing electronically, that's great. If that won't work logistically, then at the hearing is fine.

Prospectively, since we are all new to running the Committee, it might be useful to have a call with Brian, Justina and our incoming chief counsel Greg, so we can all understand the process.

Many thanks,
Mary Frances

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 3, 2021 7:40 AM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: Fwd: did the SEPW not ask for a 5-day letter?

Sent from my iPhone

Begin forwarded message:

> **From:** "Richardson, RobinH" <Richardson.RobinH@epa.gov>
> **Date:** February 3, 2021 at 6:17:57 AM EST
> **To:** "Adhar, Radha" <Adhar.Radha@epa.gov>
> **Subject: Fwd: did the SEPW not ask for a 5-day letter?**
>
> Hi Radha - My apologies for the late flag from OGC. Did the Committee request a 5-day letter updating the Secretary's financial statement? I recall Secretary Regan completed his OGE 278e Ethics Form which is an important step. I'm checking on the requirement and appropriate next steps to make sure everything is covered. Best, Robin
>
> Robin H Richardson
> DAA/OCIR
> 202-564-3358 (desk)
> 703-581-5814 (cell)
>
> Begin forwarded message:
>
> > **From:** "Fugh, Justina" <Fugh.Justina@epa.gov>
> > **Date:** February 2, 2021 at 9:20:25 PM EST
> > **To:** "Richardson, RobinH" <Richardson.RobinH@epa.gov>, "Payne, James (Jim)"

<payne.james@epa.gov>
Subject: did the SEPW not ask for a 5-day letter?

Hi Robin,
In the past, the SEPW asks the nominee to provide a "5 day letter" before the confirmation hearing (see attached draft that I had prepared). This letter just updates the nominee's financial information. I didn't get asked for this letter this time.
Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/3/2021 2:12:16 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Emily Spain [espain@jbrpt.org]; Cassady, Alison [Cassady.Alison@epa.gov]; Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]; Morgan, Ashley (Carper) [Ashley_Morgan@carper.senate.gov]
Subject: Re: 12:30PM Meet Secretary Regan and Family

Looking forward to seeing you all. Adding Ashley and MF with Team Carper in case time needs anything.

Also my work cell is 202-557-5580 if you need anything.

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

> On Feb 3, 2021, at 8:56 AM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:
>
> @Cassady, Alison<mailto:Cassady.Alison@epa.gov> adding you to the escort team for 12:30pm out front of St. Joseph's church.
>
> Emily, Radha and Lindsay meet Secretary Regan, Ex. 6 Personal Privacy (PP) and Ex. 6 Personal Privacy (PP) at 12:30pm in front of St. Joseph's on Capitol Hill.
>
> They will arrive at approximately 12:45PM.
>
> POC: Kathleen Lance

Message

From: Merchant, Kusai [Kusai.Merchant@mail.house.gov]
Sent: 2/3/2021 3:22:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Good luck today

You guys will crush it.

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/3/2021 3:59:25 PM
To: Tomlinson, Adam (EPW) [Adam_Tomlinson@epw.senate.gov]; Utech, Dan [Utech.Dan@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Regan letter

Yup,

We have it as well.

Mary Frances

From: Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov>
Sent: Wednesday, February 3, 2021 10:59 AM
To: Utech, Dan <Utech.Dan@epa.gov>; Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Regan letter

Thanks, Dan.

Confirming receipt.

Adam

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Wednesday, February 3, 2021 10:56 AM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Regan letter

Adam and MF – attached please find a scanned copy of Secretary Regan's letter updating his financial disclosure information. He will bring the signed paper copy to the hearing. Please let me know if you have any questions.

Dan Utech
Chief of Staff
U.S. Environmental Protection Agency

Message

From: Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]
Sent: 2/3/2021 4:51:58 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Subject: Bipartisan Senate Letter on EPA RFS Integrity
Attachments: 02 03 2021 EPA RFS Integrity Letter FINAL.pdf

Hi Radha,
Please find the attached letter from Senators Klobuchar, Grassley, and colleagues to the Acting Administrator.
I hope your first couple of weeks over there have been great. We miss you in the Senate!
Thanks,

Brian Werner
Senior Legislative Assistant
Senator Amy Klobuchar
@SenAmyKlobuchar

United States Senate

WASHINGTON, DC 20510

February 3, 2021

Ms. Jane Nishida
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Acting Administrator Nishida:

As Senators who represent states with large agriculture interests, we write to highlight the pressing concern of restoring integrity to the Renewable Fuel Standard (RFS) and to alert you to pressing policy decisions that the Administration must make to bring regulatory certainty to the transportation fuels sector of the economy.

Your predecessor, former Administrator Andrew Wheeler, took action to exempt three unidentified oil refineries from their 2018 and 2019 Renewable Fuel Standard (RFS) obligations under the Clean Air Act just hours before the inauguration. These exemptions betrayed earlier assertions made by the Trump Administration that the Environmental Protection Agency (EPA) would not grant or deny additional waivers pending the resolution of ongoing litigation over the use of the small refinery waiver authority. In January 2020, the U.S. Court of Appeals for the Tenth Circuit found that EPA had "grossly exceeded" its authority by granting certain small refinery exemptions. On January 8, 2021, the Supreme Court indicated its intention to review the Tenth Circuit case (*Renewable Fuels Association v. EPA)*, with oral arguments expected this spring and a decision by summer.

As this litigation is ongoing, we respectfully ask that you review the three waivers issued by Mr. Wheeler on January 19, 2021. If these waivers do not meet the three-part test laid out in the Tenth Circuit Court of Appeals then we urge you to immediately reverse them and deny the refiners' waiver requests.

Fortunately, on January 21, 2021, the U.S. Court of Appeals for the D.C. Circuit, acting in response to an emergency motion, ordered an administrative stay of the three exemptions pending further order by the court. The order granting a stay – which does not require a response from EPA until February 3, 2021 – provides you a timely opportunity to carefully review the three midnight waivers and examine the previous administration's flawed approach to adjudicating waiver petitions. We urge you to take advantage of this opportunity.

Because the Tenth Circuit decision is the most definitive legal pronouncement to date regarding EPA's small refinery waiver authority, we encourage the Agency to adhere to that decision for the purposes of deciding all pending exemption petitions during the pendency of the Supreme Court's review of the decision.

EPA could provide additional certainty and stability to the renewable fuels marketplace by swiftly issuing a proposed rule for the 2021 Renewable Volume Obligation (RVO) that provides growth in all renewable fuel categories and finally restores the 500 million gallons of blending

requirements that were illegally removed from the 2016 RVO. Finally, in order to continue growing the market for cleaner, lower-cost biofuels, we respectfully ask that EPA move forward with the E15 streamlining proposal that was published just days before the end of the previous administration.

Not only would the actions requested in this letter restore integrity to the RFS and revive confidence throughout our nation's farm communities, but they would also help fulfill commitments made by President Biden to expand the use of environmentally friendly renewable energy sources.

Sincerely,

/s/ Amy Klobuchar
Amy Klobuchar
United States Senator

/s/ Charles Grassley
Charles Grassley
United States Senator

/s/ Tina Smith
Tina Smith
United States Senator

/s/ Joni Ernst
Joni Ernst
United States Senator

/s/ Tammy Baldwin
Tammy Baldwin
United States Senator

/s/ Roy Blunt
Roy Blunt
United States Senator

/s/ Richard J. Durbin
Richard J. Durbin
United States Senator

/s/ Ben Sasse
Ben Sasse
United States Senator

/s/ Tammy Duckworth
Tammy Duckworth
United States Senator

/s/ John Thune
John Thune
United States Senator

/s/ Debbie Stabenow
Debbie Stabenow
United States Senator

/s/ Roger Marshall, M.D.
Roger Marshall, M.D.
United States Senator

/s/ M. Michael Rounds
M. Michael Rounds
United States Senator

/s/ Deb Fischer
Deb Fischer
United States Senator

/s/ Josh Hawley
Josh Hawley
United States Senator

CC: Michael Regan, Administrator Nominee, Environmental Protection Agency

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/3/2021 5:18:04 PM
To: Utech, Dan [Utech.Dan@epa.gov]; Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]
Subject: RE: epw members

The organizing resolution has not yet been adopted. It was announced, but not adopted.

I am told it could be adopted before 2.

We are in a real time, live fire situation. We are setting up the hearing room for all the old members + the new ones.

Totally complicated.

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Wednesday, February 3, 2021 12:13 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>; Spain, Emily (Carper) <Emily_Spain@carper.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: epw members

Hi Carper folks – will we have new members this afternoon?

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/3/2021 8:37:28 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can you please

What's your number? Or do you want to Zoom?

-----Original Message-----
From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 3, 2021 3:37 PM
To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Subject: Re: Can you please

Book me!

Sent from my iPhone

> On Feb 3, 2021, at 3:35 PM, Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov> wrote:
>
> It does not, but I could talk at noon.
>
> -----Original Message-----
> From: Adhar, Radha <Adhar.Radha@epa.gov>
> Sent: Wednesday, February 3, 2021 3:33 PM
> To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
> Subject: Re: Can you please
>
> Yahooo! Does tomorrow at 11:30 work?
>
> Sent from my iPhone
>
>> On Feb 3, 2021, at 3:23 PM, Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov> wrote:
>>
>> Definitely! When do you want to chat?
>>
>> -----Original Message-----
>> From: Adhar, Radha <Adhar.Radha@epa.gov>
>> Sent: Wednesday, February 3, 2021 3:14 PM
>> To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
>> Subject: Can you please
>>
>> Send me a brief! Want to make sure my boss sees it. Also can we chat for 1 second after this hearing?
>>
>> Sent from my iPhone

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 2/3/2021 9:16:45 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Did y'all send your sauget letter

Just resent it! Let me know if there is a better email for me to send them over to!

-----Original Message-----
From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 3, 2021 4:14 PM
To: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: Did y'all send your sauget letter

I don't think I saw it!

Sent from my iPhone

Message

From: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Sent: 2/3/2021 9:16:11 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: FW: Letter on Multi-Metal Air Monitoring at Veolia North America-Trade Waste Incineration Facility
Attachments: 21.01.27 - Senator Duckworth Letter to Acting Administrator Nishida - Multi-Metal Air Monitoring Requirement in Sauget, IL.pdf

---

From: McDonald, Chelsea (Duckworth)
Sent: Wednesday, January 27, 2021 2:26 PM
To: 'Frye, Tony (Robert)' <frye.robert@epa.gov>; 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: Letter on Multi-Metal Air Monitoring at Veolia North America-Trade Waste Incineration Facility

Good Afternoon,

Attached please find a letter for Acting Administrator Jane Nishida on a request for multi-metal emissions monitoring at the Veolia North America-Trade Waste Incineration facility.

Thank you,
Chelsea

Chelsea McDonald
Legislative Aide
Office of Senator Tammy Duckworth

Message

From: Vu, Jessica (Blackburn) [Jessica_Vu@blackburn.senate.gov]
Sent: 2/4/2021 12:12:55 AM
To: Richardson, RobinH [Richardson.RobinH@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Knapp, Kristien [Knapp.Kristien@epa.gov]; Moody, Christina [Moody.Christina@epa.gov]
Subject: Re: Sen. Blackburn letter to EPA Acting Administrator Nishida

Thank you Robin.

Jessica Vu
Chief Counsel
Senator Marsha Blackburn
202.228.5827

On Feb 3, 2021, at 5:56 PM, Richardson, RobinH <Richardson.RobinH@epa.gov> wrote:

Hi Jessica –

Thank you for your email. I've forwarded the correspondence on to Justina Fugh. I've also included Radha Adhar, OCIR's Deputy Associate Administrator for Congressional Affairs for awareness, and Kristien Knapp and Christina Moody, who are the primary and back up points of contact, respectively.

Thank you again, Robin

Robin H Richardson
Deputy Associate Administrator
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-564-3358 (desk)
703-581-5814 (cell)
richardson.robinh@epa.gov

From: Vu, Jessica (Blackburn) <Jessica_Vu@blackburn.senate.gov>
Sent: Wednesday, February 3, 2021 2:52 PM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>
Subject: Sen. Blackburn letter to EPA Acting Administrator Nishida

Robin,
Please see the attached letter from Senator Blackburn to EPA Acting Administrator Nishida.

Can you please also forward this letter onto Justina Fugh, Senior Ethics Counsel in the Office of General Counsel?

Thank you,
Jessica

Jessica Vu
Chief Counsel

Senator Marsha Blackburn
202.228.5827

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/4/2021 2:58:08 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Do you have time for a quick chat this morning

Sure, at my desk until 10:20.

Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 9:50 AM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: Do you have time for a quick chat this morning

Hey MF,

Hope all is well. Thank you and your team for all your assistance on Secretary Regan's nomination hearing. If you have time this morning, can you please let me know if I can give you a ring?

Thank you in advance,
Radha

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/4/2021 4:00:12 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Fwd: Letter in support of Sec. Regan nomination
Attachments: image001.png; AEM Regan Nomination Letter 020421.pdf

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

Begin forwarded message:

> **From:** Kate Fox Wood <kfoxwood@aem.org>
> **Date:** February 4, 2021 at 10:52:03 AM EST
> **To:** "Repko, Mary Frances (EPW)" <MaryFrances_Repko@epw.senate.gov>, "Spain, Emily (Carper)" <Emily_Spain@carper.senate.gov>
> **Subject: Letter in support of Sec. Regan nomination**
>
> Good morning Emily and Mary Frances,
>
> Hope you both are doing well during this busy time. We are very much looking forward to working with you and the Chairman this Congress on a wide variety of policy priorities, including reauthorization of the federal surface transportation program.
>
> Following yesterday's hearing, I wanted to be sure to share the attached letter of support from the Assoc. of Equipment Manufacturers for Sec. Regan's nomination.
>
> Please do not hesitate to reach out if you have any questions about our support for his nomination, or other policy matters. We would be more than happy to serve as a resource.
>
> Best,
> Kate
>
> **Kate Fox Wood**
> Senior Director, Government Relations
> AEMPAC Director
> Association of Equipment Manufacturers (AEM)
>
> 1300 I Street, NW
> Suite 520 West
> Washington, DC 20005
> O: 202.898.9066
> M: 202.230.7337

AEM
Association of
Equipment Manufacturers

Washington, DC Office
1300 I Street NW
Suite 520 West
Washington, DC 20005-3314

T: 202.898.9064

aem.org

aem@aem.org

Toll free: 866.236.0442

February 4, 2021

The Honorable Tom Carper, Chairman
The Honorable Shelley Moore Capito, Ranking Member
U.S. Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Carper and Ranking Member Capito:

On behalf of the U.S. equipment manufacturing industry and the companies that make up the Association of Equipment Manufacturers, we respectfully urge the confirmation of the Honorable Michael S. Regan to serve as Administrator of the United States Environmental Protection Agency.

Equipment manufacturers are proud to support 2.8 million family-sustaining jobs – one in eight manufacturing jobs in the United States – that contribute $288 billion to the nation's GDP and play a critical role in ensuring all American's basic needs such as shelter, clean water, education, and sustainable and reliable energy are met.

Secretary Regan's experience with the North Carolina Department of Environmental Quality will serve him well as he leads the Environmental Protection Agency in building a better and more sustainable future for our nation. In his previous role, we valued Secretary Regan's commitment to government-industry partnerships and his understanding of how industries like ours are integrating innovative technologies into our operations, whether that is through precision agriculture techniques to ensure more efficient harvests for farmers or deploying smart technology to promote sustainable construction practices in the execution of infrastructure projects. We look forward to working with Secretary Regan to support policies that impact the men and women of the industry – policies such as the Renewable Fuel Standard and the phase down of hydrofluorocarbon use. We are confident that Secretary Regan will provide the leadership needed to advance the mutual goals of the equipment manufacturing industry to build, power, and feed the U.S. in an innovative and sustainable manner.

Please feel free to call on us to expand upon our support for the nomination of Secretary Regan. Thank you for your consideration of our views.

Sincerely,

Dennis J. Slater

Dennis Slater
President
Association of Equipment Manufacturers

cc: Members of the Senate Committee on Environment and Public Works

ED_013012_00003715-00001

Message

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 2/4/2021 4:31:50 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Congratulations!!

Ahhhhh! So exciting. Congratulations on your transition to EPA!! So cool. I am very excited for you and looking forward to working with you in your new role!

Message

From: Weber, Corey (Tillis) [Corey_Weber@tillis.senate.gov]
Sent: 2/4/2021 4:56:12 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Following up on Senator Tilis call with Regan

Hey Radha – no problem. It's been a busy week for all of us. I'm available after 3pm today.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 11:21 AM
To: Weber, Corey (Tillis) <Corey_Weber@tillis.senate.gov>
Subject: Re: Following up on Senator Tilis call with Regan

Corey, I apologize I was just thinking about y'all and realized I didn't call you after asking for your time. So sorry. Do you mind letting me know if I can give you a ring today?

Thank you I'm advance,
Radha

Sent from my iPhone

> On Feb 1, 2021, at 12:49 PM, Weber, Corey (Tillis) <Corey_Weber@tillis.senate.gov> wrote:
>
> 4pm works – you can reach me on my cell. Ex. 6 Personal Privacy (PP)
>
> Best,
> Corey
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Monday, February 1, 2021 12:31 PM
> **To:** Weber, Corey (Tillis) <Corey_Weber@tillis.senate.gov>
> **Cc:** Patel, Shil (Tillis) <Shil_Patel@tillis.senate.gov>
> **Subject:** RE: Following up on Senator Tilis call with Regan
>
> Thank you Corey, can I call you at 4? Looking forward to it.
>
> ---
>
> **From:** Weber, Corey (Tillis) <Corey_Weber@tillis.senate.gov>
> **Sent:** Monday, February 1, 2021 12:28 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Cc:** Patel, Shil (Tillis) <Shil_Patel@tillis.senate.gov>
> **Subject:** RE: Following up on Senator Tilis call with Regan
>
> I could do after 3pm today, and I can confirm the hearing for Wednesday is on the Senator's calendar. We look forward to it.
>
> Best,
>
> **Corey Brown Weber**
> *General Counsel*

Office of U.S. Senator Thom Tillis
113 Dirksen Senate Office Building |Washington, D.C. 20510
Cell: 202-870-3716 | corey_weber@tillis.senate.gov

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 1, 2021 11:11 AM
To: Patel, Shil (Tillis) <Shil_Patel@tillis.senate.gov>
Cc: Weber, Corey (Tillis) <Corey_Weber@tillis.senate.gov>
Subject: RE: Following up on Senator Tilis call with Regan

Thank you Shil, Corey, can you please let if you have time to chat today? Also would appreciate if you can confirm our hearing is on your boss's calendar for 2 on the 3rd. We are honored to have him introduce Sec. Regan.

From: Patel, Shil (Tillis) <Shil_Patel@tillis.senate.gov>
Sent: Monday, February 1, 2021 11:07 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Weber, Corey (Tillis) <Corey_Weber@tillis.senate.gov>
Subject: RE: Following up on Senator Tilis call with Regan

Thanks Radha – deferring to our EPA lead who knows more.

Shil B. Patel, CFA | *Legislative Director*
Senator Thom Tillis (R-NC)
Dirksen SD 113
202-224-6342

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, January 29, 2021 5:30 PM
To: Patel, Shil (Tillis) <Shil_Patel@tillis.senate.gov>
Subject: Following up on Senator Tilis call with Regan

Hi Shil,

By way of introduction, my name is Radha Adhar and I recently joined EPA's congressional affairs team.

I wanted to follow up on a call your boss had with Secretary Michael Regan, who was nominated to lead EPA and is from NC. We are honored to have Senator Tilis's support, and are especially grateful that he offered to make some calls on Secretary Regan's behalf. Do you have a second to follow up on the call they had?

Looking forward to connecting soon,
Radha

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/4/2021 5:25:07 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Radha/Dan check in

Just called your personal cell.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 12:21 PM
To: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Subject: RE: Radha/Dan check in

Absolutely.

From: Dudis, Dan (Whitehouse) <Dan_Dudis@whitehouse.senate.gov>
Sent: Thursday, February 4, 2021 12:08 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Radha/Dan check in

Sorry, I'm stuck on a call. Can I call you in a bit?

-----Original Appointment-----
From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 11:38 AM
To: Dudis, Dan (Whitehouse)
Subject: Radha/Dan check in
When: Thursday, February 4, 2021 11:30 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
Ex. 6 Personal Privacy (PP)
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Learn More | Meeting options

Message

From: Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]
Sent: 2/4/2021 6:31:23 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
Subject: RE: Sorry about that

Sorry, lets actually use this conference line: Ex. 6 Personal Privacy (PP) ID: Ex. 6 Personal Privacy (PP) Thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 4, 2021 1:26 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Thank you! Confirmed for the phone call on tomorrow at 4:00pmEST.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Thursday, February 4, 2021 12:36 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Sure thing. Ex. 6 Personal Privacy (PP)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 4, 2021 12:27 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Hi Avery,

Could we use a call-in number for a phone-call tomorrow at 4pm?

Thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Tuesday, February 2, 2021 12:17 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Sure thing! Looping in Bre who will send over

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 2, 2021 12:16 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Of course! Will we keep the same WebEx info? Or can you please update?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Tuesday, February 2, 2021 9:51 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

4:00p on Friday works great. Thank you SO much.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 1, 2021 7:12 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Hi Avery,

I am happy to work with you for Friday.

Could we set it for 4:00pm?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Monday, February 1, 2021 6:28 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Sorry about that

Also he is also wide open Friday morning and afternoon!

From: Fogels, Avery (Sullivan)
Sent: Monday, February 1, 2021 6:23 PM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Hi again Kathleen,
Just double checking that there is still no availability for later this week? The Senator asked I try one more time to see if Wednesday is possible. I know last we spoke it was not an option but I wanted to at least ask in case something opened up.

I really appreciate your patience with us and apologize for the many... many changes. My direct and cell is below if you prefer to give me a call.

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main
(202) 224-1026 Direct
(907) 306-6191 Cell

From: Fogels, Avery (Sullivan)
Sent: Monday, February 1, 2021 9:37 AM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Great, confirmed. Looping in my colleague Bre who will send the webex link Thank you!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 1, 2021 8:24 AM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

Thank you! 10amEST on 2/9 works great on our end.

Could you please share either a conference call-in number, or zoom link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Sunday, January 31, 2021 11:26 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: Re: Sorry about that

The mornings at or around 10a EST on the 9th, 10th, or 11th are available on our end. Monday the 8th at 6:30p EST is also available if he prefers something in the evening.

Thank you again!

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Friday, January 29, 2021 at 7:01 PM
To: "Fogels, Avery (Sullivan)" <Avery_Fogels@sullivan.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>, "Wiegard, Pierce (Sullivan)" <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

Hi Avery,

Thank you for your message. I am happy to work with you to explore potential dates and times the week of Feb. 8th.

Is there a day that works best for the Senator?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Friday, January 29, 2021 2:33 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

Hi Kathleen,
I hate to do this but we had an unexpected conflict come up Monday morning and will need to reschedule the 9:30a call. Unless something has opened up on your end on the 2nd, the Senator is okay with meeting after Mr. Regan's EPW hearing on the 3rd, sometime in the coming weeks. Is it possible to look at the week of February 8th or 15th? I am not quite sure how impeachment proceedings will impact his availability, but from previous experience I expect the mornings will be open for scheduling.

Unless you have specific availability or times in mind, I would be happy to send over options.

We greatly appreciate all your effort and help to get this scheduled prior to the hearing and sincerely apologize for any inconvenience caused. My direct and cell are below if you prefer to give me a call.

Thank you and have a nice weekend.

Avery Fogels
Scheduler
U.S. Senator Daniel S. Sullivan – Alaska
302 Hart Senate Building
(202) 224-3004 Main
(202) 224-1026 Direct
(907) 306-6191 Cell

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 6:08 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Thursday, January 28, 2021 3:00 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>; Klayum, Bre (Sullivan) <Bre_Klayum@sullivan.senate.gov>
Subject: RE: Sorry about that

Great, confirmed for Monday at 9:30a.

Conference line Ex. 6 Personal Privacy (PP) **ID** Ex. 6 Personal Privacy (PP) I will open the line a few minutes prior. Pierce, Cc'd, will be on the call as well.

Thank you again for your flexibility.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 2:53 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

A phone call Monday at 9:30am would be great!

Could you please share with Radha and I your conference line?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency

Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Thursday, January 28, 2021 1:40 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Monday works for us if it we can do before 12p EST, he has to be en route to the airport by 12:30p latest. Also, because he will be on his own he asked if we can just do a conference call instead of a zoom/webex. Is that ok? We are happy to use our line and host

---

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 1:00 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Thursday, January 28, 2021 12:57 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Let me double check and get back to you ASAP, Monday is a little difficult for us logistically but let me see what I can do!

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, January 28, 2021 12:46 PM
To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Hi Avery!

Does Senator Sullivan have any time available on Monday?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, January 28, 2021 12:40 PM

To: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Sorry about that

Thanks Avery. I am looping in our Director of Scheduling to help with this effort.

Best,
Radha

From: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Sent: Wednesday, January 27, 2021 5:38 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Good evening,
Sorry again for the inconvenience, we really appreciate the opportunity to have them speak again!

Any chance Tuesday the 2nd at 6:00p EST or 6:30p is available?

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Wednesday, January 27, 2021 5:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Fogels, Avery (Sullivan) <Avery_Fogels@sullivan.senate.gov>
Subject: RE: Sorry about that

Of course. Avery can help with finding a time that works.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, January 27, 2021 5:29 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

No worries at all. If its possible, could we try one more time to get the bosses to chat?

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Tuesday, January 26, 2021 5:02 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Sorry about that

Certainly: dss1@sullivan.senate.gov or sullivands1 Ex. 6 Personal Privacy (PP)

Again I am so sorry about the delay, I also didn't realize you all had a hard out at 4:30.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, January 26, 2021 4:41 PM
To: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Subject: RE: Sorry about that

Hey Pierce, can you help me get Senator Sullivan's email address? Secretary Regan would like to send him an email.

From: Wiegard, Pierce (Sullivan) <Pierce_Wiegard@sullivan.senate.gov>
Sent: Tuesday, January 26, 2021 4:27 PM

To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Sorry about that

Call me when you get a chance today or tomorrow.

Appointment

From: Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
Sent: 2/4/2021 6:32:12 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]; Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]; Burton, Larry (Sullivan) [Larry_Burton@sullivan.senate.gov]; Elam, Erik (Sullivan) [Erik_Elam@sullivan.senate.gov]; Hopp, Joe (Sullivan) [Joe_Hopp@sullivan.senate.gov]; Manning, Mary-Eileen (Sullivan) [mary-eileen_manning@sullivan.senate.gov]; Gamble, Marcus (Sullivan) [Marcus_Gamble@sullivan.senate.gov]

Subject: Canceled: Senator Sullivan to meet with Mr. Michael Regan, nominee to be EPA Administrator
Location: WEBEX

Start: 2/5/2021 9:00:00 PM
End: 2/5/2021 9:30:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Message

From: Chambers, Micah (Cramer) [Micah_Chambers@cramer.senate.gov]
Sent: 2/4/2021 7:47:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat?

First, congrats to you on the new gig. I thought I saw you talking with Mr. Regan at the hearing yesterday. You gonna be doing congressional affairs or you in the water or air offices...or neither? I'm kind of swamped with vote-a-rama awesomeness. Think we could chat tomorrow?

Micah Chambers
Legislative Director
Senator Kevin Cramer | North Dakota
Russell 400 | 202-224-2043

Email Website vCard

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 2:37 PM
To: Chambers, Micah (Cramer) <Micah_Chambers@cramer.senate.gov>
Subject: Time to chat?

Hi Micah,

Hope all is well with you and your family during these tough times! I wanted to let you know I started a new job at EPA, and I'd love to chat when you have time. Do you mind letting me know if you're free for a ring?

Thanks in advance,
Radha

Message

From: Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]
Sent: 2/3/2021 2:31:52 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Sen. Booker Region 2 Regional Administrator Candidate
Attachments: Ex. 6 11.2020.pdf; ATT00001.htm

Radha — following up from our call, please see attached. Please let me know if anything else I can provide that would be helpful. Adam

Ex. 6

Experience

Ex. 6

Education

Ex. 6

Volunteer

Message

From: Toppings, Christopher (Burr) [Chris_Toppings@burr.senate.gov]
Sent: 2/5/2021 7:32:08 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

Give me a ring on my cell phone in the afternoon, around 2p – Ex. 6 Personal Privacy (PP) Doesn't appear we're getting out of here anytime soon.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 4:12 PM
To: Toppings, Christopher (Burr) <Chris_Toppings@burr.senate.gov>
Subject: RE: Time to chat

Absolutely, if I can impose on you tomorrow I'd appreciate it- just let me know when is good for you and I'll make it work on my end.

From: Toppings, Christopher (Burr) <Chris_Toppings@burr.senate.gov>
Sent: Thursday, February 4, 2021 4:02 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Of course. We're in the middle of budget votes today, so tomorrow, or preferably Monday would work. Any times those days work for you?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 3:55 PM
To: Toppings, Christopher (Burr) <Chris_Toppings@burr.senate.gov>
Subject: Time to chat

Hi Chris,

I hope all is well. By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs at EPA. I wanted to thank you and your boss for the lovely introduction of Secretary Regan yesterday, and ask if you have a few minutes to chat about how we can work together on his confirmation. Do you mind letting me know if we can chat today or tomorrow?

Thank you in advance,
Radha

Message

From: Becker, Kelsey (Duckworth) [Kelsey_Becker@duckworth.senate.gov]
Sent: 2/5/2021 3:59:55 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can I ask for your advise

Any chance you are available now?

Kelsey Becker
Scheduling Director
U.S. Senator Tammy Duckworth

On Feb 5, 2021, at 10:15 AM, Adhar, Radha <adhar.radha@epa.gov> wrote:

Book me!

From: Becker, Kelsey (Duckworth) <Kelsey_Becker@duckworth.senate.gov>
Sent: Friday, February 5, 2021 10:13 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Becker, Kelsey (Duckworth) <Kelsey_Becker@duckworth.senate.gov>
Subject: RE: Can I ask for your advise

11:15? Ex. 6 Personal Privacy (PP)

Kelsey Becker
Scheduling Director
Senator Tammy Duckworth (IL)
(202) 224-2087

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 10:10 AM
To: Becker, Kelsey (Duckworth) <Kelsey_Becker@duckworth.senate.gov>
Subject: Can I ask for your advise

Hey Kelsey!

I hope all is well with you and the family during these tough times. I wanted to get your advice on something- do you have 1 minute this morning for me to give you a ring?

Thanks in advance,
Radha

Message

From: Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Sent: 2/5/2021 5:50:59 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Morgan email

Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>

Hannah Vogel
Senior Legislative Assistant
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, D.C. 20510
Ph: 202-224-2742

Message

From: Oreck, Zoe [Zoe.Oreck@mail.house.gov]
Sent: 2/5/2021 5:53:01 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Following up

Hi Radha,

Happy to provide. What's a good number to reach you?

Thanks!
Zoë

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 12:44 PM
To: Oreck, Zoe <Zoe.Oreck@mail.house.gov>
Subject: Following up

Hi Zoe!

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs at EPA.

I understand our boss's chatted about a week ago and that Congressman Jefferies shared he would be sending his personal contact information along. I know Secretary Regan deeply appreciated the conversation and the offer, and I hope you will let me know how best to follow up on this.

Thanks in advance for you assistance, and have a wonderful weekend.

Radha

Message

From: Chambers, Micah (Cramer) [Micah_Chambers@cramer.senate.gov]
Sent: 2/5/2021 6:19:20 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Time to chat?

Hi Radha. I accidentally hung up instead of answer. Sorry, side effects of vote-a-rama :) My direct is Ex. 6 Personal Privacy (PP) I can chat now if you'd like.

Sent from my iPad

On Feb 5, 2021, at 1:17 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey Michah! Just tried you. Do you mind letting me know if you have a sec to chat?

From: Chambers, Micah (Cramer) <Micah_Chambers@cramer.senate.gov>
Sent: Thursday, February 4, 2021 2:48 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat?

First, congrats to you on the new gig. I thought I saw you talking with Mr. Regan at the hearing yesterday. You gonna be doing congressional affairs or you in the water or air offices...or neither? I'm kind of swamped with vote-a-rama awesomeness. Think we could chat tomorrow?

Micah Chambers
Legislative Director
Senator Kevin Cramer | North Dakota
Russell 400 | 202-224-2043

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Email Website vCard

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 2:37 PM
To: Chambers, Micah (Cramer) <Micah_Chambers@cramer.senate.gov>
Subject: Time to chat?

Hi Micah,

Hope all is well with you and your family during these tough times! I wanted to let you know I started a new job at EPA, and I'd love to chat when you have time. Do you mind letting me know if you're free for a ring?

Thanks in advance,

Radha

Message

From: Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]
Sent: 2/5/2021 6:39:39 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Follow Up Call

No worries! Sure – the best number to reach me is Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 1:34 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Subject: RE: Follow Up Call

Chloe, so sorry! Do you mind sharing if I can give you a quick ring?

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Friday, February 5, 2021 1:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Follow Up Call

Hi Radha,

I cover EPW committee for Senator Wicker.

Chloe Cantor
Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
Sign up for email updates from Senator Wicker
Follow Senator Wicker on Facebook, Twitter, and Instagram

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 1:18 PM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Subject: RE: Follow Up Call

Hi Chloe,

Do you mind connecting me to your colleague who covers EPW committee?

Thank you in advance, and have a wonderful weekend.

Radha

From: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Sent: Tuesday, February 2, 2021 10:06 AM
To: Radha Adhar <radha.adhar Ex. 6
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Follow Up Call

Great, thank you for letting me know. Hope all is well with you!

From: Radha Adhar <radha.adhar[redacted]
Sent: Tuesday, February 2, 2021 10:02 AM
To: Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>
Cc: adhar.radha@epa.gov
Subject: Re: Follow Up Call

Hi Chloe,

Thanks for reaching out. Secretary Regan will be there in person.

Hope all is well with you and your family during these challenging times.

Radha

On Thu, Jan 28, 2021 at 10:06 AM Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov> wrote:

> Hi Radha,
>
> I look forward to working with you in your new capacity at EPA! I had a quick question for you. Do you anticipate that Regan will be attending next week's hearing in person?
>
> Chloe Cantor
>
> Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)
>
> 555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253
>
> Sign up for email updates from Senator Wicker
>
> **Follow Senator Wicker on Facebook, Twitter, and Instagram**
>
> **From:** Radha Adhar <radha.adhar[redacted]
> **Sent:** Thursday, January 21, 2021 4:36 PM
> **To:** Emily Spain <espain@jbrpt.org>
> **Cc:** Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov>; adhar.radha@epa.gov
> **Subject:** Re: Follow Up Call

Thank you for connecting us Emily! Chloe, please let me know if there's anything I can do to help.

On Thu, Jan 21, 2021 at 4:16 PM Emily Spain <espain@jbrpt.org> wrote:

Hi there,

Thanks so much for the heads up. I'm looping in my colleague Radha who will be joining the Deputy Associate Administrator for Congressional Affairs. I will flag for Kathleen who handles the Secretary's schedule to get this on the books. Are there any specific issues or anything we do to be helpful?

Cheers,

Emily

On Thu, Jan 21, 2021 at 3:24 PM Cantor, Chloe (Wicker) <Chloe_Cantor@wicker.senate.gov> wrote:

Hi Emily,

Hope you are well! I wanted to give you a heads up that our scheduling team will be reaching out about scheduling a follow-up call with Secretary Regan.

Chloe Cantor

Legislative Assistant | Office of Senator Roger F. Wicker (R-MS)

555 Dirksen Senate Office Building | Washington, D.C., 20510 | 202-224-6253

Sign up for email updates from Senator Wicker

Follow Senator Wicker on Facebook, Twitter, and Instagram

Message

From: Buening, Rachel (Cramer) [Rachel_Buening@cramer.senate.gov]
Sent: 2/5/2021 10:11:51 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Senator Cramer and EPA Administrator Nominee Michael Regan

6pm is perfect. The conference line is Ex. 6 Personal Privacy (PP) | Conference ID: Ex. 6 Personal Privacy (PP)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 5, 2021 5:06 PM
To: Buening, Rachel (Cramer) <Rachel_Buening@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Senator Cramer and EPA Administrator Nominee Michael Regan

Thank you, Rachel. 6:00pmEST would work great on Monday.

Would you be able to share your conference phone number?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Buening, Rachel (Cramer) <Rachel_Buening@cramer.senate.gov>
Sent: Friday, February 5, 2021 5:02 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Senator Cramer and EPA Administrator Nominee Michael Regan

Hi Kathleen – would any time after 4pm EST on Monday work for a call?

Best,
Rachel Buening
Administrative Director
Senator Kevin Cramer | North Dakota
SR-400 | 202-224-2043

Website

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 5, 2021 4:18 PM
To: Buening, Rachel (Cramer) <Rachel_Buening@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Senator Cramer and EPA Administrator Nominee Michael Regan

Hi Rachel,

Does Senator Cramer have time Monday to reconnect for a brief video call or phone call with Administrator Nominee Michael Regan?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/6/2021 1:41:54 AM
To: Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Should I be expecting official QFRS?

Radha,

I'd appreciate an update before we transmit to you. I am unclear as to why EPA has any QFRs that were not formally transmitted by us.

-Mary Frances

From: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Sent: Friday, February 5, 2021 8:40 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: RE: Should I be expecting official QFRS?

Looping MF

Caroline Jones
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
o: 202-224-8832

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 8:17 PM
To: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Re: Should I be expecting official QFRS?

I'll do a sweep and circle back!

Sent from my iPhone

> On Feb 5, 2021, at 8:03 PM, Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov> wrote:
>
> Just swept through my inbox again and I don't see any I'm missing. You're not counting any day-of questions are you?
>
> **Caroline Jones**
> Senate Committee on Environment and Public Works
> Chairman Tom Carper (D-Del.)
> o: 202-224-8832
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Friday, February 5, 2021 7:57 PM
> **To:** Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
> **Subject:** Re: Should I be expecting official QFRS?

I don't think we have them all

Sent from my iPhone

On Feb 5, 2021, at 7:52 PM, Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov> wrote:

I have:

1. Carper
2. Carper for Booker
3. Whitehouse
4. Kelly
5. Padilla
6. Capito
7. Capito for Barrasso
8. Capito for Rounds
9. Inhofe
10. Cramer
11. Boozman
12. Wicker
13. Sullivan
14. Ernst

Caroline Jones
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
o: 202-224-8832

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 7:43 PM
To: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Re: Should I be expecting official QFRS?

Hmm I think we have 351 🤔

Sent from my iPhone

On Feb 5, 2021, at 7:41 PM, Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov> wrote:

About to (actually) finalize – but I'm only seeing 271 questions?

Caroline Jones
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
o: 202-224-8832 | m: 202-507-2953

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 7:35 PM
To: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Re: Should I be expecting official QFRS?

No worries lady it was so great seeing you and I totally understand! Will keep my eyes peeled.

Sent from my iPhone

On Feb 5, 2021, at 7:18 PM, Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov> wrote:

Hi! I meant to reach out to you on Wednesday – it was good to see you!

I'm quite literally just now wrapping up compiling and formatting the official QFRs, which I'm sure MF will transmit to you shortly. So yes, expect official ones!

Caroline Jones
Senate Committee on Environment and Public Works
Chairman Tom Carper (D-Del.)
o: 202-224-8832 | m: 202-507-2953

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 7:13 PM
To: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Should I be expecting official QFRS?

Hey Caroline, I got about 350 QFRs in word documents and just wanted to check and make sure we got the whole set! Mind letting me know?

TO: Senator Stabenow
FROM: Aaron, Christian, Milla
CC: Matt, Teresa, Emily
DATE: January 6, 2021
RE: Zoom Meeting with Michael Regan for EPA Admin

Background: Regan is pronounced "*Ree-gan*." He heads North Carolina's Dept. of Environment Quality. EPW will vote to confirm on Feb. 9. He did well at his hearing and will hopefully get a few GOP votes. Burr and Tillis endorsed him.

Date and Time: Monday, February 8, 6:45 pm – 7:15pm

Zoom Information:
[HYPERLINK

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Attendees: Michael Regan and Radha ("*Ra-dah*") Adhar, who was Duckworth's enviro LA.

****

- Reiterate your leadership on Great Lakes issues, including GLRI, and desire to work with him to address the climate crisis.
    - EPA will be working on GHG standards for vehicle.
    - GM, Ford, DTE, Dow, Consumers have net zero commitment. Highlight that CEOs of each company are personally engaged on climate.

- Preview Michigan / Flint request for EPA to join settlement.
    - Working with Kildee and Peters on.
    - Final approval of Michigan's $641M settlement is in July.
    - Short window for EPA to join and contribute to settlement.
    - Recognize complexity at EPA and Justice Dept. to join settlement.
    - So much more difficult to sign people up in Flint to receive settlement twice rather than at same time with the State and EPA.

- Express support for Micah Ragland to Administrator of EPA Region 5.

- Impressive African American male from Flint. Led EPA community relations in Flint during water crisis. Currently at DTE, former staffer in the House, and has a law degree.
- Duckworth privately supporting him. Kildee publicly supporting him, penning endorsement letter signed by Dingell, Slotkin, Stevens, Levin, Lawrence, Bobby Rush, Beatty (OH), McCollum (MN), Philips (MN), and Carson (IN).

- Need his help on PFAS, particularly in working with Defense Dept. to fund remediation at Wurtsmith and other retired bases in Michigan.
  - Michigan has more PFAS contamination than any other state.
- Hoping EPA can get Renewable Fuels Standard back on track, and start approving cellulosic feedstocks that have been sitting at EPA for years.
- Need his help restoring trust in water system in Flint.
  - State requirement that all Michigan cities undertake 20-year effort to replace lead service lines began in January
- Highlight your work on recycling with Portman and state's paper / forestry industry.

****

Climate

- Regan has pledged bold action to address the climate crisis.
- EPA is front and center on establishing new GHG standards for vehicles built after MY2025, and for reestablishing carbon limits for stationary sources under the Clean Air Act.
- GM pledged to reach net-zero by 2040; Ford, DTE, Consumers, and Dow by 2050.

Flint

- The State reached a $641.25 million settlement of all civil Flint water cases pending against them in all courts. EPA is not party to the settlement.
  - The settlement received preliminary approval on January 21 by the Eastern District Court of Michigan. A settlement registration and claims

process will now commence, with a final settlement approval hearing scheduled for July 12, 2021.
  - EPA's attempt to dismiss the civil cases covering approximately 5000 individual plaintiffs have been rejected by the courts. While the court's opinion acknowledged the many hurdles facing plaintiffs in the suit against EPA, it cited many of EPA's own communications and documents in holding that there is clearly enough for these cases to proceed against EPA.
- Staff does not believe the City has used all of the $100M in emergency funding Congress approved in 2016.
- Flint Mayor Sheldon Neely is receiving generally favorable reviews since he came to office in 2019.
- Flint nearing the end of its project to replace all lead service lines. Lead lines have been replaced at 9,700 homes, and fewer than 500 remain.

PFAS

- Regan has experience addressing PFAS in North Carolina
- EPA will be looking to develop new drinking water standards for several PFAS compounds and establish a hazardous designation under CERCLA.
- In 2020, Michigan established new drinking and ground water, and clean-up standards for 7 PFAS compounds.

Enforcement at Region 5.

- Enforcement by Region 5 hit historic lows during the Trump Administration.

Sewers/Waste Water

- Combined sewer overflows (CSOs) contribute billions of gallons of raw sewage into Michigan waterways annually.
- Major problem in population centers across Michigan.

Regan Bio

[INCLUDEPICTURE "/var/folders/xy/fljqx0p56rg4rsw7npybydz40000gp/T/com.microsoft.Word/WebArchiveCopyPasteTempFiles/Sec%20Regan%20-%20Copy_2.jpg?itok=DydJqbWm" * MERGEFORMATINET]

Governor Roy Cooper named Michael S. Regan Secretary of the N.C. Department of Environmental Quality on Jan. 3, 2017.

As DEQ secretary, Regan oversees the state agency whose mission is to protect North Carolina's environment and natural resources. The organization has offices from the mountains to the coast and administers regulatory and public assistance programs aimed at protecting the quality of North Carolina's air, water and land, its coastal fisheries, and the public's health.

Regan joins the Cooper administration after more than 18 years of professional experience focused on overcoming complex challenges through environmental advocacy and regulation. Most recently, he served as the Associate Vice President of U.S. Climate and Energy and Southeast Regional Director of the Environmental Defense Fund. He led the Environmental Defense Fund's efforts to reduce the impacts of climate change and air quality pollution.

Prior to that, Regan worked with the Environmental Protection Agency's air quality and energy programs for the Clinton and Bush administrations. Before leaving the agency, Regan served as a national program manager responsible for designing programs aimed at reducing pollution, and market-based solutions to improve energy efficiency, air quality and climate-related challenges.

Regan also founded M. Regan & Associates, LLC, a firm dedicated to helping organizations find transformational solutions to complex energy, environmental and economic challenges.

Regan has served on several boards and commissions focused on the environment. They include the UNC School of Law Center for Climate, Energy, Environment and Economics, Green 2.0, N.C. Commission on Global Climate Change, the N.C. Energy Policy Council and the Executive Steering Committee of Envision Charlotte.

A native of Goldsboro, N.C., Regan has a bachelor's degree in Earth and Environmental Science from N.C. Agricultural and Technical State University and a master's degree in Public Administration from George Washington University.

Regan and his wife, Ex. 6 Personal Privacy (PP) and their son, Ex. 6 Personal Privacy (PP) live in Raleigh.

Republicans press Regan on Biden's climate agenda

[HYPERLINK "https://www.eenews.net/staff/Kevin_Bogardus"], E&E News reporter Published: Wednesday, February 3, 2021

Michael Regan, President Biden's nominee for EPA administrator, faced questions today over the administration's climate change plans.

The secretary of the North Carolina Department of Environmental Quality appeared before the Senate Environment and Public Works Committee for his confirmation hearing. He pledged to work with lawmakers if confirmed to lead the agency.

In turn, Republicans on the committee, led by West Virginia Sen. Shelley Moore Capito, the next ranking member, expressed concerns over a series of executive orders the president has signed focusing on fighting climate change.

Promising open dialogue and collaboration, Regan said he learned in North Carolina that environmental regulation without input wasn't sustainable.

"We can't simply regulate our way out of every problem we face," Regan said in his opening remarks. His tenure as DEQ secretary taught him that the environment and the economy can go hand in hand, he added.

Regan said, "In North Carolina, we are moving beyond the old argument that we must pit creating jobs against protecting the environment."

North Carolina Sens. Richard Burr and Thom Tillis, both Republicans, introduced Regan at today's hearing and encouraged their colleagues to support his nomination.

The EPA administrator nominee faced repeated questioning over the White House's actions so far on the environment. Capito said she was struck by the administration's moves to have the United States rejoin the Paris Agreement, block the Keystone XL pipeline and have agencies review environmental rollbacks by the prior administration.

"It's hard to build back better, like the president has said, if we can't build back anything," Capito said.

She pushed Regan on the role Gina McCarthy, a former EPA administrator who is leading the White House's domestic climate policy, would have at the agency. The West Virginia Republican called McCarthy and John Kerry, who is leading international climate policy, "the unconfirmed and unaccountable czars on climate."

Regan said he has met with McCarthy and discussed climate policy. He also said, if confirmed as EPA administrator, he would report to the president.

Regan said, "With every complex issue, we anticipate healthy debates" as the Biden administration moves forward to hit its climate goals.

Other Republicans lamented Biden's orders.

"I have not seen a lot of cooperation coming from the White House. I have seen a lot of executive orders. I have seen a lot of dictates," said Sen. Kevin Cramer (R-N.D.). He asked Regan how he would be different from what he has seen from the administration so far.

"I see the executive orders setting goals and setting vision," Regan said, adding there would be plenty of room for Cabinet-level agencies like EPA in implementing them.

Democrats offered support for Regan at today's hearing.

Sen. Tom Carper (D-Del.), the committee's incoming chairman, said, "I've become convinced that he is the right person to lead the Environmental Protection Agency at this critical time."

Democrats also warned Regan that he is inheriting an agency left broken by the Trump administration. Sen. Sheldon Whitehouse (D-R.I.), noting Regan's promise to look forward, said he should also look backward, comparing him to a ship's captain.

"You have got to look at the ship. You have got to do a damage control assessment," Whitehouse said.

Regan replied that he would assess what happened at EPA and make fixes where needed.

Other senators pressed him on concerns for their states.

Democratic Sen. Ben Cardin of Maryland pushed Regan for assurances that he would prioritize cleanup of the Chesapeake Bay and install a new point person.

Regan responded that he will have an agriculture and an environmental justice adviser at EPA, and that although he's facing budget constraints, he's sizing up agency resources for a potential adviser on the Chesapeake Bay, which is facing threats from pollution, climate change, agriculture and development.

The EPA nominee touted his history addressing per- and polyfluoroalkyl substances (PFAS). In his role at DEQ, Regan took on Chemours Co. over PFAS contamination in the state and has garnered praise for his part in a major consent order with the company.

In response to a question from Sen. Kirsten Gillibrand (D-N.Y.), Regan asserted EPA will act on PFAS contamination, although he declined to go into specifics.

"I can commit to you that on day one this will be a priority for this administration," Regan said, adding that EPA will weigh restrictions on PFAS through a number of avenues.

He also made commitments around the pesticide chlorpyrifos, pledging to prioritize scientific findings over pressure from agriculture interests. Chlorpyrifos, a neurotoxic insecticide, poses a threat to the health of farmworkers.

Sen. Jeff Merkley (D-Ore.) also quizzed Regan on his approach to single-use plastics and the issue of marine debris. Regan agreed on the importance of addressing plastics pollution and said he would review the issue at EPA.

"[It's] a significant challenge, when we look at the role of plastics, especially the impacts we've seen with our marine life and our coastal communities," said Regan.

The Oregon lawmaker went on to push Regan over a final risk evaluation for asbestos under the Toxic Substances Control Act (TSCA), asking whether EPA would be open to reconsidering its findings. Environmental groups have been very critical of that assessment, and EPA is under pressure to revisit the asbestos findings as well as other TSCA risk evaluations.

Regan said he would work with staff to make a decision on the asbestos evaluation based on "the latest science and data."

Reporters E.A. Crunden and Hannah Northey contributed.

Message

From: Bauserman, Trent [Trent.Bauserman@mail.house.gov]
Sent: 2/7/2021 12:24:04 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Introduction and follow up

Thank you very much. More importantly, I appreciate the followup. Really glad you guys are over there.

On Feb 6, 2021, at 6:53 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey Trent,

I hope all is well. I wanted to circle back on this and let you know that this issue has been resolved. EPA has reviewed its December 2019 evaluation of the WIP and have determined **it is consistent with the policy goals of the EO**. We have conveyed this to MD DEQ.

Please let me know if you have any questions, and I hope we can chat soon so I can introduce myself!

Have a wonderful weekend,

Radha

From: Bauserman, Trent <Trent.Bauserman@mail.house.gov>
Sent: Thursday, January 28, 2021 11:57 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Introduction and follow up

Thank you. Glad you are tracking and look forward to getting the update.

Take care.

On Jan 28, 2021, at 11:47 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hi Trent,

By way of introduction, my name is Radha Adhar and I am the incoming Deputy Associate Administrator for Leg Affairs at EPA. Alison Cassidy shared with me that you flagged a concern re: MD's SIP for the Chesapeake Bay. We have shared the Maryland delegation's feedback and hope to have clarity soon. When we have it- YOU will have it!

I hope all is well with you and your family during the challenging times, and I look forward to working with you!

Best,
Radha

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/6/2021 2:27:57 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: FW: Questions for the Record for Admin Regan
Attachments: ALL Regan QFRs 2021-02-03.pdf; ALL Regan QFRs 2021-02-03.docx

---

From: Repko, Mary Frances (EPW)
Sent: Friday, February 5, 2021 9:05 PM
To: Dan Utech (utech.dan@epa.gov) <utech.dan@epa.gov>; Adhar, Radha (Duckworth) <Radha_Adhar@duckworth.senate.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>; Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Questions for the Record for Admin Regan

Dan and Radha-

Attached please find the complete PDF of the cover letter and QFRs for Secretary Regan. Also attached is a Word document of just the questions themselves.

To comply with Committee rules, please have Secretary Regan email a copy of his responses to QFR@epw.senate.gov or deliver one hard copy by 9:30 AM on Monday, February 8, 2021. Responses should be delivered to the EPW Committee at 456 Dirksen Senate Office Building, Washington, DC 20510.

If you have questions over the weekend, please call me at Ex. 6 Personal Privacy (PP)

Please confirm receipt,

-Mary Frances

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works

United States Senate

WASHINGTON, DC 20510

February 5, 2021

Michael S. Regan
Secretary
North Carolina Department of Environmental Quality
2600 Glenwood Avenue, Apt. 304
Raleigh NC 27608

Dear Mr. Regan:

On behalf of the Senate Committee on Environment and Public Works, we would like to thank you for testifying before the Committee on Wednesday, February 3, 2021, at the hearing entitled, "Hearing on the Nomination of Michael S. Regan to be Administrator of the Environmental Protection Agency." The Committee greatly appreciates your attendance and participation in this hearing.

In order to maximize the opportunity for communication between you and the Committee, follow-up questions have been submitted by the members. To comply with Committee rules, please e-mail a copy of your responses to QFR@epw.senate.gov or deliver one hard copy by 9:30 AM on Monday, February 8, 2021. Responses should be delivered to the EPW Committee at 456 Dirksen Senate Office Building, Washington, DC 20510.

If you have any questions about the requests or the hearing, please feel free to contact Mary Frances Repko, Democratic Staff Director, at (202) 224-8832, or Adam Tomlinson, Republican Staff Director, at (202) 224-6176.

Sincerely,

Thomas R. Carper

Shelley Moore Capito

Senate Committee on Environment and Public Works
Hearing entitled, *"Hearing on the Nomination of Michael S. Regan to be Administrator of the Environmental Protection Agency."*
February 3, 2021
Questions for the Record for Michael S. Regan

Senator Carper:

1. When former President Trump thought about climate change, he thought hoax, not jobs. As a result, the Trump EPA was blind to policies that were good for our climate and economy. For example, automakers and states called on the Trump EPA to implement a "50-state solution" on fuel economy and greenhouse gas tailpipe standards that achieve meaningful climate, clean air and economic benefits. Instead, the Trump EPA implemented an illegal regulation that took away state authority, increased consumer costs, increased pollution, and provided uncertainty for car manufacturers. Thankfully, when President Biden thinks about climate change, he thinks jobs and has already directed EPA to take another look at the vehicle standards. The President believes, as I do that we can reduce the largest source of climate pollution and help American automakers innovate, create jobs and compete in the global market.

    a. Will you commit that, if confirmed, you'll make it a priority to find an agreement between the automakers and states and start those discussions as soon as possible?

    b. I believe the California Framework program agreed to by California and 5 automakers could serve as a logical starting point for negotiations on a near-term federal solution. It would seem that a collaborative approach with automaker support could set our nation on an accelerated path for reducing emissions, provide more regulatory certainty, and help build a robust market for electric vehicles as we transition to a zero-carbon transportation future. What are your thoughts on this approach?

2. Will you commit that, if confirmed, you will support the President's direction to the State Department to send the Kigali Amendment to the Montreal Protocol to the Senate for ratification?

3. Will you commit, if confirmed, to working with downwind states, like Delaware, who are still suffering from cross-state air pollution from upwind states?

4. Methane is a greenhouse gas with 80 times the planet-altering power of carbon dioxide in the near-term. The oil and gas sector contributes to the climate crisis by venting and flaring natural gas with methane, and through unintentional leaks in aging infrastructure. President Biden directed EPA through executive action to act on oil and gas methane emissions. Will you commit, if confirmed, to quickly review and revise, if necessary, the existing methane oil and gas New Source Performance Standards, entitled: "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration," 85 Fed. Reg. 57398 (September 15, 2020)?

ED_013012_00003807-00002

5. EPA has not effectively implemented the PFAS action plan, which it released two years ago. For example, no legal limit for PFAS in drinking water has been set. Also, EPA has delayed key studies on the toxicity of PFAS. It has also failed to set standards under the Clean Water Act, which would prevent industries from releasing high levels of PFOA/PFOS into the nation's waterways, and it has failed to designate PFOA and PFOS as hazardous substances under Superfund, which would initiate the cleanup process at the most contaminated sites. Will you pledge to implement all the steps articulated in the PFAS Action Plan?

6. The last two EPA Administrators have promulgated rules that misrepresent the state of the science in order to achieve a pre-determined political outcome. The violations of scientific integrity will manifest as real-world harms to our environment and human health. There are two keys to restoring trust in EPA: an agency-wide commitment to EPA's written scientific integrity policy, and a scientific integrity officer who is empowered to do their job. Will you support a process for making sure new and existing EPA employees are fully aware of their rights and responsibilities regarding the conduct of scientific research, publication of scientific research, communication with the media and the public regarding scientific research? Will you commit to meet with the EPA Scientific Integrity Officer on a regular basis and seek status reports on her observations?

    a. Under the Trump administration, the scientific integrity officer could not act on serious violations of the scientific integrity policy, because it was the political appointees to whom she reported to that committed the violations. Will you work with the scientific integrity officer to explore amendments to agency rules and procedures, as well as work with Congress to explore any necessary changes to law, to ensure that political appointees in the current and future administrations do have not the ability to effectively overrule or stymie the findings of the scientific integrity officer?

7. Will you commit to investing significant budgetary resources to achieving changes at the agency to advance environmental justice?

    a. How will you address the cultural changes needed at the agency in enforcement, permitting and regulation to address environmental injustices?

8. As I mentioned during your February 3, 2021 nomination hearing, the Trump EPA created great uncertainty in the Renewable Fuel Standard (RFS), which sets mandates on the amount of biofuels that are to be blended into our transportation fuels. In your testimony, you mentioned that under your leadership, if confirmed, EPA would focus more on transparency when it comes to implementing the RFS program. This is welcomed news since I've encouraged EPA to take this step for years. However, I am concerned that you may only be focused on transparency when it comes to the small refinery waiver process and not the entire program. I remain concerned about the volatility in the RFS compliance trading system used by EPA, known as the Renewable Identification Number (RIN) market. I continue to believe market transparency and business certainty, which includes processing biofuel applications in a timely manner and issuing the renewable volume obligations in a timely manner, is a big

ED_013012_00003807-00003

part of the solution to addressing the volatility. If confirmed, will you commit to reviewing and implementing, if necessary, transparency measures across the RFS program?

9. Under the Trump Administration, EPA attempted to weaken the legal authority for the Mercury and Air Toxics Standard (MATS), which regulated air toxics from power plants. Stakeholders did not want EPA to take this action and yet EPA did. In doing so, it created great uncertainty in terms of reducing mercury and other air toxics from our nation's largest sources of air toxics and reduced business certainty for the entire power sector. If confirmed, do you commit to reviewing the action by the Trump EPA to undermine the Mercury and Air Toxics Rule?

Senator Carper for Senator Booker:

10. An issue that is critical from an environmental justice perspective is revisiting the rule that EPA recently finalized that refused to lower the National Ambient Air Quality Standard for Particulate Matter. PM2.5 levels are disproportionately higher in Black communities, and PM2.5 is disproportionately killing Black people. EPA scientists recommended lowering the PM2.5 standard but EPA, under the Trump Administration, ignored the scientists.

    a. If confirmed, will you take a close look at this rule and consider following the scientific consensus and lowering the threshold for this deadly air pollutant, Particulate Matter?

11. Under TSCA, the EPA should be prioritizing the protection of communities, including fenceline communities, that experience greater exposure to chemicals, greater health risks from exposure or both. And, the agency should actively engage these communities when identifying which chemicals are of the greatest concern, assessing the risks they pose, and how to protect against those risks.

    a. If confirmed, will you use your full authority under TSCA to work with these communities to identify, evaluate, and prevent harmful exposures to chemicals?

12. Over the last four years, I have met with families who have lost sons and daughters due to exposure to toxic chemicals like methylene chloride and trichloroethylene (TCE) – both chemicals for which bans of high-risk uses were supposed to have been finalized in 2017 but were put on ice and then withdrawn by the previous administration. Mothers and brothers and grandparents have visited my office to tell the stories of their loved ones - of a 13-year-old daughter who died of brain cancer in a community ravaged by childhood cancers linked to TCE contamination, and of a 21 year-old son who died from acute exposure to a paint stripper made with methylene chloride while on the job. I'd like to be able to tell the parents of Emma Grace Findley and Kevin Hartley that they have been heard and listened to and that we will finally take action to make sure that no more parents have to come here to tell us that we are not protecting their children.

    a. If confirmed, can you commit to making sure we finally put these protections in place?

Senator Whitehouse:

13. There was funding in the FY 2021 omnibus spending bill for EPA to review and approve pathways for electric vehicles to receive credits under the RFS (known as e-rins). For several years, EPA has declined to approve applications that would open up this pathway. Modeling has shown that opening up this pathway could create a new incentive for electric vehicle deployment, valued at upwards of $800 per vehicle. If confirmed, do you commit to reviewing swiftly all pending e-rin applications?

14. We have legislation that would establish at EPA a zero credit carbon emissions avoidance program to award credits to existing nuclear power facilities that are struggling economically. Modeling has shown that one-third of the existing fleet could shutter prematurely, removing carbon-free energy generation that we need to meet our climate goals. Do you support providing subsidies to economically vulnerable nuclear facilities in order to maintain their carbon-free energy generation?

15. The Renewables Enhancement Growth Support (REGS) Rule (EPA-HQ-OAR-2016-0041) has been stalled at EPA for more than four years. Among other items, this rule would allow biointermediates to produce low-carbon fuel for which renewable identification numbers would be generated. The REGS rule went through the entire rulemaking and commenting process as specified in the Administrative Procedures Act. Comments on the biointermediates section were overwhelmingly positive. Most recently, Congress directed EPA to finalize this portion of the rulemaking for the REGS Rule (in Division G of the report accompanying the FY 2021 omnibus appropriations bill). The language directs EPA to complete the rulemaking within 90 days of the act's enactment (December 27, 2020) and report to Congress within 60 days about EPA's plans for action on this important rule. Should you be confirmed, will you commit to adhere to Congress's instructions, under the prescribed timeline, to finalize the REGS Rule to address the long-delayed decision on biointermediates?

Senator Kelly:

16. My state has very limited groundwater supplies. The City of Tucson shut down 10 percent of its groundwater wells due to PFAS contamination. And in the Phoenix metro area, nine water systems in the west valley have detected potentially harmful levels of PFAS in groundwater reservoirs. We need federal assistance to address PFAS, including EPA grants under the Safe Drinking Water Act. I am concerned that Arizona gets shortchanged on EPA water quality grants under the existing formula—we are near the bottom because our state doesn't have a lot of water. Last year, Arizona received as much funding from the EPA as the Territory of Guam—around $10 million. What can EPA do to ensure that states who rank at the bottom of EPA grant formulas, like Arizona, get the funding they need to address PFAS?

17. The Obama-era "Waters of the United States rule" (WOTUS) rule expanded EPA enforcement over water quality beyond the major rivers and lakes covered by the Clean Water Act. I support clean rivers and waters, but how EPA writes this rule is very

important. I've heard from farmers and ranchers in my home state of Arizona that the Obama-era WOTUS rule put EPA in charge of regulating irrigation canals or livestock ponds. Others in my state were concerned that housing could be disrupted if EPA defines dry desert washes as "waterway of the United States." If EPA produces a new WOTUS rule, will you commit to factoring Arizona's unique desert landscape?

18. A 50-year old sewer pipeline built by the State Department for Mexico has been eroding and spilling Mexican sewage across the small border town of Nogales, Arizona, for the past 15 years. The sewer line transports 10 million gallons of wastewater. Nogales has tried suing the State Department, but the agency has been dodging the lawsuit citing international treaty agreements. Nogales is 95 percent Latino and doesn't have the revenue to keep patching the sewer line. Do you see this as an environmental justice issue? How can EPA support the cleanup of wastewater near the southern border?

19. There are over 500 abandoned uranium mines on the Navajo Nation that were left behind from the Cold War that have been decommissioned by defunct mining companies. These mines are polluting the tribe's groundwater wells. Contaminated drinking water has been linked to outbreaks of lung cancer, bone cancer, and impaired kidney functions. So far, the Department of Justice and the EPA have only tracked down the owners of 97 of those mines. Cleanup has begun on fewer than seven mines. Would you say this is an environmental justice issue? Will the cleanup of these mines be a priority for the EPA?

20. Another Trump Administration regulation that's been suspended would reduce air quality standards. I agree with the need to reverse these regulations. My concern here is that Arizona has seen EPA try to fine county governments for haboobs—dust storms. In reality, the smog from California is a bigger problem for us than the occasion haboob. Again, I think EPA needs to take into account that Arizona is different. So, if EPA produces a new national air quality rule, will you ensure that this "national rule" takes into account my state's unique desert environment?

21. As you may know, in March of 2018, Maricopa County, six Arizona cities and two tribal nations, along with a number of federal, state, and local partners announced the formation of the Rio Reimagined project. The project seeks to coordinate environmental protection and economic development projects along the riverbed of the Salt River, which flows through the heart of the Phoenix metropolitan area. The goal of the project is not just to clean up the Salt River watershed, including several brownfields, but also to make the areas around the river hubs for economic development. I was very pleased that the Trump administration and your predecessor EPA Administrator Wheeler chose to designate the Rio Reimagined project as an Urban Waters Federal Partnership project. This designation will allow federal agencies, including EPA, the Department of the Interior, the Fish and Wildlife Service, the Army Corps of Engineers, and others to coordinate federal efforts to support the many environmental restoration and economic development projects that are a part of Rio Reimagined. The Rio Reimagined project demonstrates how federal, state, and local partners can collaborate to both restore our environment and create economic growth. As EPA Administrator, how would you work to support collaborative projects,

like Rio Reimagined, and promote the development of additional projects, which support both environmental restoration and economic development?

Senator Padilla:

22. California has led the nation when it comes to reducing vehicle emissions. It is something we're very proud of in my state, and it is something that I know Senators Feinstein, Carper, and Markey have led the way on here in the Senate. As you know, the Trump EPA attempted to undermine California's authority to regulate greenhouse gas emissions from vehicles. Every automaker has now walked away from supporting that Trump Administration effort, and the Biden Administration has asked EPA to quickly review the decision. Mr. Regan, the Clean Air Act is clear about California's independent authority to regulate tailpipe emissions. Will you pledge to be a true partner with California in our efforts to reduce vehicle emissions?

23. Mr. Regan, I appreciate that one of your stated focuses will be environmental justice and ensuring that our low-income communities and communities of color are not left behind. One specific environmental justice issue in California that I want to highlight for you is the former Exide battery plant in Vernon, California. This battery recycling facility in a largely Latino, working class area of Los Angeles has been polluting the local air and soil with lead and arsenic for decades. Young children and their families are being exposed to toxic chemicals, and no one has held the company responsible. With the support of the Trump Administration EPA and Department of Justice, a bankruptcy court allowed Exide last year to simply abandon the plant, leaving California and the local community left to clean up the mess. How will you ensure that EPA partners with California to clean up this site?

    a. Will you formally designate the Exide facility as a superfund site?

24. A critical equity issue facing California is the availability of safe, clean drinking water. There are numerous low-income communities of color in the Central Valley that are not connected to municipal systems and don't have access to a reliable source of safe drinking water. As we begin to discuss infrastructure and President Biden's Build Back Better agenda, how will the EPA ensure that low-income communities of color in California will finally have access to safe, clean drinking water?

    a. Then there are other communities whose drinking water has been contaminated by PFAS. As you know well, PFAS is a class of more than 7,000 chemicals, and the challenge of even beginning to regulate them is enormous. One effort that California is pursuing to grapple with PFAS is working with the Department of Energy and with Lawrence Berkeley National Lab to use supercomputers to better understand the behaviors of each PFAS chemical in order to begin to regulate chemicals by class in the future. Mr. Regan, will you pledge to work with California and other federal agencies to help bring more federal resources to bear and to help better understand PFAS chemicals so that states and the federal government can better regulate them?

25. California faces numerous clean air challenges, particularly in the non-attainment areas of Los Angeles and the Central Valley. These clean air challenges are particularly acute for low-income communities of color in both regions. One of the fundamental issues we face in California is that we can regulate stationary sources, but not the mobile sources that are the cause of so much of the pollution. For that, we need the federal government. For example, heavy duty trucks are California's largest sources of nitrogen oxide air pollution, which is a leading contributor to the deadly smog in the San Joaquin Valley and in Southern California. California needs a true partner at the federal level in order to meet air quality standards. Even the industry has expressed support for tighter standards, but the Trump EPA refused to act. Will you commit to pursuing stricter federal emissions standards for heavy duty trucks, as well as for locomotives, cargo ships, and planes?

    a. Another example is the mobile equipment and trucks used around the Ports of LA and Long Beach and the agricultural equipment used in the Central Valley. EPA has helped owners and operators retrofit older vehicles through the Targeted Airshed Grant program and the Diesel Emissions Reduction Act program. But more must be done. How will you ensure that the EPA helps California improve its air quality through both stricter regulation and increased financial support?

Senator Capito:

26. During your time as NC DEQ Secretary, you established the state's first Environmental Justice and Equity Advisory board to better address social inequities, environmental protection, and community engagement, including in rural areas that are exacerbated by environmental issues.
    a. From a policy and regulatory perspective—how do you define environmental justice?
    b. Do you agree that renewable energy sources and infrastructure can pose environmental inequities for communities in which they are sited?
    c. How will energy poverty, in the form of less resilience, less reliability, and higher costs, be taken into consideration for environmental justice?
    d. Do you agree that poverty and economic harm resulting from environmental regulations has negative health outcomes, including deaths of despair such as drug overdose or suicide?
    e. Should economic harm resulting from environmental regulations likely to increase poverty be considered an environmental justice issue and factored into EPA's cost-benefit analyses as a net negative health effect?
    f. Do you feel that the effects of poverty in rural and urban environmental justice communities are functionally similar?

27. As a nation we should do everything in our power to help the underserved and disadvantaged members of our communities. That includes considering alternatives to policies that are regressive, imposing the greatest costs on those least able to bear them. Do you agree that environmental injustice in disadvantaged communities is exacerbated by policies which seek to ban natural gas as a reliable, clean, and affordable energy source?

ED_013012_00003807-00008

28. I think everyone agrees with the goals of environmental justice and its importance as an issue that demands our attention. However, the scope of the issue is not always clear. For example, do you view access to jobs and energy affordability as a justice issue for poor and disadvantaged communities?

29. Do you agree that increased energy costs have a disproportionate impact on low-income families and communities?

30. If confirmed, will you take into account the impact of higher energy costs that would result from environmental regulations during your review of EPA policies and regulations?

31. In response to a question from Senator Cardin concerning a Chesapeake Bay Czar, you stated that, "I have been successful in prioritizing an agricultural czar or advisor, an environmental justice advisor." This appears to imply that you have plans in place to create and hire new adviser or "czar" specifically devoted to Environmental Justice.
    a. Do you intend to create a new position advising on or overseeing the Agency's environmental justice agenda?
    b. If so, will they be directly overseen by the EPA Administrator?
    c. If so, what will the responsibilities of this position entail?
    d. If so, will the responsibilities of this position overlap with the responsibilities of any other position already in existence at the EPA?

32. Do you acknowledge that the administration and enforcement of federal environmental statutes has in fact resulted in plant closures and layoffs?

33. Do you acknowledge that the administration and enforcement of federal environmental statutes in the future has the potential to result in plant closures and layoffs?

34. Do you agree that the Agency has the ability to maintain a system of contacts with Federal, State, and local enforcement offices and request information from the public in order to identify at the earliest possible time situations where a firm has closed or may close a facility due in substantial part to the administration and enforcement of federal environmental statutes? If not, why not?

35. Do you agree that the Agency has the ability to evaluate potential or actual plant closures and layoffs that may result from the administration and enforcement of federal environmental statutes to determine their significance based on the specific circumstances such as the nature of the workforce and the local economy? If not, why not?

36. During this ongoing COVID-driven economic downturn, it is critical that American businesses have regulatory certainty for those businesses to manage their companies.
    a. How will you prioritize EPA's policies and activities to provide regulatory certainty?

ED_013012_00003807-00009

b. Do you believe EPA should regularly review existing policies to identify outdated and unnecessary policies to minimize costly duplication? If so, will you formalize such a process at EPA?

37. Secretary Regan, last week President Biden signed an Executive Order pertaining to the Administration's international and domestic environmental policy goals.[1] Section 218 of the Executive Order establishes an interagency working group focused—among other things—on steering federal resources to communities and individuals that will be harmed by the Biden Administration's energy and environmental policies. The executive order specifically mentions "coal and power plant communities," such as those in West Virginia, which have already borne the brunt of troublingly similar agendas previously pursued by political appointees under the Obama-Biden Administration. As I am sure you are aware, should you be confirmed you will be a member of this interagency working group.
    a. Can you elaborate on your understanding of the mission of this interagency working group?
    b. Do you believe this interagency work group approach is the most effective manner for the federal government to ensure "coal and power plant communities," such as those in West Virginia, will not be targeted and left behind like they were as a result of many Obama-Biden Administration actions?

38. The executive order directs the interagency working group to submit a report making recommendations to President Biden within 60 days of it being signed.
    a. As a member of the interagency working group, do you commit to working with, and timely answering requests for information by the Congressional delegations representing these communities as you develop recommendations?
    b. Do you commit to sharing the report with myself and other representatives of these communities prior to finalization?
    c. Do you commit to granting Senators in both parties equal access to information and documents, including any necessary briefings and discussions with Agency personnel? If not, please explain why.
    d. Do you commit to holding all of your political appointees at EPA to this same standard?
    e. Do you commit to allowing the Ranking Member and Minority staff of the Committee access to any EPA staff deemed necessary to provide information relevant to the Committee's requests?

39. For the benefit of Congress and the Executive Branch, effective communication and input are necessary in the development of regulations and policies that have a significant impact on the everyday lives of Americans. In development of the Clean Power Plan, the EPA under the Obama-Biden Administration—specifically previous officials that are again serving or have been nominated to serve under this Administration—refused to hold hearings in areas such as West Virginia that would have been severely impacted by the regulatory overreach.

---

[1] https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/

a. Will you commit to hosting public outreach and listening sessions in those states most likely to be negatively impacted by a proposed rulemaking?
b. If requested, do you commit to provide the Ranking Member and Minority staff of the Committee notification and to consult with the Committee prior to any proposed or final action?
c. Do you commit to make yourself and your staff available to provide additional information and briefings to the Committee on any action prior to it being taken by EPA?

40. Do you believe that the Agency should clearly and transparently document its decisions?

41. Do you believe that the public should have clarity on why EPA makes the decisions it makes, including the science on which those decisions are based? Should that science, including the associated data, be available to the public for review? If not, why not?

42. Should the Agency work to increase transparency and allow others to peer review its science?

43. Do you commit to responding to Freedom of Information Act (FOIA) requests as quickly as possible?

44. What are your views of Administrator Wheeler's implementation of the Lean Management System to track and expedite EPA permitting and regulatory actions and do you intend to maintain it if confirmed?

45. Do you commit to notifying the Committee of all of the email addresses you plan to use upon confirmation and also provide additional notice within seven days of using a new email address, including any aliases or pseudonyms? Do you commit to holding all of your political appointees at EPA to this necessary standard?

46. Do you commit to conducting all business using official email addresses and other means and to refrain from any mediums that are outside the Freedom of Information Act's reach? Do you commit to holding all of your political appointees at EPA to this standard?

47. Throughout the history of the EPA, Administrators have reaffirmed a commitment to transparency in Agency's operations. Part of this commitment to transparency has included releasing records of the calendars of the Agency's senior leaders. During their tenures, Administrators Andrew Wheeler, Scott Pruitt, Gina McCarthy, and Lisa Jackson regularly released details of their daily schedules.
    a. Do you intend to reaffirm to all EPA employees past EPA Administrator's commitments to transparency in Agency's operations? If not, please explain.
    b. Do you commit to ensuring the calendar entries you share with the public are timely and contain meaningful details that will enable the public to understand how you are conducting yourself as leader of the Agency?
    c. Do you commit to providing information on the subject of the calendar events and the major participants involved? If not, please explain.

48. Nearly all the senior non-Senate confirmed EPA positions in the Headquarters office have been filled. This is concerning since this has taken place seemingly without your input or consent.
    a. Have you worked with any of the political appointees that have been announced at EPA to date?
    b. What was the role of the White House climate czars and staff in their selection, if any?

49. Will you get to select the 10 EPA regional administrators?

50. Do you believe that Regional Administrators should hail from, or have experience living and working within, the EPA Regions they serve?

51. Will you commit to instructing all of your political staff to take the appropriate steps to avoid any appearance of having their impartiality questioned in the performance of their official duties?

52. Do you believe that all political appointees at EPA should follow the Department of Justice (DOJ) ethics guidelines?

53. Will you commit to directing all political appointees at EPA to comply with DOJ ethics guidelines to recuse themselves for a one-year period from any matter in which their former employer whom they provided services to within the previous year is a party or represents a party?

54. A theme of regulation over the past four years has been to hew close to the purpose and scope of our nation's environmental laws as they were enacted and acknowledging the improvements in our environment during the 50 years or so that most of these laws have been on the books.
    a. Do you agree that our environment has improved since these laws were enacted?
    b. Do you believe we must consider costs and legal bounds as we pursue environmental improvement?

55. You responded to a question during your North Carolina State Senate committee hearing in 2017 on working with states, industry, and by stating, "I learned that when all is said and done, the business community wants regulatory certainty" and that industry and environmentalists both "want to be heard and to participate in a transparent process." Do you pledge to work with industry and technology experts to ensure commonsense, technically feasible, and economically viable environmental solutions are proposed and implemented?

56. Among the many unilateral, executive actions that President Biden took before having an accountable Senate-confirmed official in place at EPA was a return to the Clinton Administration-era Executive Order 12866 and the Obama Administration-era Executive Order 13563, which controlled how EPA and other agencies proceed with their

ED_013012_00003807-00012

regulatory planning and review. During your hearing before this Committee, you stated "It is my desire to follow the law, not exceed my statutory authority. I believe with the proper stakeholder engagement, I think that we can forge a path forward."

a. Do you commit to not exceeding the statutory authority granted to EPA in action the Agency takes?
b. How will EPA abide by Section 1(b) of EO 13563 that instructs agencies to "impose the least burden on society," and "tak[e] into account the costs of cumulative regulations?"
c. Will EPA provide at least 60 days of public comment on regulatory proposals to allow for meaningful public comment consistent with the EO 12866 Section 6(a)?
d. Will EPA facilitate semi-annual retrospective reviews of actions to determine if revising, streamlining, or repealing any existing rules that may be "outmoded" or "excessively burdensome" is necessary, as outlined in Section 6 of EO 13563?

57. On January 28, 2021, I joined with 25 of my Senate colleagues in requesting from President Biden a meeting to discuss our concerns over his recent executive actions on climate and the destruction of quality jobs in the energy sector. The White House Press Secretary denied this request the very next day. Since you are being considered for a position as President Biden's nominee to be EPA Administrator, you should be the representative for of the Administration with primary authority over environmental regulations. Will you commit to meeting with my Senate colleagues and me to have a discussion about these recent executive actions and how you view them impacting your role as EPA Administrator?

58. There has been much discussion on the possibility of Congress taking up resolutions of disapproval for several recent EPA regulations under the Congressional Review Act of 1996. Under that law, after disapproval, EPA could not promulgate "substantially the same" rules again.
    a. If Congress were to disapprove rules to retain former President Obama's National Ambient Air Quality Standards (NAAQS), which must be reviewed every five years, what would that mean for future NAAQS standards?
    b. Does the definition of "rule" under the Congressional Review Act include EPA guidance documents?

59. Will you commit to ensuring that any new Agency guidance is developed in a transparent manner?

60. Will you commit to ensuring that the Agency will publicly release all draft guidance prior to finalization, allowing for public comment *before* issuing final guidance?

61. Will you commit to avoid shadow regulations, in which the Agency adopts de facto standards without going through the formal notice-and-comment process?

62. Will you commit that EPA (including the Office of Water and all other program offices) will continue to ensure guidance documents do not mandate any specific actions, outcomes, or requirements?

ED_013012_00003807-00013

63. Do you agree with the concept that any guidance documents truly necessary to enhance effective national program implementation should be expeditiously finalized, at most within two years of proposal?

64. Will you commit to automatically rescinding any draft guidance documents created by the Agency that have not been finalized within two years?

65. On January 8, 2020, the Office of Management and Budget issued a memorandum titled: "Executive Order 12866 Review of U.S. Environmental Protection Agency (EPA) Integrated Risk Information System (IRIS) Assessments," which makes clear that IRIS assessments are guidance documents and that certain of them are likely to be significant and thus should go through a formal interagency E.O. 12866 review. This is a positive action since the IRIS program supports EPA's mission to protect human health and the environment, and IRIS assessments are influential or highly influential scientific documents that play a foundational role in Agency-wide regulatory policy choices. IRIS assessments also serve as a scientific resource to states, local government, tribal agencies, other Federal agencies, and international health organizations.
    a. Do you agree that IRIS assessments are influential and are impactful to the public, business, and the economy in general?
    b. Do you intend to comply with this memorandum to treat IRIS assessments as guidance, to make significance determination based on the criteria in section 3(f) of Executive Order 12866 review, and to require that significant assessments are subject to interagency review?
    c. Are you aware of any plans for the President to rescind this memorandum? If so, will the Agency continue to informally offer IRIS assessments and other similar guidance documents up for interagency review?

66. As a state regulator, you know EPA's coordination with states and tribes is key to successful implementation of the cooperative federalism model embedded in many environmental statutes.
    a. How has your experience as a state regulator and a former EPA employee shaped your view of effective cooperative federalism?
    b. Will you commit and make it a priority to consult with any states or tribes on EPA issues or actions?
    c. Do you believe it is important that states should maintain State Implementation Plans (SIPs) to meet air quality standards based on the cooperative federalism principles enshrined in the Clean Air Act, rather than federally-issued implementation plans (FIPs) to mandate standards and metrics across the states, regardless of differences in economies and scale?

67. Under the Obama-Biden Administration, the EPA ignored and left out states like West Virginia in the development of key policies. I am concerned that with so many political appointees behind those policies returning to EPA and this Administration, this dangerous practice will recur. I want to ensure this EPA under the Biden Administration does not make the same mistakes of the past.

a. Will you also commit to establishing regular leadership meetings for Regional Administrators and state and tribal officials within their respective jurisdictions?
b. As a former EPA employee and state regulator, do you believe further guidance from EPA Headquarters is necessary to ensure coordination is effectively and consistently implemented throughout the Regions?

68. As a former EPA employee and a state regulator, you know the importance of the Office of Enforcement and Compliance Assurance. It is imperative to punish bad actors, but it is important to work closely with the states and provide entities with technical assistance to get them into compliance. How will you balance enforcement actions with technical assistance in achieving compliance?

69. You responded to a question during a North Carolina State Senate committee hearing in 2017 on working with states and businesses by stating: "We used to say at the EPA that 'We like to educate rather than regulate.' We want to create a culture where people who involuntarily violated a rule come to the agency to figure out how to work out of the situation. This is not a gotcha game, but how to protect our natural resources."
    a. Will you commit to standing by your views from 2017 and prioritizing compliance assurance?
    b. What is your plan for ensuring the Agency continues to work closely with the states and providing entities with assistance to bring them into compliance with all EPA statutes?

70. The EPA under the Obama-Biden Administration focused on the number of "prosecutorial assistance" requests to the U.S. Department of Justice (DOJ), while the Trump Administration defined success by the number of entities brought into compliance. How do you plan to define success of EPA enforcement actions?

71. Like other federal agencies, there are discrepancies in the enforcement tactics between EPA's different regions, as well as the regions and EPA headquarters. What is your plan to bring a consistent enforcement regime across all 10 Regions?

72. During the January 27, 2021 White House climate press briefing with John Kerry and Gina McCarthy, McCarthy stated that climate change is "the most significant health challenge of our time." Secretary Regan, as we experience a global pandemic and as many West Virginians are still struggling to recover from the impacts of the Obama-Biden Administration's destructive energy policies, do you agree with the statement that Gina McCarthy made that the Biden Administration views climate change as the biggest public health challenge of our time?

73. The Committee questionnaire asks for disclosure regarding any business relationship, dealing or financial transaction with 501(c)(4) organization in the last ten years. You responded "none." Is there any information you would like to amend in your questionnaire with regard to EDF Action?

ED_013012_00003807-00015

74. In your ethics agreement submitted to the Committee, you detail that upon confirmation that you will resign from your position as NC DEQ Secretary and that for a period of one year after your resignation, you would have a "covered relationship" under the impartiality regulation of 5 C.F.R. §2635.502 with NC DEQ, where the circumstances clearly bring to question your ability to be impartial in any matter involving NC DEQ. Please explain what your understanding of a "covered relationship" is in this context.

75. Despite this "covered relationship" and the clear impartiality you would have in any matter involving NC DEQ, you detailed that you would be seeking authorization to immediately engage with NC DEQ.
    a. Why do you feel the need this action is necessary?
    b. Do you intend to recuse yourself from any matters related to the State of North Carolina?

76. Will you commit to notifying the Committee of your participation in any matter involving any of your former employers or organization of which you are a part?

77. Secretary Regan, you have told the Committee that in your role as NC DEQ Secretary, you were able to "address economic, environmental and public health issues—giving equal weight to each area in making key decisions."
    a. Is this balance how you will approach your job at EPA—giving equal weight and consideration to economic, environmental, and public health issues as you make decisions?
    b. Do you feel that approach was taken in the Biden Administration's Executive Orders implicating EPA policies so far? Please explain.

78. Your role as founder of M. Regan & Associates was not disclosed in the *EPW Questionnaire* you provided to the Committee, despite the request to provide details on all previous employment. Why did you feel this role did not meet the standard warranting disclosure to the Committee?

79. Upon further review, you seem to be the only employee of this firm, and there are no details available on any clients or issues that you worked on during this 5 month tenure.

    a. Please describe in further detail the role you served with the firm and what business did you oversee at M. Regan & Associates?

    a. Do you still have any fiduciary responsibility to or maintain financial assets in M. Regan & Associates?

80. Did M. Regan & Associates conduct business with any government entity, environment or energy public or private organization, or any other stakeholders that may be considered relevant to your appointment as EPA Administrator?

ED_013012_00003807-00016

a. If so, with what relevant entities did this company conduct business, and will you commit to recusing yourself from any EPA business that will involve these entities as stakeholders?

81. In the information provided to the Committee, you did not disclose any memberships in organizations you currently or previously held. Your profile on the NC DEQ website details that you have served on several boards and commissions focused on the environment, including the UNC School of Law Center for Climate, Energy, Environment and Economics, Green 2.0, N.C. Commission on Global Climate Change, the N.C. Energy Policy Council and the Executive Steering Committee of Envision Charlotte.[2]
    a. Why did you feel these roles did not meet the standard warranting disclosure to the Committee?
    b. Please describe in further detail the role you served on these boards or commissions.
    c. Did these boards or commissions conduct business with any government entity, environment or energy public or private organization, or any other stakeholders that may be considered relevant to your appointment as EPA Administrator?
    d. If so, what relevant entities did these boards or commissions conduct business with, and will you commit to recusing yourself from any EPA business that will involve these entities as stakeholders?

82. Is there any additional information you need to provide to the Committee at this time that you have previously failed to provide?

83. Do you commit to notifying the Committee immediately upon discovery of any additional failures to provide necessary information?

84. You stated that in your role at EPA you led "initiatives to improve energy efficiency and air quality" and that this experience will allow you to "hit the ground running, understanding fully the EPA's mission and capabilities as well as its role within the Executive Branch and its partnership with the Congress." Please describe in further detail the positions you held at EPA, the initiatives you led to improve energy efficiency and air quality, and elaborate how each position contributes to your ability to hit the ground running as EPA Administrator.

85. The Biden Administration has established a climate advisory council led by White House National Climate Advisor Gina McCarthy, former Administrator of the EPA during the Obama-Biden Administration. I have significant issues with the White House empowering these unaccountable climate czars, which in addition to former Administrator McCarthy include former Secretary of State John Kerry and former Deputy Interior Secretary David Hayes. These concerns have traditionally been shared by both parties in Congress regarding presidential administrations.
    a. What is your understanding of the role of EPA within the National Climate Advisory Council?

[2] https://deq.nc.gov/about/leadership/michael-s-regan

ED_013012_00003807-00017

b. Will the Advisory Council have oversight over some or any of the EPA's actions?
c. Will any of the climate czars report to you, or any other Senate-confirmed official, or will you report to them?

86. I was encouraged by your response to questions during the hearing, and I hope you are correct in stating that you will be in charge, but there is still significant concerns on the unaccountability and transparency of these White House climate czars and their staff. There is need for this Committee and the American public to understand their role and how they will be responsive to this Committee.
    a. Do any of these White House climate czars and staff have significant authority—regulatory or informal?
    b. Will these White House climate czars and staff have a role in personnel, legal, or budgetary decisions at EPA?

87. Is the Office of Domestic Climate Policy, which Gina McCarthy heads, a permanent office within the White House?
88. Both David Hayes and Gina McCarthy joined the White House from organizations involved in hundreds of active lawsuits against agencies like EPA, as well as lobbying activity on key EPA rules.
    a. Will these White House climate czars and staff be subject to federal ethics requirements, including signing the Ethics Pledge in President Biden's Executive Order?
    b. Do you commit to working with the White House to provide all ethics documents of the White House climate czars and staff before you are confirmed?
    c. Based on your understanding of ethics requirements, should they be recused from work on any particular matter for which their former employers are a party?

89. Just as important to knowing any ethical issues these officials may have is the need for the American public to have clear, timely, and appropriate access to their communications and understand any forms of accountability that are in place.
    a. Will the White House climate czars and staff be subject to FOIA?
    b. Will the White House climate czars and staff be subject to scientific integrity policies, like the policy present at EPA?

90. A number of environmental laws that you will be administering—including the Clean Air Act (CAA), Toxic Substances Control Act (TSCA), Environmental Research, Development, and Demonstration Authorization Act (ERDDAA)—have very high standards for docketing, transparency, and other procedural requirements when it comes to interagency or White House review of proposed regulations. Do you view White House climate czars and staff involvement in EPA work as triggering these transparency requirements?

91. President Biden has also nominated Janet McCabe to serve as Deputy EPA Administrator. Ms. McCabe led EPA's Office of Air and Radiation under the Obama Administration and alongside Ms. McCarthy. The Senate did not confirm her for this

ED_013012_00003807-00018

position. Prior to announcing she would be nominated for Deputy Administrator, did the White House ask you for your input for EPA senior leadership team?

92. Implementing the unilateral Executive Orders will require a significant amount of EPA's resources since they establish tight timelines and call on you to review and potentially rescind more than four dozen specific EPA actions.
    a. Did you provide the White House with any input on their recent Executive Orders, including those on "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis" and on "Tackling the Climate Crisis at Home Abroad"?
    a. If not, should you have been involved in these decisions?

93. You detailed in the hearing that you considered the details of these unilateral, executive orders to be more like "goals" rather than mandates from the White House.
    a. Do you feel that statutory requirements are more significant than Executive Orders in determining and shaping policies?
    b. Are there any provisions of these Executive Orders that would impose higher home heating power bills, gasoline prices, or other energy prices or bills for low income households? Please detail them.

94. Congress established EPA's Science Advisory Board (SAB) to provide scientific advice to the Administrator, review EPA's research programs, and advise the agency on scientific matters. A central principle of developing, reviewing, and providing scientific advice is a rigorous review from the scientific community and incorporating such feedback into the final analysis and advice. Historically, the agency has used the SAB to conduct peer review analysis and provide science advice on many issues. The SAB also drafts Integrated Risk Information System (IRIS) assessments.
    a. Do you intend to continue this practice?
    b. If not, how do you intend to change SAB's role?

95. Do you recognize the importance of diverse membership and broad experience for SAB members, including Appalachia and other regions of the country?

96. Will you evaluate SAB nominations and membership in a fair and impartial manner, based on a nominee's academic, technical, and professional credentials and not on political affiliation?

97. For key committees created by Congress including the Science Advisory Board and the Clean Air Scientific Advisory Committee, Republican and Democratic EPA Administrators have followed precedent by having previously appointed advisors serve out their terms. Will you follow this precedent or remove those experts before their terms expire?

98. Under the Environmental Research, Development, and Demonstration Authorization Act of 1978, Congress created the Science Advisory Board to respond to scientific requests

ED_013012_00003807-00019

from the head of EPA but also this Committee. Will you agree to facilitate Board advice in response to questions from Committee members on both sides of the aisle?

99. Robust and credible scientific and technical analyses is critical, supplemented by a vigorous cost-benefit analysis, for well-formed and legally sound EPA regulations. Where will you and the EPA regulatory offices look for scientific answers?

100. Former EPA Administrator Pruitt was criticized for his policy that prevented the appointment of scientists to the SAB if they were actively taking grant funds from the EPA on the grounds that this was a conflict of interest. Do you believe that a scientist who takes funds from the EPA has a conflict of interest if he or she serves on a committee to provide advice to the EPA and review EPA science? If not, why not?

101. Would you agree that reliance upon scientific advice from an individual who receives EPA funding at least creates the *appearance* of a conflict of interest?

102. Environmental groups, such as your past employer, the Environmental Defense Fund, assert EPA should not use data and science provided by industry. If you believe that receiving funds from the EPA does *not* create a conflict of interest, would you apply that same standard to scientific advice provided by peer-reviewed research conducted by industry?

103. Environmental groups organized as nonprofits, such as Environmental Defense Fund, do not have to disclose their donors.
    a. Do you believe that scientific research or policy papers composed, promoted, or in any way funded by these groups pose a potential conflict of interest or at least the appearance of a conflict of interest? Should they be considered equivalently to those promoted by industry or trade associations in any science-based rulemaking processes?
    b. Will you support EPA's use of scientifically sound data regardless of who generates that information, as long as such data is subject to a thorough peer-review process?

104. EPA currently has about 20 Federal Advisory Committees (FACA). Will you commit that *all* of EPA's FACAs will represent a diversity of geographic regions, including West Virginia and Appalachia, in addition to a diversity of backgrounds and experience of individual FACA members?

105. While the Office of Research and Development leads the Agency's scientific research activities, EPA's program offices, as well as state regulatory agencies, also carry out research and data analysis activities. Findings among different offices may not converge on a single outcome. In news reports, a recent instance of such a scientific disagreement within the Agency took place on the toxicity assessment for "PFBS," which is a member of the "PFAS" class.
    a. How will you handle instances in which conflicting data amongst credible peer-reviewed work exists within EPA?

ED_013012_00003807-00020

b. How will you handle instances in which there are conflicting conclusions between EPA and your state partners?
c. If there is conflicting data, are there instances in which it is appropriate to set a risk-based range that would be used for decisions based on specific sites or circumstances?
d. Do you agree that for scientific research to be credible, it must be subject to objective, independent peer review before it is published and remain subject to scrutiny after it is published?

106. EPA's Office of Research and Development (ORD) is the agency's scientific research arm. It was restructured in 2019 to better address how today's environmental challenges are approached.
a. What is your view about ORD's current strategic planning process that puts the agency programs as its primary customer?
b. Is ORD the sole arbiter of science or does the Agency intend to seek input from all stakeholders, including private regulated entities and states?

107. On January 7, 2021, EPA published its rule on "Strengthening Transparency in Pivotal Science Underlying Significant Regulatory Actions and Influential Scientific Information." The rule establishes how EPA will consider availability of dose-response data for science used in significant regulatory actions.
a. Do you support policies that increase transparency in scientific analysis?
b. Do you believe that the American public should have access, to the maximum extent practicable, to underlying scientific data used to make consequential and costly regulatory decisions?
c. If so, do you feel that applies to all rules imposing unfunded mandates on stakeholders, regardless of whether they constitute "major rules" as defined under the Congressional Review Act?

108. Nuclear energy currently generates more than half of our nation's carbon-free electricity. North Carolina generates 75 percent of its carbon-free electricity from nuclear power plants. Those plants also employ more than 2,600 workers with good-paying jobs.
a. What is your view of nuclear energy?
b. Can you share your views on the role of nuclear energy in North Carolina's baseload generation mix and its importance in meeting the state's carbon emissions targets?
c. If confirmed, will EPA take actions to support the safe, continued use of existing operating nuclear power plants?
d. If confirmed, will EPA take actions to support the development and deployment of new, advanced nuclear energy systems?

109. The current standards for health impacts of radiation are based on the "linear no threshold" (LNT) principle. LNT is based on decades-old studies and models that directly extend down from high levels of radioactive exposure to very low doses of radiation. Congress has provided bipartisan support for the Department of Energy (DOE) to

research the impacts of low doses of radiation on human health. EPA is responsible for setting the health standards for radiation exposure.

a. If confirmed, will you commit that EPA will work with DOE on assessing the potential impacts of very low doses of radiation?
b. If there is new information, will you commit that EPA will give fair and careful consideration for how EPA sets its radiation standards, including whether to apply a model other than LNT?

110. EPA uses the "social cost of carbon" (SCC) as part of its assessment to justify regulations on greenhouse gas emissions. A January 26, 2021 *Inside EPA* article states that President Biden's recent Executive Order on climate change "is expected to spur a significant increase in the interim social cost of carbon, the metric used to quantify the benefits of greenhouse gas rules, with key advocates press it to be set as high as $125 per ton, up to four times the Obama-era value, which would help EPA and other agencies to justify sweeping new GHG policies." Under the Obama Administration, an Interagency Working Group (IWG) met behind closed doors to revise SCC, which was then rapidly implemented without public scrutiny. This is detrimental to the public's trust in the rationale underpinning environmental regulations. On January 21, 2021, President Biden established an Interagency Working Group on the Social Cost of Greenhouse Gases to set the SCC, the "social cost of nitrous oxide" (SCN), and the "social cost of methane" (SCM).

a. Secretary Regan, if confirmed, will you commit to inform this Committee of EPA's participation the Interagency Working Group on Greenhouse Gases?

b. Will you commit to inform this Committee of EPA's participation on any interagency working group on any other issue that may lead to or influence EPA regulatory policy?

c. Will you also commit you will provide this Committee all communications, meeting notes, membership, and related documents associated with the working group as requested and in a timely manner?

d. Will EPA consider *all* economic costs associated with the environmental regulatory decisions necessary to implement any proposed SCC, including job losses, increased costs to consumers, and offshoring of American industries, businesses, and jobs?

e. Should the Biden Administration propose to revise an SCC, will you commit to a process that includes public involvement, including a public notice and comment period prior to such a revision?

f. In applying the SCC, SCN, and SCM estimates to regulatory proposals, will you commit to evaluating the likelihood that higher domestic costs due to regulations could increase global emissions by forcing US industries to produce goods off-shore where environmental emissions are higher due to less stringent regulations

ED_013012_00003807-00022

and higher transportation-related emissions from bringing the resulting goods to domestic markets?

111. On January 20, 2021, President Biden directed the Office of Management and Budget (OMB) to review and update OMB Circular A-4 through a Presidential Memorandum. OMB Circular A-4 is the overarching guidance document that dictates how to develop regulatory analysis. Do you believe there are gaps in Circular A-4 that require it to be revised? If so, what are they?

112. President Biden's memorandum states the document should be updated to "fully account for regulatory benefits that are difficult or impossible to quantify." If confirmed as the leader of an agency that is committed to basing decisions on science and facts, how do you believe EPA should balance quantifiable costs and benefits compared to relying on an undefined rationale?

113. Will you commit to wait until the Administration's review of OMB Circular A-4 is complete before making any revisions to EPA's Final Benefit-Cost Analysis rulemaking?

114. In addition to two climate czars in the White House, the Administration has announced senior staff for nearly every Federal agency with portfolios dedicated to climate change. Costly and burdensome environmental regulations stifle our economy and hinder job creation. This makes it critical that environmental policies are established only after careful consideration within the appropriate agency. If confirmed, how will you ensure that other federal agencies are not trampling over EPA's jurisdiction?

115. In evaluating the costs of regulations, will you commit to present estimates of benefits and costs using discount rates that reflect the opportunity cost of capital for businesses?

116. In estimating benefits and costs, will you commit to identifying all major assumptions and uncertainties in the benefit and cost estimates?

117. Will you also commit to conducting and presenting sensitivity and uncertainty analyses of those uncertainties?

118. Do you agree that "[o]ne-size-fits-all approaches to public policy problems can inhibit the creation of effective solutions to those problems," as stated by Section 2(f) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

119. Do you agree that "[t]he national government should be deferential to the States when taking action that affects the policymaking discretion of the States and should act only with the greatest caution where State or local governments have identified uncertainties regarding the constitutional or statutory authority of the national government," Section 2(i) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

120. When undertaking to formulate and implement policies will you commit to "where possible, defer to the States to establish standards" as directed by Section 3(d)(2) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

121. When undertaking to formulate and implement policies will you commit when "determining whether to establish uniform national standards" to "consult with appropriate State and local officials as to the need for national standards and any alternatives that would limit the scope of national standards or otherwise preserve State prerogatives and authority," as directed by Section 3(d)(3) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

122. Do you agree the United States Environmental Protection Agency is required to engage in reasoned decision-making and that its actions must be reasonable and reasonably explained?

123. Do you acknowledge that the Supreme Court's decision in *Michigan v. EPA*, 135 S. Ct. 2699 (2015), was correctly decided?

124. Do you agree that reasonable consideration of the costs of an action requires consideration of potentially superior alternatives and not just consideration of action versus inaction?

125. Will you commit to ensuring that the United States Environmental Protection Agency considers all significant costs and drawbacks of its actions, including localized impacts, and considers all potentially superior alternatives raised by stakeholders, except where Congress has affirmatively forbidden such consideration as a part of a specific regulatory process?

126. President Trump withdrew the US from the Paris Agreement in 2017. That same year marked the ninth time this century that the U.S. reduced carbon emissions more than any other nation. Carbon dioxide emissions in the U.S. are at their lowest level since the early 1990s, meanwhile emissions around the globe have risen 50 percent in the same time period. Despite China emitting more cumulative carbon emissions than the United States and the European Union *combined*, the Paris Agreement allows China to continue increasing their emissions for years down the road. Meanwhile the United States would be required to make sizable emission reductions *today*, raising energy prices for Americans and costing thousands of jobs.

   a. Do you agree that meaningful greenhouse gas emissions reductions were occurring in the United States prior to the Paris Agreement and would continue regardless of whether the United States rejoins the agreement?
   b. Do you agree with the legal findings of the Obama Administration that the Paris Agreement is nonbinding and does not have the force of law in the United States?
   c. Will the EPA be involved in the transfer of taxpayer dollars to developing countries to assist with their climate mitigation efforts, as enshrined in the Paris Agreement?

ED_013012_00003807-00024

127. The AIM Act, enacted in Section 103 of Division S of the Consolidated Appropriations Act of 2021, contains clear, newly enacted Congressional direction to EPA to phase down hydrofluorocarbons.

a. Do you commit to following and implementing the AIM Act's regulatory requirements in their entirety in the time periods provided by Congress?
b. On regular intervals as requested by the Senate Environment and Public Works Committee, do you commit to providing updates on EPA's progress in implementing the AIM Act?

128. There is broad recognition across industry and environmental groups on the importance of the AIM Act as it pertains to addressing climate change. David Doniger of the Natural Resources Defense Council went as far as to describe the AIM Act as "the biggest action this Congress has taken to meet the climate crisis." Given the broad recognition of the significance of the AIM Act, in conjunction with the clear deadlines and congressional direction assigned to the agency, do you commit to prioritizing implementation of the AIM Act over other regulations in EPA's Office of Air and Radiation?

129. Senator Carper asked you to commit that, if confirmed, you'll support the president's direction to the State Department to send Kigali Amendment to the Senate for ratification and make implementation a top priority for EPA, to which you replied "Yes." In your view, does the AIM Act satisfy the domestic requirements and bring the U.S. into compliance with the Kigali Amendment?

130. The Clean Air Act generally preempts state regulation of motor vehicles. States are able to apply for a waiver from this preemption if they can demonstrate compelling and extraordinary circumstances within the State. When California was first granted a waiver, EPA found that California did in fact meet the compelling and extraordinary circumstances condition for criteria pollutants. That same argument does not apply to greenhouse gas emissions. While criteria pollutant emissions are a localized issue, greenhouse gas emissions are a global issue and are not particular or unique to California. The Trump EPA determined that California's desire to set its own greenhouse gas and zero-emission vehicle standards does not qualify as a compelling and extraordinary circumstance. Further, the Trump EPA determined that California's greenhouse gas emissions and zero-emission vehicle standards are inconsistent with the Clean Air Act because they are technically infeasible and do not provide sufficient lead time to permit the development of necessary technology to meet those standards. As you know, Clean Air Act Section 177 allows other states to abide by the fuel economy standards set by California.

a. Do you agree that any standard California sets influences the national market for automobiles?
b. You testified that "the California waiver exists for a reason." Does this mean you plan to reinstate California's waiver to set its own fuel economy standards?

ED_013012_00003807-00025

131. In response to a question from Senator Carper on fuel economy standards, you testified that "we need the right policies and the right regulations to be sure that all the players understand there's a level playing field." How will there be a level playing field if the national auto market has states with different standards?

132. Do you agree that technologies needed to achieve emissions reductions from automobiles contribute to a higher retail cost for new cars?

133. Regions of California are the only parts of the country to be in nonattainment of multiple National Ambient Air Quality Standards. Is it fair that a state that cannot meet existing, nationally applicable air pollution requirements that other states have been able to meet can in turn dictate regulatory policy for the entire nation in tailpipe emissions?

134. Earlier this week, Gina McCarthy, who was not confirmed by the Senate, spoke to the press about how she is already engaging in discussions with regulated industry on revisions to fuel economy standards, which are promulgated by EPA. This statement, however, was made before you even testified before the Environment and Public Works Committee.

   a. If confirmed, how will you ensure that Ms. McCarthy will not circumvent your authority to set fuel economy standards?

   b. If confirmed, do you commit to providing briefings jointly with Ms. McCarthy, at the request of the Senate Environment and Public Works Committee Majority or Minority staffs, detailing any discussions Ms. McCarthy has had with regulated industry on fuel economy standards that implicates EPA authorities?

135. As the auto market moves further towards electric vehicles and automated vehicle systems, the average weight of a vehicle is expected to increase. As a result, new lightweight automotive materials, such as innovative plastic and polymer composites, will increase in importance. The development of such composite materials has spurred growth in U.S. manufacturing jobs. If confirmed as Administrator, do you plan to work with the Department of Transportation to ensure these lightweight plastic and polymer composite automotive materials are not disadvantaged in fuel economy standards?

136. As you are aware, last year California announced its intention to ban ICE vehicles by 2035. Earlier this month, a report from California's Energy Commission found that if California wants to achieve their goal of 100 percent electric vehicles by 2035, it will need 1.5 million chargers. This is three times the 500,000 chargers that President Biden promised to build nationwide on the campaign trail. To illustrate how far California is from realizing this reality: the state currently has only 67,000 public chargers, with an additional 121,000 chargers planned for construction. The Biden Administration has made clear its goals for promoting electric vehicle adoption in the United States. When asked about a potential proposal in Japan to ban gas-powered vehicles by 2035, Akio Toyoda, Toyota's President, said if Japan is too hasty in banning gas powered cars *"the current business model of the car industry is going to collapse,"* causing the loss of millions of jobs.

ED_013012_00003807-00026

a. How many electric vehicle chargers do you believe will be needed for nationwide electric vehicle deployment?
b. Do you believe the United States is capable of meeting such a massive infrastructure undertaking in a way that will not result in job loss and higher car prices for the average American? If so, how?

137. Within the explanatory statement for the Consolidated Appropriations Act of 2021 (P.L. 116-260), $3 million was expressly directed to facilitating development of Class VI wells that are used to inject carbon dioxide for geological sequestration. This funding was also specified to help review and process Class VI primacy applications and will help improve permitting procedures for commercial and research carbon sequestration projects. Do you commit to spending this $3 million to develop additional expertise at the Agency for this purpose?

138. Carbon capture, utilization, and storage (CCUS) is essential to meeting global climate targets and preserving and growing manufacturing and energy jobs in this country. I have worked across the aisle, including with members of this Committee, to support wide scale deployment of CCUS technology. The United Nations' Intergovernmental Panel on Climate Change (IPCC) has called CCUS key to addressing climate change. Additionally, in President Biden's Plan for a Clean Energy Revolution, he announced that he shares the Carbon Capture Coalition's goal to "make CCUS a widely available, cost-effective, and rapidly scalable solution" and wants to accelerate the development and deployment of this technology. In the North Carolina DEQ comments to the ACE Rule that you submitted along with Governor Roy Cooper, North Carolina voiced support for carbon capture and sequestration technology.
a. If confirmed, will you commit to work with me to accelerate development and deployment of CCUS technology?

b. If confirmed, will you commit to working collaboratively on supporting infrastructure, such as pipelines, that will enable greater CO_2 storage?

139. Instead of implementing overreaching and illegal regulations to tackle climate change, I support incentivizing American innovation through research and development. For example, the Clean Industrial Technology Act was recently signed into law. This new law will help ensure American ingenuity is at the forefront of reducing emissions from the industrial sector. Do you agree that American innovation is a key component to reducing emissions and that promoting American ingenuity is preferable to overreaching regulatory actions?

140. Over the last few decades, our country has made incredible strides in reducing air pollution. Between 1970 and 2019, the combined emissions of the six common air pollutants have dropped by 77 percent. And from 1990 to 2017, emissions of air toxics in the U.S. declined by 74 percent.
a. Do you agree that the US has successfully reduced air pollution over the past few decades?
b. What type of air pollution will be your primary target at EPA?

c. Will your priorities be based on direct health impacts, environmental effects, or something else?

141. The so-called '*Clean Power Plan*' was an unrealistic, illegal regulation that would have strangled our energy economy and raised electricity prices across the country before its implementation was stopped by the Supreme Court. Many former Obama Administration officials, including Gina McCarthy and Joe Goffman, who has been called "the legal architect of Obama's Clean Power Plan," have already been hired by the Administration.

a. Do these hiring decisions, made without a confirmed EPA Administrator in place, undermine the authority of an incoming Administrator?
b. How can you be sure that these "architects of the Clean Power Plan" whom have not been confirmed by the Senate, have not already begun working on a similar regulatory proposal that would be chiefly your responsibility to implement should you be confirmed as EPA Administrator?

142. How will EPA consider the financial impact of its rules on older energy workers for whom a transition to a new industry is infeasible? How about those workers who become unable to transition due to a lack of jobs in their region?

143. During his 2012 State of the Union, President Obama said, "the development of natural gas will create jobs and power trucks and factories that are cleaner and cheaper, proving that we don't have to choose between our environment and our economy."[3] Do you agree with President Obama's statement?

144. As you testified, your strategy has always been to "engage our private sector counterparts." If you are confirmed, will you commit to engaging with industry before drafting any proposal related to methane to ensure the agency better understands the technological advancements that have been made on methane detection and mitigation?

145. As you mentioned during your hearing, you wanted regulations to be flexible and for "interpretations of the regulations to be flexible enough to allow for innovation." Will you commit to ensuring operators are provided flexibility to implement the most feasible technologies?

146. If confirmed, will you commit to consider the impacts on public health with respect to medical device availability when considering any regulatory actions that may impact ethylene oxide?

147. You testified that you "see the executive orders as setting goals and setting vision. But in those Executive Order, they leave plenty of room for how these things would be implemented. The reality is that these cabinet agencies will be implementing and executing these visions. And so, we have a ton of time, in my opinion, to aim for these

[3] https://obamawhitehouse.archives.gov/the-press-office/2012/01/24/remarks-president-state-union-address

goals but massage the processes which we will achieve those goals." If confirmed, would you have flexibility to extend the timelines included in Executive Orders as necessary?

148. In response to Senator Sullivan, you stated, "I don't think it's a good idea to kill jobs." Do you agree the Executive Orders have already eliminated jobs, including laying off workers from the Keystone XL pipeline?

149. The so-called '*Clean Power Plan*' was an unrealistic, illegal regulation that would have strangled our energy economy and raised electricity prices across the country before its implementation was stopped by the Supreme Court. Its replacement, the *Clean Energy (ACE) Rule* balanced the rule of law with what was economically feasible and protective of the environment, while continuing the progress this country has already made on reducing emissions of carbon dioxide and criteria pollutants.

a. What is your understanding of the Section 111(d) of the Clean Air Act?
b. As you testified, you will confer with staff and legal counsel on if EPA has the authority to use Section 111(d) of the Clean Air Act to regulate a power plant's carbon dioxide emissions beyond, or "outside," the fence line. Will you commit to providing me with information on what your legal counsel has advised in regards to if EPA has the authority to regulate outside or beyond the fence line through Section 111(d)?
c. Will you commit to providing regular briefings to keep the Committee Majority and Minority staffs informed on how you plan to proceed?
d. Will you commit to consulting with the Committee prior to taking any proposed or final actions on similar proposals?
e. Following the D.C. Circuit's decision to remand the ACE Rule to EPA, do you plan to reinstate the Obama Administration's Clean Power Plan that the Supreme Court issued a stay on in 2016, or any substantively similar regulatory proposal?

150. In your response to my questions on the Clean Power Plan, you testified, "We can apply those lessons learned to how we are going to move forward." What lessons do you feel you learned from the Clean Power Plan and ACE Rule?

151. You also testified "the reality is that it presents a significant opportunity for the EPA to take a clean slate and look at how do we best move forward." Can you expand upon your statement?

152. In your capacity as Secretary of NCDEQ, you sent a letter in April 2018 opposing the proposed repeal of the Clean Power Plan (CPP), in which you stated the "CPP framework is a reasonable regulatory approach."

a. Do you continue to endorse the view that the CPP framework is a reasonable regulatory approach?
b. In the same letter you also stated that the "CPP does not have vast economic and political significance." Do you continue to endorse this view?

153. North Carolina is a party to the lawsuit challenging the Affordable Clean Energy (ACE) Rule. Did you have any role in this decision?

ED_013012_00003807-00029

154. Do you personally support North Carolina's decision to challenge the ACE Rule?

155. High regulatory costs have been acutely felt in West Virginia. Under the Obama Administration, the direct benefits of EPA's *Mercury and Air Toxics Standards* were estimated in the millions, while compliance costs were $9.6 billion annually.
   a. Do you support creating consistency in how EPA documents costs and benefits, including not counting "co-benefits" beyond the immediate scope of a rule?
   b. Should the benefits of the subject of a rule exceed its costs?
   c. Will you commit that if you are confirmed, EPA will consider all costs of significant new regulations, including potential job losses and associated negative health impacts?

156. Over the last decade, EPA has struggled to implement the requirements of the Renewable Fuel Standard, with administrations of both parties missing statutory deadlines. This precedent is troubling considering that the EPA will have discretion to set annual volumes beyond the year 2022.
   a. If confirmed, how do you plan to exercise this authority beyond 2022?
   b. Do you plan to take into consideration that setting unachievable annual volumes drives up energy prices and hurts low-income Americans?

157. As long as the Renewable Fuel Standard (RFS) remains the law of the land, the federal government should be prioritizing the transition from renewable fuels that disrupt agricultural markets and consumer food prices in favor of cellulosic, biomass, and other advanced biofuels. Pathway petitions concerning cellulosic fuels have been pending before the Agency for some time. These pathways will generate cellulosic renewable identification numbers (RINs) associated with production of a renewable transportation fuel from waste-derived biogas. Similar pathways have been approved by EPA, but these three petitions have remained pending.
   a. If confirmed, will you commit to completing the review of pathway petitions within a reasonable timeframe?
   b. Do you agree that the statutory authority to administer the Renewable Fuel Standard resides at EPA?

158. You testified that "we will follow the letter of the law as it was intended for that program." You also testified that "agriculture should have a seat at the table" and that one of your first conversations upon being nominated was to reach out to USDA Secretary Tom Vilsack to "talk about how we can partner together."
   a. In light of the fact that the US Department of Agriculture (UDSA) has statutory authority under the Clean Air Act to assist in administering the Renewable Fuel Standard, how do you rectify those mutually exclusive pledges?
   b. If USDA does not have statutory authority to administer the RFS, do you believe they should be a party to interagency RFS policy discussions?
   c. What other interests, beyond agriculture, "should have a seat at the table" for these policy discussions?

ED_013012_00003807-00030

159. How do you define "demonstrated disproportionate economic hardship" for the purposes of considering Small Refinery Exemptions (SREs) and how do you intend to score SRE petitions accordingly?

160. Certain agricultural groups want EPA to publish the confidential business information (CBI) of SREs, which is prohibited by federal law and could cause harm to refiners petitioning due to experiencing economic hardship. How do you plan to create additional transparency into the Small Refinery Exemption process without disclosing confidential business information?

161. In your response to Senator Duckworth, you shared that as EPA Administrator, you would "clear the backlog of applications." Do you consider pending SREs to be backlogged, in addition to biofuel waivers?

162. North Carolina was one of the states that brought a lawsuit challenging the 2015 Waters of the United States (WOTUS) rule and secured a stay of the 2015 rule on the basis that they were likely to prevail on the merits. Do you agree that the 2015 WOTUS rule was an overreach of EPA authority and inconsistent with the legal authority of the Clean Water Act (CWA)?

163. In 2017, the North Carolina Department of Environmental Quality (DEQ) withdrew from the legal challenge to the 2015 WOTUS rule. According to a news article: "major stakeholders say they were left in the dark" about the decision to withdraw from the litigation.[4] Did you meet with any stakeholders in North Carolina before this decision was made?

164. North Carolina joined a lawsuit filed by the State of California and other states challenging the Navigable Waters Protection Rule (NWPR). What was your involvement in North Carolina's joinder to this lawsuit?

165. Given the public comments you submitted on behalf of the North Carolina Department of Environmental Quality as well as North Carolina's involvement in the multi-state action challenging EPA's NWPR, do you believe you should recuse yourself from having any involvement in any future EPA action on the NWPR?
   a. If not, what assurances can you provide that you are capable of acting impartially with respect to any potential actions EPA may take with respect to the NWPR?

166. Do you believe the Science Advisory Board is authorized to determine the extent of the jurisdiction of the Clean Water Act with respect to which waters are "Waters of the United States," or do you believe that authority lies with political appointees at the EPA and the Army Corps of Engineers?

167. If confirmed, how would you resolve differences of opinion with your counterparts at the Army Corps of Engineers concerning the implementation of your respective authorities under the Clean Water Act?

---

[4] https://nsjonline.com/article/2017/04/in-quiet-move-cooper-administration-retreats-from-waters-of-the-u-s-lawsuit/

ED_013012_00003807-00031

168. During the hearing, you were asked "what is the significant nexus test" and you did not answer that question.

a. How have you, in your capacity as Secretary of the North Carolina Department of Environmental Quality, interpret the significant nexus test?
b. Do you agree that it is improper to use stream and wetland datasets that were not created for regulatory purposes and which have significant limitations in determining the actual jurisdictional reach of the NWPR or any subsequent rule defining "waters of the United States"?

169. In December 2018, EPA and the Army Corps of Engineers launched a workgroup to being investigating needs and available resources to map Clean Water Act (CWA) "waters of the United States." This workgroup developed an interagency work plan and as of early January were coordinating to document requirements, mapping and modeling surface waters in four case study watersheds, and beginning efforts to more fully scope-out the aquatic resources mapping effort. Will you commit to making a decision on maintaining, repealing, or revising the Navigable Waters Protection Rule (NWPR) that is based on the best available scientific and mapping information?

170. Do you agree that only a subset of discharges of pollutants to groundwater that ultimately reach a WOTUS are the "functional equivalent" of a direct discharge to WOTUS?

171. Have you been directed to repeal the NWPR?

172. Have you been directed to rescind the EPA's guidance titled "Applying the Supreme Court's *County of Maui v. Hawaii Wildlife Fund* Decision in the Clean Water Act Section 402 National Pollutant Discharge Elimination System Permit Program"?

173. The West Virginia Department of Environmental Protection (WVDEP) and the staff at EPA Region III have been working collaboratively to finalize the federal review of the state's hardness-based aluminum water quality standard. West Virginia has been in this regulatory process since 2016, and it is my understanding that the next step is for Fish and Wildlife Service to conduct their final review, and they have 120 days to conclude it.

a. If confirmed, will you commit to holding Fish and Wildlife Service to their 120-day timeline for review?
b. Will you also commit to ensuring EPA acts on this submittal as expeditiously as possible?

174. The WIFIA program typically operates on an approximately 100-to-1 appropriations multiplier, increasing its leveraging power. A prospective municipal WIFIA project near Fargo, North Dakota, was to be constructed in close proximity to a Corps of Engineers project. A scoring concern was raised about prospective projects that may connect to an existing federal project – such as the use of an existing intake structure

in an Army Corps of Engineers or Bureau of Reclamation. The concern was that the mere proximity or potential connection to an existing structure of a federal project by a prospective project resulted in that prospective project being deemed a "federal project." A "federal project" receives a scoring of dollar-for-dollar appropriations under the Federal Credit Reform Act. The determination can render an otherwise eligible potential project – one that would be entirely designed, built, and paid for by a municipality – a "federal project," and therefore effectively ineligible for a WIFIA loan. There have been many critics of this interpretation, and a lot of confusion in its potential implementation. Importantly, the 2020 Senate EPW-passed WRDA bill included language to rectify this scoring issue and confusion.

a. Do you believe that just because a prospective project, otherwise entirely eligible for WIFIA funding, is near a federal project, it should automatically be effectively ineligible for participation in the WIFIA Program?

b. Will you commit that you will continue the practice of implementing the WIFIA program in a manner which maximizes the infrastructure benefits to the country, in the nonpartisan manner with which it has been implemented since the passage of the statute?

c. Will you commit to continue working with the Army Corps of Engineers and the Bureau of Reclamation to evaluate all potential opportunities to broaden the application of WIFIA to ensure maximum leveraging of funding in a way that advances holistic water policy for the country?

175. Will you commit to ensuring EPA's continued focus on the sustainability of America's water workforce?

176. Will you commit to continuing to implement and meet the action items documented in "America's Water Sector Workforce Initiative"?

177. Over the past four years EPA committed to partnering with the agricultural industry and to look for creative solutions to manage excess nutrients and focused on collaborative approaches to reducing excess nutrients.

a. Do I have your commitment that if you are confirmed, you will continue to evaluate, in partnership with the agricultural community, the use of market-based approaches to manage excess nutrients?
b. Will you commit to continue implementing EPA's memorandum titled "Updating the Environmental Protection Agency's Water Quality Trading Policy to Promote Market-Based Mechanisms for Improving Water Quality," issued February 6, 2019?
c. Will you commit to continuing to support and provide financial assistance for state-led approaches that address nutrient pollution through a mix of regulatory and non-regulatory approaches?

ED_013012_00003807-00033

178. Water rules targeted in the President's fact sheet listing "[Federal] Agency Actions for Review" include, but are not limited to: the Navigable Waters Protection Rule, the Lead and Copper Rule, and the Clean Water Act 401 Certification Rule.

a. Will you commit that if you are confirmed, any EPA rulemakings and administrative decisions will be made within the limits of EPA's statutory authorities?
b. In October 2015, EPA issued the 4th Edition of the Agency's Peer Review Handbook. Will you commit that in any Agency rulemakings or administrative decisions involving science that EPA will adhere to the Agency's Peer Review Handbook?

179. The Clean Water Act is predicated on the concept of cooperative federalism, which necessitates the Agency to work collaboratively with states, local government, and tribes to implement laws and establish regulations that allow states the flexibility to use their respective expertise in their resources in determining how best to manage and protect their resources.

a. Given your prior role as the head of a state environmental agency, do you believe that states are ultimately the experts in, and therefore in the best position to, manage their own resources?
b. Will you commit to taking meetings with stakeholders and holding listening sessions to better gain a national perspective *prior* to taking action on existing regulations?
c. Will you commit to having listening sessions on rulemakings in those states that are likely to be most significantly economically impacted by said rulemakings concerning Clean Water Act issues?
d. Will you commit to notifying this Committee prior to taking actions on these rules?

180. Implementing cybersecurity best practices is critical for water and wastewater utilities. Cyber-attacks are a growing threat to critical infrastructure sectors, including water and wastewater systems. Many critical infrastructure facilities have experienced cybersecurity incidents that led to the disruption of a business process or critical operation. Cyberattacks on water or wastewater utility business enterprise or process control systems can cause significant harm, such as upsetting treatment and conveyance processes, defacing the utility's website or compromising the email system, stealing customers' personal data, and installing malicious programs like ransomware. These attacks can compromise the ability of water and wastewater utilities to provide clean and safe water to American citizens. However, a number of challenges face both EPA (in partnership with the Department of Homeland Security) and water systems in ensuring the safety of this critical infrastructure sector. One challenge is that many water systems lack the necessary training for proper response to a cybersecurity attack. Another challenge is that it can be difficult for the federal government, including EPA, to fully understand the scale of cybersecurity attacks currently facing the nation's water infrastructure because there is no requirement for water systems to report cyber incidents to the federal government. Will you commit to providing updates to this Committee on

ED_013012_00003807-00034

the actions that you are taking to address these challenges, which are vital to the nation's critical water infrastructure?

181. Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. The Clean Water Act provides states and tribes the option of assuming the administration of the CWA Section 404 program. The Section 404 program is another example of the cooperative federalism construct which underpins the CWA.
   a. Do you agree with EPA's approval of Florida's 404 program?
   b. Will you commit to inform the Committee in a timely manner of any state you are made aware of that is considering assumption of the CWA Section 404 Program?
   c. If you receive a state program submittal will you commit to acting as expeditiously as possible, but in any event within the 120-day statutory timeline for EPA review?

182. If confirmed, how will you ensure timely action on submittals to the Agency, including on actions on issuance of National Pollutant Discharge Elimination System (NPDES) permits, states' lists of impaired waters, and Federal Underground Injection Control (UIC) Class II permits?

183. Will you continue to ensure EPA's involvement in implementing the "United States Federal Strategy for Addressing the Global Issue of Marine Litter?"

184. In reviewing state water quality standards submitted to the EPA for review and approval, will you commit to ensuring the Office of Water provides reviews consistent with the legal timeframes and substantive bounds of the Clean Water Act?

185. Do you believe that the cost analysis provisions of the Safe Drinking Water Act are important in considering whether and how to promulgate a National Primary Drinking Water Standard?

186. Do you agree with several key federal court decisions, as well as the plain text of the Statute, that Congress created a "bright line" for state agencies to act on a Clean Water Act (CWA) Section 401 water quality certification request in a "reasonable period of time" and that such time shall not exceed one year?

187. Do you agree that a state waives its CWA Section 401 certification authority if it fails or refuses to act within that reasonable period of time?

188. Do you agree that the reasonable period of time commences upon the state's receipt of the request for the Section 401 certification?

189. Do you believe the scope of a state's review of a request for a CWA Section 401 certification should be limited to water quality issues, consistent with the statutory framework in which the certification provision resides, as opposed to relying on other

ED_013012_00003807-00035

factors like completion of an environmental review process under the National Environmental Policy Act, property interest, recreational or other access improvements, climate change, or a state's clean energy goals?

190. In your February 3 Confirmation Hearing with this Committee and during your exchange with Senator Wicker, you two were discussing the interplay between technical support and compliance with water quality standards. You stated "I think everyone is struggling across the country, sir."
   a. With what, specifically, were you referring to "everyone struggling"?
   b. If you were referring to meeting water quality standards, which specific water quality standards were you referring to?

191. If you are confirmed, will you seek an all-out prohibition or ban on hydraulic fracturing?

192. If confirmed, do I have your commitment to apprise this Committee about any potential new actions related to the regulation of hydraulic fracturing prior to taking any potential actions?

193. If confirmed, do I have your commitment that you will continue to work with states seeking primacy for Underground Injection Control (UIC) Class II programs, including working towards helping them obtain primacy where consistent with EPA's statutes and implementing regulations?

194. Does EPA plan to evaluate the effectiveness of in-home water treatment technologies for contaminants found in drinking water?

195. Do agree not to retroactively or preemptively veto permits issued under section 404(c) of the Clean Water Act?

196. Superfund epitomizes EPA's mission to protect communities across the country. This program can improve people's lives by cleaning up contamination and providing the opportunity to transform communities. It was refreshing to see the last Administration's focus and emphasize on this critical program, including through the listing of a priority site in Minden, West Virginia.
   a. Will you continue to make the Superfund program a key priority, specifically with the goal of continuing to remove Superfund sites from the National Priorities List through successful mitigation?
   b. Will you commit to visit the site in Minden, West Virginia to make sure that it remains a key EPA priority?

197. One significant outcome of the Superfund Task Force recommendations was the creation of the Administrator's Emphasis List. The list consists of sites that can benefit from the Administrator's direct engagement to spur action at sites where opportunities exist to act quickly and comprehensively. Given competing demands and limited time,

ED_013012_00003807-00036

this tool has proven effective at efficiently elevating issues to ensure continual progress at Superfund sites across the country. EPA recently issued a report on the success of the Administrator's Emphasis List over the last four years, showing that the list helped EPA achieve the critical milestones at 28 sites to move cleanups forward. Will you continue utilizing the Administrator's Emphasis List to ensure issues preventing progress of cleanups are quickly elevated to your attention and resolved?

198. Adaptive Management can be a particularly useful tool at large or complex Superfund sites as it requires developing a site strategy that acknowledges uncertainties but establishes measurable decision points to evaluate learned data and information and adapt if needed. This results in expedited cleanups, which is critical for addressing immediate risks, and helps ensure the remedy is effective as opposed to allowing uncertainties to prevent progress and leave sites languishing for years. This approach is particularly effective at contaminated sediment and complex groundwater sites.

EPA indicated it would finalize Adaptive Management Guidance by December 2019, but the Agency has yet to publish it. If confirmed, will you commit to finalize and implement the Guidance?

199. North Carolina Department of Environmental Quality touts the recent settlement agreement with a large energy producer as the largest coal ash cleanup in the country. While the settlement will reduce the amount borne by ratepayers, the reality remains that North Carolina ratepayers will bear some cost of the cleanup. That may not be economically feasible for all utilities nor all states.

a. Do you see this as a model for your national approach to coal ash cleanups?
b. Should associated costs be borne by ratepayers, as in North Carolina?
c. Given your familiarity with coal ash cleanups, do you support EPA's recently promulgated regulations addressing management of coal ash?
d. Do you plan to further regulate coal combustion residuals?
e. Does the coal ash cleanup in North Carolina include beneficially using any of the coal ash being handled?
f. If so, did North Carolina encourage that?

200. Coal ash has several beneficial uses, including being used for the manufacture of concrete and wallboard. According to the Agency, "EPA supports the responsible use of coal ash in this manner."[5] In December 2020, EPA released a notice seeking information and data related to the beneficial use of coal ash. That comment period ends February 22, 2021. What is EPA's timeline for reviewing all comments and finalizing a rule?

201. According to EPA's responses to recent Questions for the Record from EPW Committee members, "the Agency has been working extensively with individual states to establish or revise their regulatory programs in preparation of the state's submittal for program approval to operate in lieu of the federal program." The executive-ordered

[5] https://www.epa.gov/coalash/frequent-questions-about-beneficial-use-coal-ash#:~:text=All%20Close%20All-,Beneficial%20Use%20under%20the%20Final%20CCR%20Disposal%20Rule,coal%20ash%20in%20this%20manner.

political review of completed regulations for coal combustion residuals should not take time and resources away from these important federal-state partnerships. Revisiting completed regulations and further delaying approval of state permitting programs prolongs uncertainty among industry and states. Do you commit to completing any pending technical assistance for these state programs and completing review of all state programs currently with EPA prior to revisiting any completed regulations?

202. EPA's Brownfields grants provide communities an opportunity to transform contaminated sites into community assets. According to EPA, communities that received Brownfields grants successfully leveraged 8.5 jobs per $100,000 of Brownfields grant funds spent. This program provides critical opportunities to under-served and economically disadvantaged communities for sustained economic benefits. Prioritizing the issuance of Brownfields grants to areas in opportunity zones can make these areas more attractive for economic development and bring private investment. Will you commit to prioritizing this important program?

203. During your nomination hearing, Senator Merkley asked if you would take a close look at the Presidential Plastics in Action Plan, a plan put together by non-profit organizations urging President Biden to take "eight key executive actions to solve the plastic pollution crisis." You responded that you would "take a close look at it…evaluate EPA's role and…partner with you on advancing that." Are you going to advocate that President Biden take the actions outlined in the Plan?

204. Last month, EPA met a major milestone by completing the first 10 TSCA risk evaluations, serving as a guide for future risk evaluations.
   a. Do you think EPA's implementation of the Lautenberg Act over the past four years is a reasonable approach?
   b. Will EPA continue to collaborate with industry to create more robust TSCA risk evaluations and risk management of existing chemicals?
   c. Are you committed to meeting all statutory deadlines in the Lautenberg Act?

205. If confirmed as EPA Administrator, where specifically will PFAS rank within your priorities?

206. With competing priorities across the Agency and limited resources, what would your first significant action be to address PFAS?

207. Will you continue to deliver on the commitments EPA made under the PFAS Action Plan?

208. On January 15 2021, EPA signed the Agency's determination to regulate PFOA and PFOS, two particular compounds from the larger class of PFAS, under the Safe Drinking Water Act.
   a. Are you committed to seeing through the remainder of the process to establish a National Primary Drinking Water Standard under the Safe Drinking Water Act?

ED_013012_00003807-00038

a. Will you commit to consider the impacts on rural water systems, including cost, in setting any standards?
b. Will you commit to following the Administrative Procedure Act, ensuring the important principles and practices of public comment are followed?

209. EPA issued an Advance Notice of Proposed Rulemaking (ANPRM) on January 14, 2021 to gather public comment and data to inform EPA's ongoing evaluation of PFOA and PFOS. Under Chief of Staff Ronald Klain's "Regulatory Freeze Pending Review" memorandum, the ANPRM was withdrawn from the Office of Federal Register since it had not yet been published.
   a. Do you move forward with publishing that ANPRM for a 60-day comment period to give the public an opportunity to provide input and to help collect critical information where EPA has identified gaps?

210. What is your preferred uniform scientific definition of perfluoroalkyl and polyfluoroalkyl substances (PFAS)?

   a. If you do not have one, will you commit to work with all interested stakeholders to create a scientifically-sound and consistent definition of PFAS to be used Agency-wide?

211. As the top environmental regulator in North Carolina, what was your position on how to assess PFAS: as individual PFAS compounds, in groups, or as an entire class?

212. During your dialogue with Senator Gillibrand in your February 3 hearing before this committee, you stated (with respect to addressing PFAS), "[w]e will pursue discharge limits" and "[w]e will pursue water quality values." As we have all learned, accurate communication with respect to a contaminant such as PFAS, which has garnered such significant public interest and concern, is vital.

   a. To what types of "discharge limits" were you referring?
   b. Which PFAS will you be looking to set those "discharge limits" for and from what sources?

Senator Capito for Senator Barrasso:

213. Secretary Regan, before serving in your role as NC DEQ Secretary, you served as the Environmental Defense Fund (EDF) Vice President for Climate and the Southeast Regional Director.

   a. Do you intend to recuse yourself from issues where EDF petitions or otherwise lobbies the Agency?

   b. If not, please provide an explanation why you believe it is proper for you to engage with a former employer directly engaging with the EPA.

ED_013012_00003807-00039

c. If not, please provide further details on how you intend to assure the American public that you are not beholden to your former employer even though you refuse to recuse yourself from matters where they are involved

214. The Committee questionnaire asks for disclosure regarding any business relationship, dealing or financial transaction with 501(c)(4) organization in the last ten years. You responded "none." Didn't you work with EDF – of which EDF Action, a 501(c)(4), is "the advocacy partner" – in the last ten years?

215. Secretary Regan, your questionnaire to the Senate failed to disclose a number of positions noted in your public biography for the North Carolina Department of Environmental Quality. These include your positions on a number of boards as well as your private consulting business. This poses serious concerns about our ability to understand any conflicts of interest you may have.

a. Why didn't you disclose these on your forms?

b. Do you understand that the members of this Committee require transparent and open disclosure of information requested in order to conduct oversight?

216. Secretary Regan, Wyoming leads the United States in uranium production. Our American uranium helps power American nuclear reactors. Those reactors generate over half of our carbon free energy. On the final day of the Obama Administration, EPA proposed a midnight rule to regulate how this uranium is produced. This punishing proposal would have made it too expensive, with no environmental benefit, to produce American uranium. American production would shut down and our utilities would buy more nuclear fuel from countries like Russia. The non-partisan, independent nuclear safety regulator, the Nuclear Regulatory Commission, also took issue with EPA's midnight rule. It stated there was no health or safety justification for this rule. The rule interfered with NRC's jurisdiction over uranium recovery activities. At my request, EPA and NRC signed a Memorandum of Understanding last year to clarify the respective agencies' jurisdiction over these activities.

a. Secretary Regan, if confirmed, will you commit that EPA will adhere to the Memorandum of Understanding with NRC?

b. The NRC is currently reviewing its regulations on uranium recovery activities. Secretary Regan, will you commit that EPA will not revise its regulations, until NRC completes its ongoing review?

217. On his first day in office, President Biden revoked the permit for the Keystone XL pipeline. This is a project that brings 8,000 American union jobs with it.

a. Did President Biden or his advisors seek your counsel before revoking the Keystone XL permit?

ED_013012_00003807-00040

b. Did you encourage the President to revoke the permit and, if so, what was your rationale for killing jobs on day one?

c. How is this decision consistent with the President's goal of fostering stronger relations with Canada, reducing our vulnerability to OPEC and our foreign adversaries, and putting Americans back to work?

218. Since President Obama first rejected the Keystone XL pipeline in 2015, shipments of crude oil by rail have nearly tripled.

a. Is it generally safer to transport crude oil by pipeline or rail?

b. Is it the policy of the Biden administration to revoke permits for cross-border oil pipelines and encourage more crude-by-rail shipments?

219. Section 102(b)(6)(B)(ii) in Division S of the Consolidated Appropriations Act of 2021 requires the EPA Administrator, no later than one year after enactment, in consultation with the Secretary of Energy, to establish a program to provide financial awards on a competitive basis for direct air capture (DAC) from media in which the concentration of carbon dioxide is dilute. This is the text of the USE IT Act, which was supported in bipartisan fashion by the members of this Committee. Do you commit to ensuring the agency will establish a DAC prize within the time period established by the USE IT Act as enacted?

220. Section 102(b)(6)(C)(ii) in Division S of the Consolidated Appropriations Act of 2021 requires the EPA Administrator, no later than one year after the enactment of the USE IT Act, in consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, to prepare, submit to Congress, and make publicly available a report that includes—

(I) A comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;
(II) Recommendations for managing the potential risks identified under subclause (I), including potential risks unique to public land; and
(III) Recommendations for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

Do you commit to ensuring the agency will release and submit this report within the time period established by the USE IT Act?

221. Section 102(c)(1) in Division S of the Consolidated Appropriations Act of 2021, which amends Subtitle F of Title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.), requires the Secretary of Energy, in consultation with the EPA

Administrator, to carry out a program of research, development, demonstration, and commercialization relating to carbon dioxide utilization. Do you commit to working on consultation with the Secretary of Energy to establish this program in a reasonable timeframe?

222. Section 102(c)(1) in Division S amends Subtitle F of Title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) by creating a "Carbon Utilization Program." The legislation requires the Secretary of Energy, in consultation with the EPA Administrator, to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study that assessed the barriers and opportunities relating to the commercial application of carbon dioxide in the United States. Do you commit to working on consultation with the Secretary of Energy to conduct this study in a reasonable time frame?

223. Section 102(c)(1) also inserts after section 968, "section 969 Carbon Utilization Program" and requires that not later than 180 days after the enactment of the USE IT Act, the Chair of the Council on Environmental Quality, in consultation with the EPA Administrator, the Secretary of Energy, the Secretary of Interior, the Secretary of Transportation, the Executive Director of the Federal Permitting Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(I) Compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment and impact of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—
  (aa) the appropriate points of interaction with Federal agencies;
  (bb) clarification of the permitting responsibilities and authorities among Federal agencies; and
  (cc) best practices and templates for permitting in an efficient, orderly, and responsible manner, including through improved staff capacity and training at Federal permitting agencies;

(II) Inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value

(III) Inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(IV) Identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(V) Identifies Federal financing mechanisms available to project developers; and

(VI) Identifies public engagement opportunities through existing laws, including under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

The CEQ Chair shall submit the report under clause (i) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and as soon as practicable, make the report publicly available.

In addition, after submission of the report under subparagraph (B)(ii), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all 12 relevant Federal agencies that—

(I) Facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and
(II) Supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

Do you commit to working in consultation with the CEQ Chair and other heads of Federal agencies to release the report within the 180-days-from-enactment deadline set by the USE IT Act?

224. Last year, California announced its intention to ban internal combustion engine (ICE) vehicles by 2035. Earlier this month, a report from the California Energy Commission found that if California wants to achieve this 2035 goal, the state will need to have 8 million electric vehicles on the road by 2030, a 948 percent increase over current EV deployment. You can be sure that if California's waiver to set its own fuel economy standards is reinstated, those standards will be written as stringently as possible. Restoring California's waiver to set its own fuel economy standards under these command-and-control regulatory pretenses would be disastrous. In West Virginia, only 218 electric vehicles were sold in 2018. Americans want the freedom to choose what type of car they drive, best-suited to their needs and the requirements of where they live. They do not want the federal government making that decision for them.

a. Are you concerned that restoring California's waiver authority will tilt the market towards EVs despite a lack of consumer demand?

b. If consumer interest fails to shift, could higher prices for new vehicles and sales bans of ICE vehicles lead Americans to hold onto older and more emissive vehicles for longer? If so, what would that mean for overall emissions from the transportation sector

c. Do you agree that Americans should have the freedom to choose the cars they want to drive?

ED_013012_00003807-00043

d. Do you agree that California's 2035 EV mandate will imbalance the national auto market?

e. Do you think it is feasible to have a fully electric vehicle fleet by 2035 without heavy-handed regulatory mandates, costly taxpayer subsidies, or both?

225. A Berkeley city deputy attorney commented during arguments on February 2, 2021, that the law banning natural gas in Berkeley, CA is timely as "there's a realistic possibility there will be no natural gas utilities" in the nation under the Biden administration's stated intentions to eliminate fossil fuels by 2035. More than 4.1 million jobs are connected to the natural gas industry. Natural gas utilities serve 180 million Americans with energy every day to power their households and businesses. Natural gas is the lowest cost energy source for homes, according to the Department of Energy, while leading the US in greenhouse gas emissions reductions.

a. As stated by the Berkeley attorney, is it the Biden Administration's intention to eliminate natural gas in the next 14 years?

b. Is there a realistic possibility of removing the lowest-cost energy source from homes, businesses, industry, transportation, and power, along with the millions of jobs provided, in the next 14 years?

c. What would be the impacts of forcing people, especially those in low-income communities, to switch from a reliable and, more importantly, an affordable energy source to more expensive options?

Senator Capito for Senator Rounds:

226. Mr. Regan, the biofuels industry has been hit hard by recent regulatory decisions by the EPA and the sharp decline in fuel demand across the country due to COVID-19. As we experience biofuel plant closures and slowdowns, another casualty has been investments into new and innovative approaches to liquid fuels.

Unfortunately, it appears the EPA has ceased the approval of registrations for cellulosic biofuel, including fuels derived from corn kernel fiber. Although the RFS requires the EPA to approve applications validated by peer review, many applications have been left languishing for years. This has prevented the approval of cellulosic fuels that add value to the corn crop and increase margins for ethanol producers while reducing carbon emissions.

Will you commit to following the standard of review laid out in the RFS statute and approve backlogged corn fiber biofuel registrations validated by peer review?

227. Mr. Regan, biofuels like ethanol and biodiesel are big economic drivers in my state. But stable and predictable policy for these important job creators has been tough to come by. First, they had to deal with an Obama-era RFS interpretation that tried to

redefine demand as supply, a concept that was roundly rejected by the courts and still has not been implemented by the EPA. In the last Administration, we had an increase in exemptions granted to oil refineries that has since been reined in by Circuit courts, and now sits before the Supreme Court. What has been clear is that for the last 8 years, there has not been enough consistency in this policy.

Can you commit that the EPA under your leadership will work towards getting this policy back on track, meeting deadlines and following the law as written by Congress?

228. Mr. Regan, as you know, the EPA will soon begin its role in helping craft the next round of fuel economy standards, and according to some press reports, may even re-evaluate some of the existing standards as well. This is a great opportunity to make certain all available pathways to increase mileage and lower emissions are considered and prioritized for new vehicles. My home state of South Dakota is not likely to be on the early side of adopting electric vehicles, but I do see a role we can play in helping meet these standards – through high octane fuels like ethanol. Ethanol blends increase octane, a necessary component to increase engine efficiency and get more miles per gallon of fuel.

Will you commit to working with members of Congress and the biofuels industry to make certain CAFE rulemakings recognize the important value of octane and for the first time ever establish a national octane standard for vehicle fuels?

229. Mr. Regan, in October 2018, the oversight subcommittee I chaired held a hearing on the use of sound science at the EPA. During the hearing, we heard testimony from experts on the importance of transparency in making certain that the EPA was relying on the best available science to guide their regulatory decisions. The hearing yielded important information for the record, and highlighted both the strengths and weaknesses of the Trump Administration's approach to regulatory science.

I believe that robust congressional oversight ought to be applied to the executive branch, no matter which party is in control. Hearings should be fact finding missions, not simply an opportunity to sell an agenda. This committee and its subcommittees will likely request both you and your subordinates to appear as witnesses in the future.

If confirmed, what process will you implement to consider congressional requests of this type, and will you implement a similar process to determine whether or not to participate in meetings with senators?

Senator Inhofe:

230. Secretary Regan, as the top environmental regulator in North Carolina, one of your responsibilities included reviewing permit requests from pipeline developers. As you recall, in 2018, you approved a permit for the Atlantic Coast Pipeline. But last year, you denied a permit for the Mountain Valley Pipeline. While FERC and PHMSA are the primary regulators of pipelines, it's still important to fully understand your approach to

pipeline development. Secretary Regan, will you elaborate on your approach to pipelines and other fossil energy development? Do you agree with a past statement by the President's nominee for Secretary of Energy that we ought to, "…keep fossil energy in the ground…"?

231. Secretary Regan, in 2019, natural gas was the largest source of electric power generation in the United States. The increased use of natural gas has also led to a significant expansion in American jobs and a reduction in the cost of electricity in American homes. The increased use of natural gas in the power sector has also allowed our country to greatly reduce emissions nationwide. According to data from the U.S. Energy Information Administration, between 2005 and 2009, carbon dioxide emissions from the U.S. power sector declined by 33 percent with natural gas accounting for more than half of those reductions. It is also clear that natural gas plays a vital role in ensuring U.S. electric grid reliability as more renewable generation comes online as renewables are more susceptible to intermittency issues. Secretary Regan, do you agree that natural gas is a vital and necessary source of electric power generation in the United States? And do you agree that the expanded use of natural gas in the power sector has contributed to the reduction in cost of electricity for American families?

232. Secretary Regan, the Consolidated Appropriations Act of 2021 (P.L.116-260) was signed into law in December 2020. The joint explanatory statement of Division G, which provides appropriations for the EPA, among other agencies, includes report language directing the EPA to brief the Appropriations Committees within 60 days of enactment regarding the actions the EPA plans to take in response to potential changes to emission standards established under section 111(b) of the Clean Air Act to facilitate the greater use of quick start stationary combustion turbines which are needed to accommodate the increased use of renewable resources in the power sector. As you know, the increased use of renewables elevates the risk of intermittency issues for renewable energy generation. This is a significant issue impacting the 14 states of the Southwest Power Pool, including Oklahoma. Moreover, as the need for the use of quick start generators increases, the 111(b) limitations on those types of generators limits their use, thus creating a predictable conflict between the increased use of renewables and system reliability. Secretary Regan, if confirmed, will you ensure the aforementioned report is provided to Congress and done so in a timely manner? Will you also provide me with a copy of this report? And will you commit to working with the Southwest Power Pool and other concerned parties on this issue so we can arrive at an appropriate resolution to this issue?

233. Secretary Regan, one of the best examples of a successful, price-competitive market that directly benefits consumers is the retail gasoline market. Consumers are able to compare the price of gas when visiting different gas stations, allowing them to comparison-shop to effectively acquire affordable gas. As you know, there are significant challenges and discussion with regard to the electricity market as it relates to electric vehicle charging. Secretary Regan, with regard to the electric vehicle charging market, do you think there should be a competitive marketplace that delivers fair pricing benefits to

ED_013012_00003807-00046

consumers – similar to what the gas market currently provides for consumers? If so, how would EPA play a role, compared to other appropriate federal agencies?

234. Secretary Regan, the issue of small refinery exemptions (SREs) is of great importance for many states, including Oklahoma. As you know, the Clean Air Act exempts small refiners facing "disproportionate economic hardship" from complying with the Renewable Fuel Standard (RFS). The Supreme Court of the United States has taken up the case, *HollyFrontier v. EPA*, which could impact SREs. Secretary Regan, if confirmed, will you commit to delay any action on SREs until after the Supreme Court has issue its decision in the aforementioned case?

235. Secretary Regan, the RFS mandates more ethanol than engines and infrastructure can handle and more bio and renewable diesel than we have produced domestically. As a result, since 2015, the RFS has necessitated between four hundred million and one billion gallons of foreign biofuel imports *each year* to achieve compliance. Secretary Regan, how does a reliance on foreign biofuel imports advance American energy security? Will you commit to managing the RFS in a manner that eliminates this massive necessity on foreign biofuel for compliance?

236. Secretary Regan, the RFS program has no cost containment provisions. Last year, as fuel demand tumbled and eight American refineries permanently closed, Renewable Identification Numbers (RINs) increased over one thousand percent. The cost of RINs puts tremendous pressure on small and mid-sized merchant refiners. These cost increases are particularly concerning since history has shown there is no correlation between the RIN price and the amount of biofuel blended. Secretary Regan, in light of these circumstances, will you commit to exploring cost containment programs for the RFS program? And will you direct your staff to develop cost containment options for the program?

237. Secretary Regan, nuclear energy is a vital resource for our country's energy generation mix. Nuclear energy is clean, reliable and safe. It is also the country's largest source of carbon-free electricity. According to the Nuclear Energy Institute, nuclear accounts for nearly 20 percent of the nation's electricity needs. Your home state of North Carolina benefits tremendously from this resource through cleaner air and reliable, affordable energy. For example, Duke Energy's fleet of eleven nuclear power plants in the Carolinas makes up more than 50 percent of the power the utility provides in those states. Secretary Regan, if confirmed, what will be your regulatory approach to nuclear energy at EPA? Do you agree with me that nuclear energy should be an important part of America's energy future?

238. Secretary Regan, President Biden's January 20, 2021 Executive Order on climate and the environment directs the EPA to propose new regulations for existing source methane emissions by September 2021. Secretary Regan, does this order mean EPA plans to reinstate the same or similar source methane standards as were issued by the Obama

ED_013012_00003807-00047

administration? Are you committed to ensuring the EPA engages in data collection before proposing the adoption of existing source methane standards so that such standards are based upon a robust administrative record and establish safe, sound, effective and achievable requirements?

239. Secretary Regan, as you know, the EPA operates both the Natural Gas STAR and Methane Challenge programs, which are focused on information sharing, technology transfer and providing a public means to report methane emission reductions. Since the inception of the Natural Gas STAR program, for example, industry partners have eliminated more than 1.63 trillion cubic feet of methane emissions by implementing approximately 150 cost-effective technologies and practices. Secretary Regan, are you committed to continuing to operate these successful voluntary programs, including maintaining the option to comply through the ONE Future option?

240. Secretary Regan, Section 401 of the Clean Water Act (CWA) is a prime example of cooperative federalism. States, tribes and federal agencies each have roles under the statute. States and tribes are given authority to certify that any discharges from the project to regulated waters will comply with applicable federal water quality standards. Sadly, several states have abused the law and their role in this process in an effort to block energy development projects. Secretary Regan, are you committed to retaining the recent amendments to the CWA Section 401 implementation regulations, which are consistent with case law and Congressional intent, such that states and tribes shall be required to act on a certification request within a reasonable period of time, not to exceed one year?

241. Secretary Regan, EPA's pesticide evaluation process established under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is science-based and takes into account risks *and* benefits of pesticide products. This robust regulatory system has been the gold standard for the world, and the risk-based approach is required to meet our World Trade Organization obligations. It is also critical for ensuring our agricultural producers have the tools they need to safely and effectively protect our food supply, and that public health entities (mosquito control, hospitals, etc.) have the tools they need to keep our population safe. Secretary Regan, if confirmed, how should we expect the EPA to manage our existing risk and science-based regulatory system? Also, would EPA participate in efforts to hold our trading partners to a similar standard?

242. Secretary Regan, certain conservation practices – such as no-till and cover crops – have grown in popularity with farmers in recent years. There is a growing body of evidence showing these practices can trap significant volumes of greenhouse gas in the soil, reduce tractor fuel use, and minimize soil erosion and nutrient losses into waterways. However, in order to use these conservation practices, farmers *need* pesticides to eliminate weeds instead of tilling the soil. Secretary Regan, would you work to ensure farmers can continue to access safe and effective tools, including pesticides, needed to protect their crops and preserve these important conservation practices?

ED_013012_00003807-00048

243. Secretary Regan, approximately 97 percent of our nation's public water utilities serve fewer than 10,000 people. Due to their smaller ratepayer bases, these small utilities, often in rural America, struggle relative to their larger counterparts to complete the necessary upkeep and upgrades in order to remain in compliance with EPA standards. Secretary Regan, how can EPA right-size its rules and regulations to address the unique circumstances facing small utilities in rural America and empower them to provide safe, reliable access to their customers?

244. Secretary Regan, as you know, the United States is heavily reliant on imports of critical minerals used in things from electronics to missiles and other munitions for our military. Our dependence on foreign countries for critical minerals is a national security issue. Mining is one of the most heavily regulated industries in America with dozens of state and federal laws and regulations. Secretary Regan, will you commit to supporting a strong domestic mining industry and workforce so as to reduce our dependence on foreign imports of minerals? If so, what are your thoughts on ways to ensure we have a strong domestic mining workforce?

Senator Cramer:

245. Section 401 of the Clean Water Act is a prime example of Congress expecting cooperative federalism. States, tribes and federal agencies each have unique roles under the statute. States and tribes were given the authority to certify that any discharges from the project to regulated waters will comply with applicable federal water quality standards. Unfortunately, there have been a handful of States that have interpreted the statute inconsistently and have tried to abuse their authority, using it as a means to veto certain federally-approved projects or to dictate interstate commerce. Are you committed to retaining the recent amendments to the CWA Section 401 implementation regulations, which are consistent with case law and Congressional intent, such that States and tribes shall be required to act on a certification request within a reasonable period of time, not to exceed one year?

   a. Given that this is authority granted under the Clean Water Act, are you also committed to ensuring that those regulations continue to limit the scope of State and tribal review to water quality standards?

246. Historically, the New Source Review (NSR) program has discouraged rather than encouraged maintenance and improvement projects at existing power plants and industrial facilities, including investments in emission control equipment and efficiency projects that would reduce greenhouse gas emissions. Executive Order 13990, "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis," directed an immediate review of agency actions taken the last four years. A number of important NSR reforms were implemented to fix the uncertainty and extreme interpretations that have stifled important technological advancements. What are your views on the current NSR program and how it can be further improved to encourage technological advancements and on-the-ground implementation?

ED_013012_00003807-00049

247. Recently, the EPA finalized guidance implementing the April 2020 Supreme Court decision, County of Maui v. Hawaii Wildlife Fund. This guidance is an important step toward returning certainty to regulated stakeholders. We need to make sure that this new Supreme Court decision is not abused by EPA or 3rd party litigants to attack farmers and ranchers for nutrients that may unintentionally enter groundwater. Do you plan to retain the agency's January 14th guidance memorandum?

a. Furthermore, can you provide assurance that EPA will not abuse this decision to take punitive actions against farmers and ranchers for unintentional nutrient loss?

248. Some studies have indicated that EPA regulations are the most burdensome federal regulations on states and business. I understand your record of engaging with stakeholders, but please explain how you intend to balance the dictates or targets set by the White House and your responsibility to engage in the cooperative federalism model enshrined in the statutes that govern EPA, including when state's make primacy applications and submit state implementation plans.

a. Further, how will you ensure that benefits are commensurate with costs?

249. Given that EPA may be tasked with rewriting the section 111(d) rule again to limit greenhouse gas emissions from electric generating facilities, will you ensure that such a rule recognizes the statutory limits of the Clean Air Act and cooperative federalism, preserves the remaining useful life of these facilities, and does not negatively impact ratepayers?

a. Will you commit to convening and working with all stakeholders – including rural electric cooperatives in the power sector – before you begin developing any possible replacement to the ACE rule?

b. Considering the economic hardship facing American families, manufacturers and small businesses, now would be the worst time to have a significant rate increase for electricity. Can you commit to ensuring that any greenhouse gas regulations issued by the EPA will take into account any increased cost to ratepayers before being finalized?

250. As we discussed briefly at the hearing, your predecessor, Administrator Wheeler, finalized EPA's methane regulations last August. I, along with many of my colleagues, applauded the final rule for many reasons, but chief among them for me was that the rule takes into account existing regulations which effectively encompass methane emissions so producers are saved from duplicative requirements. As I mentioned at the hearing, states who have already done the work of regulating these emissions, including methane, would have their work disqualified under a one-size-fits-all mandate. Part of President Biden's environment plan includes "aggressive methane pollution limits for new and existing oil and gas operations." With that in mind, do you believe this is a task that falls under the EPA's regulatory authority?

ED_013012_00003807-00050

a. If so, would you agree with the assessment that there should be some accommodation for states who already have strong regulations in place tailored to operations in their states?

251. As we discussed briefly at the hearing, North Dakota led the litigation effort against the Obama administration's Waters of the U.S. (WOTUS) rule. Under that rule, roughly 85 percent of North Dakota's waters would have fallen under federal jurisdiction. North Dakota was joined by North Carolina and helped to secure a stay of the 2015 rule on the basis that they were likely to prevail on the merits. However, in 2017 North Carolina withdrew from the litigation. Did you agree with or recommend North Carolina withdraw from the litigation?

a. When Congress passed the Clean Water Act, do you believe it was ever their intent for states like North Dakota, which have relatively few navigable waters, to have roughly 85 percent of the water within their borders fall under federal jurisdiction?

252. Carbon capture, utilization, and storage (CCUS) is essential to meeting any emission targets set by the Biden administration and President Biden rightly included CCUS implementation in his climate plan. I, along with my colleagues on EPW, have worked in a bipartisan fashion to support wide scale commercial deployment of CCUS technology. North Carolina DEQ comments to the ACE Rule also expressed support for carbon capture and sequestration technology. If confirmed, will you commit to Congress to accelerate development and deployment of CCUS technology for all types of carbon sources and storage methods?

a. If confirmed, will you commit to working collaboratively with CEQ and other federal agencies to support infrastructure, such as pipelines, that will enable greater CO2 storage?

Senator Boozman:

253. Mr. Regan- There is mounting pressure on investor-owned electric companies to reduce their carbon footprint, and businesses worldwide are taking proactive measures and setting new, ambitious environmental goals, such as net-zero carbon emissions. However, achieving such advanced targets threatens the reliability of the power grid; it requires integrating a significant number of clean and renewable energy sources that are unreliable and intermittent in nature.

a. Navigating the safe deployment of clean energy has been a significant concern of the Southwest Power Pool—an energy company headquartered in Arkansas, responsible for providing electric service to 14 states spanning from Texas to the US-Canada border. While the SPP employs a wealth of renewable energy sources, particularly in wind power, the integration of such technologies has and will continue to be made possible through the use of natural gas.

b. In the event of a sudden power shut off from a seasonal reduction of wind, water flow, or sunshine, natural gas is used in "quick start" turbines to provide reliable power. While integrating clean energy sources is crucial to achieving lower carbon emissions, it is equally critical that it be done in an affordable, reliable, and clean manner; Therefore, do you support the use of natural gas in "quick start" turbines to achieve environmental goals?

Senator Wicker:

254. Nearly 20% of Mississippi's economic activity relies on forestry and agriculture. Under the Obama Administration, EPA pursued far-reaching regulations, such as the 2015 Waters of the U.S. rule, without properly analyzing the impact on farmers and other landowners. Will you commit to proactively partnering with the agricultural community instead of pursuing overly burdensome regulations that fail to recognize farmers as partners in environmental stewardship?

a. How will you partner with the agricultural community if confirmed?

255. In September 2020, the Mississippi Department of Agriculture and Commerce signed a Memorandum of Understanding (MOU) with EPA Region IV to work together and openly communicate on environmental issues important to agriculture. On January 11, 2021, the Mississippi Farm Bureau Federation signed a similar MOU with EPA. If confirmed, will you commit to continuing to recognize these MOUs?

256. If confirmed, will you direct EPA to continue following FIFRA (Federal Insecticide, Fungicide & Rodenticide Act) requirements in continuing the registration review of pesticides that are critically important to the safe and efficient production of major crops in the United States?

257. Approximately 360 million acres of the working forests in the U.S. are on private land, owned by individuals, families, and small and large businesses. In Mississippi, over 17 million acres of forestland are privately owned. It is estimated that U.S. forests offset 15% of U.S. carbon emissions every year. Working forests are forestlands carefully managed to supply a steady, renewable supply of wood for lumber, energy, paper and packaging, and more than 5,000 items that consumers use every day. This sector employs 2.5 million Americans, including nearly 50,000 Mississippians, mainly in rural communities. Given its importance to our economy and the environment, how would you ensure that the U.S. forest products sector remains viable and that any policy EPA advances will provide markets for U.S. forest products?

258. EPA is working to implement the new Clean Water Act technical assistance initiative authorized by my legislation, the Small and Rural Community Clean Water Technical Assistance Act, which was included in the 2018 America's Water Infrastructure Act. The intent of this legislation is to have a minimum of two full-time Circuit Riders or on-site technicians operating in each state. If confirmed, would you be willing to consult with the USDA Rural Utilities Service (RUS) to model the new initiative on the successful RUS Circuit Rider initiative?

ED_013012_00003807-00052

259. Small refineries throughout the country have experienced disproportionate economic harm under the Renewable Fuel Standard, as predicted by a 2011 Department of Energy study. In the last year, prices for RINS, or Renewable Identification Numbers, have increased over one thousand percent. The COVID-19 pandemic also has reduced demand for transportation fuels. The combination of these factors has resulted in a number of small refinery closures. Many of these small refineries are located in rural areas and support jobs that are needed in this challenging economic time. There are a number of small refinery hardship petitions pending at EPA, which will be before you if confirmed. Will you commit to prioritizing a fair and timely evaluation of these petitions?

Senator Sullivan:

260. In 2016, then-Vice President Biden stated: "the United States and North America -- Mexico, the United States and Canada -- will be the energy epicenter for the 21st century -- in part to our abundance of natural gas." Do you agree with then-Vice President Biden's assessment that natural gas made North America an energy epicenter for the 21st century? Do you think EPA has an obligation to speak and work with the industries it regulates? Does EPA have an imperative to provide regulatory clarity and compliance assistance to affected parties?

261. Natural gas is a necessary source of energy that has supports millions of good American jobs and has helped lower the cost of utility bills across the country. The new presidential climate envoy John Kerry told a meeting of the World Economic Forum that "the problem with gas is if we build out a huge infrastructure for gas now to continue to use it as the bridge fuel, when we haven't really exhausted the other possibilities, we're going to be stuck with stranded assets in 10, 20, 30 years."

Do you agree with John Kerry that we shouldn't be building out additional natural gas infrastructure? Do you agree that natural gas is an important component efforts to reduce emissions and our nation's natural gas supply is important to providing low-cost electricity and ensuring reliability on our nation's electric grid? Do you agree that increased natural gas production and use has led to significant reductions in CO2 emissions in the U.S. compared to a 2005 baseline? Do you support an "all-of-the-above" approach to ensure we are supporting U.S. energy independence?

262. While we understand you may disagree with certain actions taken during the Trump Administration, it seems counter to the principle of regulatory certainty to do a comprehensive revocation of all of those policies, many of which were developed and supported by career EPA staff. You responded to a question during your North Carolina State Senate committee hearing in 2017 on working with states, industry, and by stating, "I learned that when all is said and done, the business community wants regulatory certainty" and that industry and environmentalists both "want to be heard and to participate in a transparent process." How to you compare your statements on regulatory certainty to the unilateral, executive actions that we have seen coming out of the White House from President Biden and others like John Kerry and Gina McCarthy with roles that have no accountability to Congress or the American public? Will you commit to

standing by your views from 2017 and prioritizing and ensuring regulatory certainty over the extreme unilateral executive actions that we have seen so far from this Administration? Do you plan on following the direction of the White House and revoking a long list of actions taken under the Trump Administration, which would directly cause regulatory uncertainty? If not, what actions will you commit to doing before taking action to upend current regulations to prevent the regulatory uncertainty that you expressed concern about in 2017?

263. What is often left out of the discussion about expanding renewable energy deployment is the supply stream needed to produce "green energy" materials like electric vehicle batteries, wind turbines, and solar panels. The COVID-19 pandemic taught us the pitfalls of our over-reliance on China for raw materials. I am concerned that we have not adequately learned our lesson as it relates to green technology.

There is no doubt that our nation possesses the domestic supply of critical minerals sufficient to reduce or even end our over-reliance on China. Many environmental groups strongly oppose any expansion of domestic mining and recovery of critical minerals in this country. Preventing domestic production leaves critical mineral production and downstream processing and manufacturing to countries that are economic competitors of, and which have far less stringent environmental policies than, the United States.

Do you recognize the importance of critical minerals, including rare earth elements, in manufacturing electric vehicles, batteries, solar panels and wind turbines? Are you concerned that the United States is overly reliant upon China and Chinese-controlled supply chains for critical minerals used in green technologies? Do you agree that in order to foster domestic manufacturing of green technologies in the United States, a stated priority of the Biden Administration, a complete domestic supply chain – including initial mineral production as well as end-of-life processing and recycling of products using these materials – is necessary to draw sufficient capital investment in the sector? If not, how is this goal of expanding the domestic green energy manufacturing base feasible?

Senator Ernst:

264. The Biden Administration has made it clear that it will push heavily to transition the country from internal combustion engines to electric vehicles. Last Congress, more than 100 Democratic members of the House and Senate signed on to the Green New Deal, which arguably envisions a future without liquid fuels. The open hostility towards liquid fuels from both the Executive branch and the Democratic majorities in Congress is cause for concern for our farmers and the biofuels industry. If confirmed, you will undoubtedly be under pressure to hasten this transition away from liquid fuels. How will you ensure that EPA's actions to cut greenhouse gas emissions from the transportation sector take full advantage of biofuels, which offer immediate emissions reductions from the current fleet at lower prices?

265. The President has laid out an ambitious domestic climate agenda that will be coordinated in large part by White House National Climate Advisor and former EPA Administrator Gina McCarthy. What is your perspective on the relationship between the

Climate Policy Office and the EPA? Specifically, as EPA Administrator, how will you ensure the integrity of EPA rulemaking processes while also having to react to potentially conflicting directives being handed down from the Climate Policy Office?

266. The Renewable Fuel Standard is intended to promote low-carbon, cellulosic biofuels. The corn kernel fiber pathway was established in 2014, but the EPA has effectively blocked applications to register under this pathway, in the process stifling one of the objectives of the RFS. Approving these applications is a win-win for the environment as well as for farmers and an ethanol industry experiencing unprecedented market challenges. If confirmed, will you ensure the timely processing of cellulosic biofuel applications, including those made under the corn kernel fiber pathway established in 2014?

267. A growing body of scientific literature shows that certain conservation practices, such as no-till soil management, help to sequester greenhouse gasses in the soil. However, for no-till to work, farmers need access to herbicides, otherwise they have to till the soil to eliminate weeds, which causes greenhouse gasses to be released. These herbicide-enabled practices also reduce soil erosion, help lock-in soil nutrients, among other benefits. As EPA Administrator, would you ensure farmers continue to have access to the tools they need to preserve these important conservation practices?

268. Between 2014 and 2019, North America's share of the global bioplastics market grew from 14% to just 18%, while Europe's share increased from 15% to 25%. This occurred despite the U.S,'s position as a global leader in agricultural production. President Biden has clearly articulated his commitment to development of the US bioeconomy. Will EPA take action to articulate a biogenic carbon emissions policy for agricultural crops to help level the playing field?

269. Because of America's leadership in the development and deployment of ag biotech innovation, U.S. producers and processors have already made significant reductions in greenhouse emissions throughout the agricultural supply chain. On October 9, 2020, EPA proposed regulatory revisions which would clarify and streamline oversight for certain "plant incorporated protectants" ("PIPs")-- pesticide-like substances occurring naturally in plants whose levels are altered using modern biotechnology. Under your leadership, will you continue to prioritize the implementation of new rules to clarify EPA oversight of these safe, innovative products, to ensure America's farmers, ranchers, and forest landowners will have the tools to adapt to climate change, capture greater amounts of carbon in the soil, and lessen agriculture's overall environmental footprint?

270. The USDA is a critical asset for helping EPA understand the impacts of regulatory actions on agricultural producers. Secretary Vilsack, in particular, has a long and accomplished history of working with EPA in the previous Democratic Administration to ensure the agency understood the impacts of how it used its regulatory authority with respect to farmers. Can you commit to working closely with USDA and Secretary Vilsack before proceeding with regulatory actions that would impact agriculture, and to taking USDA's feedback and expertise seriously?

ED_013012_00003807-00055

271. EPA has the authority to require the use of ever increasing volumes of advanced biofuels through the Renewable Fuels Standard even beyond 2022. These advanced biofuels, like biomass-based diesel, are produced across the country from a variety of surplus and waste fats and oils – they are important to Iowa because of our soybean farmers and the 11 biodiesel facilities. Biodiesel is working today to reduce GHG emissions by 65-80 percent, and significantly reduce particulate emissions. Then-candidate Biden committed to support growth in advanced biofuels. Do you support the use and promotion of advanced biofuels like biomass-based diesel? Do you intend to utilize EPA's authority under the RFS to grow the use of advanced biofuels like biomass-based diesel over the next 4 years?

ED_013012_00003807-00056

Senate Committee on Environment and Public Works
Hearing entitled, *"Hearing on the Nomination of Michael S. Regan to be Administrator of the Environmental Protection Agency."*
February 3, 2021
Questions for the Record for Michael S. Regan

Senator Carper:

1. When former President Trump thought about climate change, he thought hoax, not jobs. As a result, the Trump EPA was blind to policies that were good for our climate and economy. For example, automakers and states called on the Trump EPA to implement a "50-state solution" on fuel economy and greenhouse gas tailpipe standards that achieve meaningful climate, clean air and economic benefits. Instead, the Trump EPA implemented an illegal regulation that took away state authority, increased consumer costs, increased pollution, and provided uncertainty for car manufacturers. Thankfully, when President Biden thinks about climate change, he thinks jobs and has already directed EPA to take another look at the vehicle standards. The President believes, as I do that we can reduce the largest source of climate pollution and help American automakers innovate, create jobs and compete in the global market.

    a. Will you commit that, if confirmed, you'll make it a priority to find an agreement between the automakers and states and start those discussions as soon as possible?

    b. I believe the California Framework program agreed to by California and 5 automakers could serve as a logical starting point for negotiations on a near-term federal solution. It would seem that a collaborative approach with automaker support could set our nation on an accelerated path for reducing emissions, provide more regulatory certainty, and help build a robust market for electric vehicles as we transition to a zero-carbon transportation future. What are your thoughts on this approach?

2. Will you commit that, if confirmed, you will support the President's direction to the State Department to send the Kigali Amendment to the Montreal Protocol to the Senate for ratification?

3. Will you commit, if confirmed, to working with downwind states, like Delaware, who are still suffering from cross-state air pollution from upwind states?

4. Methane is a greenhouse gas with 80 times the planet-altering power of carbon dioxide in the near-term. The oil and gas sector contributes to the climate crisis by venting and flaring natural gas with methane, and through unintentional leaks in aging infrastructure. President Biden directed EPA through executive action to act on oil and gas methane emissions. Will you commit, if confirmed, to quickly review and revise, if necessary, the existing methane oil and gas New Source Performance Standards, entitled: "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration," 85 Fed. Reg. 57398 (September 15, 2020)?

ED_013012_00003808-00001

5. EPA has not effectively implemented the PFAS action plan, which it released two years ago. For example, no legal limit for PFAS in drinking water has been set. Also, EPA has delayed key studies on the toxicity of PFAS. It has also failed to set standards under the Clean Water Act, which would prevent industries from releasing high levels of PFOA/PFOS into the nation's waterways, and it has failed to designate PFOA and PFOS as hazardous substances under Superfund, which would initiate the cleanup process at the most contaminated sites. Will you pledge to implement all the steps articulated in the PFAS Action Plan?

6. The last two EPA Administrators have promulgated rules that misrepresent the state of the science in order to achieve a pre-determined political outcome. The violations of scientific integrity will manifest as real-world harms to our environment and human health. There are two keys to restoring trust in EPA: an agency-wide commitment to EPA's written scientific integrity policy, and a scientific integrity officer who is empowered to do their job. Will you support a process for making sure new and existing EPA employees are fully aware of their rights and responsibilities regarding the conduct of scientific research, publication of scientific research, communication with the media and the public regarding scientific research? Will you commit to meet with the EPA Scientific Integrity Officer on a regular basis and seek status reports on her observations?

    a. Under the Trump administration, the scientific integrity officer could not act on serious violations of the scientific integrity policy, because it was the political appointees to whom she reported to that committed the violations. Will you work with the scientific integrity officer to explore amendments to agency rules and procedures, as well as work with Congress to explore any necessary changes to law, to ensure that political appointees in the current and future administrations do have not the ability to effectively overrule or stymie the findings of the scientific integrity officer?

7. Will you commit to investing significant budgetary resources to achieving changes at the agency to advance environmental justice?

    a. How will you address the cultural changes needed at the agency in enforcement, permitting and regulation to address environmental injustices?

8. As I mentioned during your February 3, 2021 nomination hearing, the Trump EPA created great uncertainty in the Renewable Fuel Standard (RFS), which sets mandates on the amount of biofuels that are to be blended into our transportation fuels. In your testimony, you mentioned that under your leadership, if confirmed, EPA would focus more on transparency when it comes to implementing the RFS program. This is welcomed news since I've encouraged EPA to take this step for years. However, I am concerned that you may only be focused on transparency when it comes to the small refinery waiver process and not the entire program. I remain concerned about the volatility in the RFS compliance trading system used by EPA, known as the Renewable Identification Number (RIN) market. I continue to believe market transparency and business certainty, which includes processing biofuel applications in a timely manner and issuing the renewable volume obligations in a timely manner, is a big

ED_013012_00003808-00002

part of the solution to addressing the volatility. If confirmed, will you commit to reviewing and implementing, if necessary, transparency measures across the RFS program?

9. Under the Trump Administration, EPA attempted to weaken the legal authority for the Mercury and Air Toxics Standard (MATS), which regulated air toxics from power plants. Stakeholders did not want EPA to take this action and yet EPA did. In doing so, it created great uncertainty in terms of reducing mercury and other air toxics from our nation's largest sources of air toxics and reduced business certainty for the entire power sector. If confirmed, do you commit to reviewing the action by the Trump EPA to undermine the Mercury and Air Toxics Rule?

Senator Carper for Senator Booker:

10. An issue that is critical from an environmental justice perspective is revisiting the rule that EPA recently finalized that refused to lower the National Ambient Air Quality Standard for Particulate Matter. PM2.5 levels are disproportionately higher in Black communities, and PM2.5 is disproportionately killing Black people. EPA scientists recommended lowering the PM2.5 standard but EPA, under the Trump Administration, ignored the scientists.

    a. If confirmed, will you take a close look at this rule and consider following the scientific consensus and lowering the threshold for this deadly air pollutant, Particulate Matter?

11. Under TSCA, the EPA should be prioritizing the protection of communities, including fenceline communities, that experience greater exposure to chemicals, greater health risks from exposure or both. And, the agency should actively engage these communities when identifying which chemicals are of the greatest concern, assessing the risks they pose, and how to protect against those risks.

    a. If confirmed, will you use your full authority under TSCA to work with these communities to identify, evaluate, and prevent harmful exposures to chemicals?

12. Over the last four years, I have met with families who have lost sons and daughters due to exposure to toxic chemicals like methylene chloride and trichloroethylene (TCE) – both chemicals for which bans of high-risk uses were supposed to have been finalized in 2017 but were put on ice and then withdrawn by the previous administration. Mothers and brothers and grandparents have visited my office to tell the stories of their loved ones - of a 13-year-old daughter who died of brain cancer in a community ravaged by childhood cancers linked to TCE contamination, and of a 21 year-old son who died from acute exposure to a paint stripper made with methylene chloride while on the job. I'd like to be able to tell the parents of Emma Grace Findley and Kevin Hartley that they have been heard and listened to and that we will finally take action to make sure that no more parents have to come here to tell us that we are not protecting their children.

    a. If confirmed, can you commit to making sure we finally put these protections in place?

ED_013012_00003808-00003

Senator Whitehouse:

13. There was funding in the FY 2021 omnibus spending bill for EPA to review and approve pathways for electric vehicles to receive credits under the RFS (known as e-rins). For several years, EPA has declined to approve applications that would open up this pathway. Modeling has shown that opening up this pathway could create a new incentive for electric vehicle deployment, valued at upwards of $800 per vehicle. If confirmed, do you commit to reviewing swiftly all pending e-rin applications?

14. We have legislation that would establish at EPA a zero credit carbon emissions avoidance program to award credits to existing nuclear power facilities that are struggling economically. Modeling has shown that one-third of the existing fleet could shutter prematurely, removing carbon-free energy generation that we need to meet our climate goals. Do you support providing subsidies to economically vulnerable nuclear facilities in order to maintain their carbon-free energy generation?

15. The Renewables Enhancement Growth Support (REGS) Rule (EPA-HQ-OAR-2016-0041) has been stalled at EPA for more than four years. Among other items, this rule would allow biointermediates to produce low-carbon fuel for which renewable identification numbers would be generated. The REGS rule went through the entire rulemaking and commenting process as specified in the Administrative Procedures Act. Comments on the biointermediates section were overwhelmingly positive. Most recently, Congress directed EPA to finalize this portion of the rulemaking for the REGS Rule (in Division G of the report accompanying the FY 2021 omnibus appropriations bill). The language directs EPA to complete the rulemaking within 90 days of the act's enactment (December 27, 2020) and report to Congress within 60 days about EPA's plans for action on this important rule. Should you be confirmed, will you commit to adhere to Congress's instructions, under the prescribed timeline, to finalize the REGS Rule to address the long-delayed decision on biointermediates?

Senator Kelly:

16. My state has very limited groundwater supplies. The City of Tucson shut down 10 percent of its groundwater wells due to PFAS contamination. And in the Phoenix metro area, nine water systems in the west valley have detected potentially harmful levels of PFAS in groundwater reservoirs. We need federal assistance to address PFAS, including EPA grants under the Safe Drinking Water Act. I am concerned that Arizona gets shortchanged on EPA water quality grants under the existing formula—we are near the bottom because our state doesn't have a lot of water. Last year, Arizona received as much funding from the EPA as the Territory of Guam—around $10 million. What can EPA do to ensure that states who rank at the bottom of EPA grant formulas, like Arizona, get the funding they need to address PFAS?

17. The Obama-era "Waters of the United States rule" (WOTUS) rule expanded EPA enforcement over water quality beyond the major rivers and lakes covered by the Clean Water Act. I support clean rivers and waters, but how EPA writes this rule is very

important. I've heard from farmers and ranchers in my home state of Arizona that the Obama-era WOTUS rule put EPA in charge of regulating irrigation canals or livestock ponds. Others in my state were concerned that housing could be disrupted if EPA defines dry desert washes as "waterway of the United States." If EPA produces a new WOTUS rule, will you commit to factoring Arizona's unique desert landscape?

18. A 50-year old sewer pipeline built by the State Department for Mexico has been eroding and spilling Mexican sewage across the small border town of Nogales, Arizona, for the past 15 years. The sewer line transports 10 million gallons of wastewater. Nogales has tried suing the State Department, but the agency has been dodging the lawsuit citing international treaty agreements. Nogales is 95 percent Latino and doesn't have the revenue to keep patching the sewer line. Do you see this as an environmental justice issue? How can EPA support the cleanup of wastewater near the southern border?

19. There are over 500 abandoned uranium mines on the Navajo Nation that were left behind from the Cold War that have been decommissioned by defunct mining companies. These mines are polluting the tribe's groundwater wells. Contaminated drinking water has been linked to outbreaks of lung cancer, bone cancer, and impaired kidney functions. So far, the Department of Justice and the EPA have only tracked down the owners of 97 of those mines. Cleanup has begun on fewer than seven mines. Would you say this is an environmental justice issue? Will the cleanup of these mines be a priority for the EPA?

20. Another Trump Administration regulation that's been suspended would reduce air quality standards. I agree with the need to reverse these regulations. My concern here is that Arizona has seen EPA try to fine county governments for haboobs—dust storms. In reality, the smog from California is a bigger problem for us than the occasion haboob. Again, I think EPA needs to take into account that Arizona is different. So, if EPA produces a new national air quality rule, will you ensure that this "national rule" takes into account my state's unique desert environment?

21. As you may know, in March of 2018, Maricopa County, six Arizona cities and two tribal nations, along with a number of federal, state, and local partners announced the formation of the Rio Reimagined project. The project seeks to coordinate environmental protection and economic development projects along the riverbed of the Salt River, which flows through the heart of the Phoenix metropolitan area. The goal of the project is not just to clean up the Salt River watershed, including several brownfields, but also to make the areas around the river hubs for economic development. I was very pleased that the Trump administration and your predecessor EPA Administrator Wheeler chose to designate the Rio Reimagined project as an Urban Waters Federal Partnership project. This designation will allow federal agencies, including EPA, the Department of the Interior, the Fish and Wildlife Service, the Army Corps of Engineers, and others to coordinate federal efforts to support the many environmental restoration and economic development projects that are a part of Rio Reimagined. The Rio Reimagined project demonstrates how federal, state, and local partners can collaborate to both restore our environment and create economic growth. As EPA Administrator, how would you work to support collaborative projects,

like Rio Reimagined, and promote the development of additional projects, which support both environmental restoration and economic development?

Senator Padilla:

22. California has led the nation when it comes to reducing vehicle emissions. It is something we're very proud of in my state, and it is something that I know Senators Feinstein, Carper, and Markey have led the way on here in the Senate. As you know, the Trump EPA attempted to undermine California's authority to regulate greenhouse gas emissions from vehicles. Every automaker has now walked away from supporting that Trump Administration effort, and the Biden Administration has asked EPA to quickly review the decision. Mr. Regan, the Clean Air Act is clear about California's independent authority to regulate tailpipe emissions. Will you pledge to be a true partner with California in our efforts to reduce vehicle emissions?

23. Mr. Regan, I appreciate that one of your stated focuses will be environmental justice and ensuring that our low-income communities and communities of color are not left behind. One specific environmental justice issue in California that I want to highlight for you is the former Exide battery plant in Vernon, California. This battery recycling facility in a largely Latino, working class area of Los Angeles has been polluting the local air and soil with lead and arsenic for decades. Young children and their families are being exposed to toxic chemicals, and no one has held the company responsible. With the support of the Trump Administration EPA and Department of Justice, a bankruptcy court allowed Exide last year to simply abandon the plant, leaving California and the local community left to clean up the mess. How will you ensure that EPA partners with California to clean up this site?

    a. Will you formally designate the Exide facility as a superfund site?

24. A critical equity issue facing California is the availability of safe, clean drinking water. There are numerous low-income communities of color in the Central Valley that are not connected to municipal systems and don't have access to a reliable source of safe drinking water. As we begin to discuss infrastructure and President Biden's Build Back Better agenda, how will the EPA ensure that low-income communities of color in California will finally have access to safe, clean drinking water?

    a. Then there are other communities whose drinking water has been contaminated by PFAS. As you know well, PFAS is a class of more than 7,000 chemicals, and the challenge of even beginning to regulate them is enormous. One effort that California is pursuing to grapple with PFAS is working with the Department of Energy and with Lawrence Berkeley National Lab to use supercomputers to better understand the behaviors of each PFAS chemical in order to begin to regulate chemicals by class in the future. Mr. Regan, will you pledge to work with California and other federal agencies to help bring more federal resources to bear and to help better understand PFAS chemicals so that states and the federal government can better regulate them?

ED_013012_00003808-00006

25. California faces numerous clean air challenges, particularly in the non-attainment areas of Los Angeles and the Central Valley. These clean air challenges are particularly acute for low-income communities of color in both regions. One of the fundamental issues we face in California is that we can regulate stationary sources, but not the mobile sources that are the cause of so much of the pollution. For that, we need the federal government. For example, heavy duty trucks are California's largest sources of nitrogen oxide air pollution, which is a leading contributor to the deadly smog in the San Joaquin Valley and in Southern California. California needs a true partner at the federal level in order to meet air quality standards. Even the industry has expressed support for tighter standards, but the Trump EPA refused to act. Will you commit to pursuing stricter federal emissions standards for heavy duty trucks, as well as for locomotives, cargo ships, and planes?

    a. Another example is the mobile equipment and trucks used around the Ports of LA and Long Beach and the agricultural equipment used in the Central Valley. EPA has helped owners and operators retrofit older vehicles through the Targeted Airshed Grant program and the Diesel Emissions Reduction Act program. But more must be done. How will you ensure that the EPA helps California improve its air quality through both stricter regulation and increased financial support?

Senator Capito:

26. During your time as NC DEQ Secretary, you established the state's first Environmental Justice and Equity Advisory board to better address social inequities, environmental protection, and community engagement, including in rural areas that are exacerbated by environmental issues.
    a. From a policy and regulatory perspective—how do you define environmental justice?
    b. Do you agree that renewable energy sources and infrastructure can pose environmental inequities for communities in which they are sited?
    c. How will energy poverty, in the form of less resilience, less reliability, and higher costs, be taken into consideration for environmental justice?
    d. Do you agree that poverty and economic harm resulting from environmental regulations has negative health outcomes, including deaths of despair such as drug overdose or suicide?
    e. Should economic harm resulting from environmental regulations likely to increase poverty be considered an environmental justice issue and factored into EPA's cost-benefit analyses as a net negative health effect?
    f. Do you feel that the effects of poverty in rural and urban environmental justice communities are functionally similar?

27. As a nation we should do everything in our power to help the underserved and disadvantaged members of our communities. That includes considering alternatives to policies that are regressive, imposing the greatest costs on those least able to bear them. Do you agree that environmental injustice in disadvantaged communities is exacerbated by policies which seek to ban natural gas as a reliable, clean, and affordable energy source?

ED_013012_00003808-00007

28. I think everyone agrees with the goals of environmental justice and its importance as an issue that demands our attention. However, the scope of the issue is not always clear. For example, do you view access to jobs and energy affordability as a justice issue for poor and disadvantaged communities?

29. Do you agree that increased energy costs have a disproportionate impact on low-income families and communities?

30. If confirmed, will you take into account the impact of higher energy costs that would result from environmental regulations during your review of EPA policies and regulations?

31. In response to a question from Senator Cardin concerning a Chesapeake Bay Czar, you stated that, "I have been successful in prioritizing an agricultural czar or advisor, an environmental justice advisor." This appears to imply that you have plans in place to create and hire new adviser or "czar" specifically devoted to Environmental Justice.
    a. Do you intend to create a new position advising on or overseeing the Agency's environmental justice agenda?
    b. If so, will they be directly overseen by the EPA Administrator?
    c. If so, what will the responsibilities of this position entail?
    d. If so, will the responsibilities of this position overlap with the responsibilities of any other position already in existence at the EPA?

32. Do you acknowledge that the administration and enforcement of federal environmental statutes has in fact resulted in plant closures and layoffs?

33. Do you acknowledge that the administration and enforcement of federal environmental statutes in the future has the potential to result in plant closures and layoffs?

34. Do you agree that the Agency has the ability to maintain a system of contacts with Federal, State, and local enforcement offices and request information from the public in order to identify at the earliest possible time situations where a firm has closed or may close a facility due in substantial part to the administration and enforcement of federal environmental statutes? If not, why not?

35. Do you agree that the Agency has the ability to evaluate potential or actual plant closures and layoffs that may result from the administration and enforcement of federal environmental statutes to determine their significance based on the specific circumstances such as the nature of the workforce and the local economy? If not, why not?

36. During this ongoing COVID-driven economic downturn, it is critical that American businesses have regulatory certainty for those businesses to manage their companies.
    a. How will you prioritize EPA's policies and activities to provide regulatory certainty?

ED_013012_00003808-00008

b. Do you believe EPA should regularly review existing policies to identify outdated and unnecessary policies to minimize costly duplication? If so, will you formalize such a process at EPA?

37. Secretary Regan, last week President Biden signed an Executive Order pertaining to the Administration's international and domestic environmental policy goals.[1] Section 218 of the Executive Order establishes an interagency working group focused—among other things—on steering federal resources to communities and individuals that will be harmed by the Biden Administration's energy and environmental policies. The executive order specifically mentions "coal and power plant communities," such as those in West Virginia, which have already borne the brunt of troublingly similar agendas previously pursued by political appointees under the Obama-Biden Administration. As I am sure you are aware, should you be confirmed you will be a member of this interagency working group.
    a. Can you elaborate on your understanding of the mission of this interagency working group?
    b. Do you believe this interagency work group approach is the most effective manner for the federal government to ensure "coal and power plant communities," such as those in West Virginia, will not be targeted and left behind like they were as a result of many Obama-Biden Administration actions?

38. The executive order directs the interagency working group to submit a report making recommendations to President Biden within 60 days of it being signed.
    a. As a member of the interagency working group, do you commit to working with, and timely answering requests for information by the Congressional delegations representing these communities as you develop recommendations?
    b. Do you commit to sharing the report with myself and other representatives of these communities prior to finalization?
    c. Do you commit to granting Senators in both parties equal access to information and documents, including any necessary briefings and discussions with Agency personnel? If not, please explain why.
    d. Do you commit to holding all of your political appointees at EPA to this same standard?
    e. Do you commit to allowing the Ranking Member and Minority staff of the Committee access to any EPA staff deemed necessary to provide information relevant to the Committee's requests?

39. For the benefit of Congress and the Executive Branch, effective communication and input are necessary in the development of regulations and policies that have a significant impact on the everyday lives of Americans. In development of the Clean Power Plan, the EPA under the Obama-Biden Administration—specifically previous officials that are again serving or have been nominated to serve under this Administration—refused to hold hearings in areas such as West Virginia that would have been severely impacted by the regulatory overreach.

---

[1] https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/

ED_013012_00003808-00009

a. Will you commit to hosting public outreach and listening sessions in those states most likely to be negatively impacted by a proposed rulemaking?
b. If requested, do you commit to provide the Ranking Member and Minority staff of the Committee notification and to consult with the Committee prior to any proposed or final action?
c. Do you commit to make yourself and your staff available to provide additional information and briefings to the Committee on any action prior to it being taken by EPA?

40. Do you believe that the Agency should clearly and transparently document its decisions?

41. Do you believe that the public should have clarity on why EPA makes the decisions it makes, including the science on which those decisions are based? Should that science, including the associated data, be available to the public for review? If not, why not?

42. Should the Agency work to increase transparency and allow others to peer review its science?

43. Do you commit to responding to Freedom of Information Act (FOIA) requests as quickly as possible?

44. What are your views of Administrator Wheeler's implementation of the Lean Management System to track and expedite EPA permitting and regulatory actions and do you intend to maintain it if confirmed?

45. Do you commit to notifying the Committee of all of the email addresses you plan to use upon confirmation and also provide additional notice within seven days of using a new email address, including any aliases or pseudonyms? Do you commit to holding all of your political appointees at EPA to this necessary standard?

46. Do you commit to conducting all business using official email addresses and other means and to refrain from any mediums that are outside the Freedom of Information Act's reach? Do you commit to holding all of your political appointees at EPA to this standard?

47. Throughout the history of the EPA, Administrators have reaffirmed a commitment to transparency in Agency's operations. Part of this commitment to transparency has included releasing records of the calendars of the Agency's senior leaders. During their tenures, Administrators Andrew Wheeler, Scott Pruitt, Gina McCarthy, and Lisa Jackson regularly released details of their daily schedules.
    a. Do you intend to reaffirm to all EPA employees past EPA Administrator's commitments to transparency in Agency's operations? If not, please explain.
    b. Do you commit to ensuring the calendar entries you share with the public are timely and contain meaningful details that will enable the public to understand how you are conducting yourself as leader of the Agency?
    c. Do you commit to providing information on the subject of the calendar events and the major participants involved? If not, please explain.

ED_013012_00003808-00010

48. Nearly all the senior non-Senate confirmed EPA positions in the Headquarters office have been filled. This is concerning since this has taken place seemingly without your input or consent.
    a. Have you worked with any of the political appointees that have been announced at EPA to date?
    b. What was the role of the White House climate czars and staff in their selection, if any?

49. Will you get to select the 10 EPA regional administrators?

50. Do you believe that Regional Administrators should hail from, or have experience living and working within, the EPA Regions they serve?

51. Will you commit to instructing all of your political staff to take the appropriate steps to avoid any appearance of having their impartiality questioned in the performance of their official duties?

52. Do you believe that all political appointees at EPA should follow the Department of Justice (DOJ) ethics guidelines?

53. Will you commit to directing all political appointees at EPA to comply with DOJ ethics guidelines to recuse themselves for a one-year period from any matter in which their former employer whom they provided services to within the previous year is a party or represents a party?

54. A theme of regulation over the past four years has been to hew close to the purpose and scope of our nation's environmental laws as they were enacted and acknowledging the improvements in our environment during the 50 years or so that most of these laws have been on the books.
    a. Do you agree that our environment has improved since these laws were enacted?
    b. Do you believe we must consider costs and legal bounds as we pursue environmental improvement?

55. You responded to a question during your North Carolina State Senate committee hearing in 2017 on working with states, industry, and by stating, "I learned that when all is said and done, the business community wants regulatory certainty" and that industry and environmentalists both "want to be heard and to participate in a transparent process." Do you pledge to work with industry and technology experts to ensure commonsense, technically feasible, and economically viable environmental solutions are proposed and implemented?

56. Among the many unilateral, executive actions that President Biden took before having an accountable Senate-confirmed official in place at EPA was a return to the Clinton Administration-era Executive Order 12866 and the Obama Administration-era Executive Order 13563, which controlled how EPA and other agencies proceed with their

ED_013012_00003808-00011

regulatory planning and review. During your hearing before this Committee, you stated "It is my desire to follow the law, not exceed my statutory authority. I believe with the proper stakeholder engagement, I think that we can forge a path forward."

a. Do you commit to not exceeding the statutory authority granted to EPA in action the Agency takes?
b. How will EPA abide by Section 1(b) of EO 13563 that instructs agencies to "impose the least burden on society," and "tak[e] into account the costs of cumulative regulations?"
c. Will EPA provide at least 60 days of public comment on regulatory proposals to allow for meaningful public comment consistent with the EO 12866 Section 6(a)?
d. Will EPA facilitate semi-annual retrospective reviews of actions to determine if revising, streamlining, or repealing any existing rules that may be "outmoded" or "excessively burdensome" is necessary, as outlined in Section 6 of EO 13563?

57. On January 28, 2021, I joined with 25 of my Senate colleagues in requesting from President Biden a meeting to discuss our concerns over his recent executive actions on climate and the destruction of quality jobs in the energy sector. The White House Press Secretary denied this request the very next day. Since you are being considered for a position as President Biden's nominee to be EPA Administrator, you should be the representative for of the Administration with primary authority over environmental regulations. Will you commit to meeting with my Senate colleagues and me to have a discussion about these recent executive actions and how you view them impacting your role as EPA Administrator?

58. There has been much discussion on the possibility of Congress taking up resolutions of disapproval for several recent EPA regulations under the Congressional Review Act of 1996. Under that law, after disapproval, EPA could not promulgate "substantially the same" rules again.
    a. If Congress were to disapprove rules to retain former President Obama's National Ambient Air Quality Standards (NAAQS), which must be reviewed every five years, what would that mean for future NAAQS standards?
    b. Does the definition of "rule" under the Congressional Review Act include EPA guidance documents?

59. Will you commit to ensuring that any new Agency guidance is developed in a transparent manner?

60. Will you commit to ensuring that the Agency will publicly release all draft guidance prior to finalization, allowing for public comment *before* issuing final guidance?

61. Will you commit to avoid shadow regulations, in which the Agency adopts de facto standards without going through the formal notice-and-comment process?

62. Will you commit that EPA (including the Office of Water and all other program offices) will continue to ensure guidance documents do not mandate any specific actions, outcomes, or requirements?

ED_013012_00003808-00012

63. Do you agree with the concept that any guidance documents truly necessary to enhance effective national program implementation should be expeditiously finalized, at most within two years of proposal?

64. Will you commit to automatically rescinding any draft guidance documents created by the Agency that have not been finalized within two years?

65. On January 8, 2020, the Office of Management and Budget issued a memorandum titled: "Executive Order 12866 Review of U.S. Environmental Protection Agency (EPA) Integrated Risk Information System (IRIS) Assessments," which makes clear that IRIS assessments are guidance documents and that certain of them are likely to be significant and thus should go through a formal interagency E.O. 12866 review. This is a positive action since the IRIS program supports EPA's mission to protect human health and the environment, and IRIS assessments are influential or highly influential scientific documents that play a foundational role in Agency-wide regulatory policy choices. IRIS assessments also serve as a scientific resource to states, local government, tribal agencies, other Federal agencies, and international health organizations.
    a. Do you agree that IRIS assessments are influential and are impactful to the public, business, and the economy in general?
    b. Do you intend to comply with this memorandum to treat IRIS assessments as guidance, to make significance determination based on the criteria in section 3(f) of Executive Order 12866 review, and to require that significant assessments are subject to interagency review?
    c. Are you aware of any plans for the President to rescind this memorandum? If so, will the Agency continue to informally offer IRIS assessments and other similar guidance documents up for interagency review?

66. As a state regulator, you know EPA's coordination with states and tribes is key to successful implementation of the cooperative federalism model embedded in many environmental statutes.
    a. How has your experience as a state regulator and a former EPA employee shaped your view of effective cooperative federalism?
    b. Will you commit and make it a priority to consult with any states or tribes on EPA issues or actions?
    c. Do you believe it is important that states should maintain State Implementation Plans (SIPs) to meet air quality standards based on the cooperative federalism principles enshrined in the Clean Air Act, rather than federally-issued implementation plans (FIPs) to mandate standards and metrics across the states, regardless of differences in economies and scale?

67. Under the Obama-Biden Administration, the EPA ignored and left out states like West Virginia in the development of key policies. I am concerned that with so many political appointees behind those policies returning to EPA and this Administration, this dangerous practice will recur. I want to ensure this EPA under the Biden Administration does not make the same mistakes of the past.

ED_013012_00003808-00013

a. Will you also commit to establishing regular leadership meetings for Regional Administrators and state and tribal officials within their respective jurisdictions?
b. As a former EPA employee and state regulator, do you believe further guidance from EPA Headquarters is necessary to ensure coordination is effectively and consistently implemented throughout the Regions?

68. As a former EPA employee and a state regulator, you know the importance of the Office of Enforcement and Compliance Assurance. It is imperative to punish bad actors, but it is important to work closely with the states and provide entities with technical assistance to get them into compliance. How will you balance enforcement actions with technical assistance in achieving compliance?

69. You responded to a question during a North Carolina State Senate committee hearing in 2017 on working with states and businesses by stating: "We used to say at the EPA that 'We like to educate rather than regulate.' We want to create a culture where people who involuntarily violated a rule come to the agency to figure out how to work out of the situation. This is not a gotcha game, but how to protect our natural resources."
    a. Will you commit to standing by your views from 2017 and prioritizing compliance assurance?
    b. What is your plan for ensuring the Agency continues to work closely with the states and providing entities with assistance to bring them into compliance with all EPA statutes?

70. The EPA under the Obama-Biden Administration focused on the number of "prosecutorial assistance" requests to the U.S. Department of Justice (DOJ), while the Trump Administration defined success by the number of entities brought into compliance. How do you plan to define success of EPA enforcement actions?

71. Like other federal agencies, there are discrepancies in the enforcement tactics between EPA's different regions, as well as the regions and EPA headquarters. What is your plan to bring a consistent enforcement regime across all 10 Regions?

72. During the January 27, 2021 White House climate press briefing with John Kerry and Gina McCarthy, McCarthy stated that climate change is "the most significant health challenge of our time." Secretary Regan, as we experience a global pandemic and as many West Virginians are still struggling to recover from the impacts of the Obama-Biden Administration's destructive energy policies, do you agree with the statement that Gina McCarthy made that the Biden Administration views climate change as the biggest public health challenge of our time?

73. The Committee questionnaire asks for disclosure regarding any business relationship, dealing or financial transaction with 501(c)(4) organization in the last ten years. You responded "none." Is there any information you would like to amend in your questionnaire with regard to EDF Action?

ED_013012_00003808-00014

74. In your ethics agreement submitted to the Committee, you detail that upon confirmation that you will resign from your position as NC DEQ Secretary and that for a period of one year after your resignation, you would have a "covered relationship" under the impartiality regulation of 5 C.F.R. §2635.502 with NC DEQ, where the circumstances clearly bring to question your ability to be impartial in any matter involving NC DEQ. Please explain what your understanding of a "covered relationship" is in this context.

75. Despite this "covered relationship" and the clear impartiality you would have in any matter involving NC DEQ, you detailed that you would be seeking authorization to immediately engage with NC DEQ.
    a. Why do you feel the need this action is necessary?
    b. Do you intend to recuse yourself from any matters related to the State of North Carolina?

76. Will you commit to notifying the Committee of your participation in any matter involving any of your former employers or organization of which you are a part?

77. Secretary Regan, you have told the Committee that in your role as NC DEQ Secretary, you were able to "address economic, environmental and public health issues—giving equal weight to each area in making key decisions."
    a. Is this balance how you will approach your job at EPA—giving equal weight and consideration to economic, environmental, and public health issues as you make decisions?
    b. Do you feel that approach was taken in the Biden Administration's Executive Orders implicating EPA policies so far? Please explain.

78. Your role as founder of M. Regan & Associates was not disclosed in the *EPW Questionnaire* you provided to the Committee, despite the request to provide details on all previous employment. Why did you feel this role did not meet the standard warranting disclosure to the Committee?

79. Upon further review, you seem to be the only employee of this firm, and there are no details available on any clients or issues that you worked on during this 5 month tenure.

    a. Please describe in further detail the role you served with the firm and what business did you oversee at M. Regan & Associates?

    a. Do you still have any fiduciary responsibility to or maintain financial assets in M. Regan & Associates?

80. Did M. Regan & Associates conduct business with any government entity, environment or energy public or private organization, or any other stakeholders that may be considered relevant to your appointment as EPA Administrator?

ED_013012_00003808-00015

a. If so, with what relevant entities did this company conduct business, and will you commit to recusing yourself from any EPA business that will involve these entities as stakeholders?

81. In the information provided to the Committee, you did not disclose any memberships in organizations you currently or previously held. Your profile on the NC DEQ website details that you have served on several boards and commissions focused on the environment, including the UNC School of Law Center for Climate, Energy, Environment and Economics, Green 2.0, N.C. Commission on Global Climate Change, the N.C. Energy Policy Council and the Executive Steering Committee of Envision Charlotte.[2]
    a. Why did you feel these roles did not meet the standard warranting disclosure to the Committee?
    b. Please describe in further detail the role you served on these boards or commissions.
    c. Did these boards or commissions conduct business with any government entity, environment or energy public or private organization, or any other stakeholders that may be considered relevant to your appointment as EPA Administrator?
    d. If so, what relevant entities did these boards or commissions conduct business with, and will you commit to recusing yourself from any EPA business that will involve these entities as stakeholders?

82. Is there any additional information you need to provide to the Committee at this time that you have previously failed to provide?

83. Do you commit to notifying the Committee immediately upon discovery of any additional failures to provide necessary information?

84. You stated that in your role at EPA you led "initiatives to improve energy efficiency and air quality" and that this experience will allow you to "hit the ground running, understanding fully the EPA's mission and capabilities as well as its role within the Executive Branch and its partnership with the Congress." Please describe in further detail the positions you held at EPA, the initiatives you led to improve energy efficiency and air quality, and elaborate how each position contributes to your ability to hit the ground running as EPA Administrator.

85. The Biden Administration has established a climate advisory council led by White House National Climate Advisor Gina McCarthy, former Administrator of the EPA during the Obama-Biden Administration. I have significant issues with the White House empowering these unaccountable climate czars, which in addition to former Administrator McCarthy include former Secretary of State John Kerry and former Deputy Interior Secretary David Hayes. These concerns have traditionally been shared by both parties in Congress regarding presidential administrations.
    a. What is your understanding of the role of EPA within the National Climate Advisory Council?

[2] [HYPERLINK "https://deq.nc.gov/about/leadership/michael-s-regan"]

ED_013012_00003808-00016

b. Will the Advisory Council have oversight over some or any of the EPA's actions?
c. Will any of the climate czars report to you, or any other Senate-confirmed official, or will you report to them?

86. I was encouraged by your response to questions during the hearing, and I hope you are correct in stating that you will be in charge, but there is still significant concerns on the unaccountability and transparency of these White House climate czars and their staff. There is need for this Committee and the American public to understand their role and how they will be responsive to this Committee.
    a. Do any of these White House climate czars and staff have significant authority—regulatory or informal?
    b. Will these White House climate czars and staff have a role in personnel, legal, or budgetary decisions at EPA?

87. Is the Office of Domestic Climate Policy, which Gina McCarthy heads, a permanent office within the White House?
88. Both David Hayes and Gina McCarthy joined the White House from organizations involved in hundreds of active lawsuits against agencies like EPA, as well as lobbying activity on key EPA rules.
    a. Will these White House climate czars and staff be subject to federal ethics requirements, including signing the Ethics Pledge in President Biden's Executive Order?
    b. Do you commit to working with the White House to provide all ethics documents of the White House climate czars and staff before you are confirmed?
    c. Based on your understanding of ethics requirements, should they be recused from work on any particular matter for which their former employers are a party?

89. Just as important to knowing any ethical issues these officials may have is the need for the American public to have clear, timely, and appropriate access to their communications and understand any forms of accountability that are in place.
    a. Will the White House climate czars and staff be subject to FOIA?
    b. Will the White House climate czars and staff be subject to scientific integrity policies, like the policy present at EPA?

90. A number of environmental laws that you will be administering—including the Clean Air Act (CAA), Toxic Substances Control Act (TSCA), Environmental Research, Development, and Demonstration Authorization Act (ERDDAA)—have very high standards for docketing, transparency, and other procedural requirements when it comes to interagency or White House review of proposed regulations. Do you view White House climate czars and staff involvement in EPA work as triggering these transparency requirements?

91. President Biden has also nominated Janet McCabe to serve as Deputy EPA Administrator. Ms. McCabe led EPA's Office of Air and Radiation under the Obama Administration and alongside Ms. McCarthy. The Senate did not confirm her for this

ED_013012_00003808-00017

position. Prior to announcing she would be nominated for Deputy Administrator, did the White House ask you for your input for EPA senior leadership team?

92. Implementing the unilateral Executive Orders will require a significant amount of EPA's resources since they establish tight timelines and call on you to review and potentially rescind more than four dozen specific EPA actions.
    a. Did you provide the White House with any input on their recent Executive Orders, including those on "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis" and on "Tackling the Climate Crisis at Home Abroad"?
    a. If not, should you have been involved in these decisions?

93. You detailed in the hearing that you considered the details of these unilateral, executive orders to be more like "goals" rather than mandates from the White House.
    a. Do you feel that statutory requirements are more significant than Executive Orders in determining and shaping policies?
    b. Are there any provisions of these Executive Orders that would impose higher home heating power bills, gasoline prices, or other energy prices or bills for low income households? Please detail them.

94. Congress established EPA's Science Advisory Board (SAB) to provide scientific advice to the Administrator, review EPA's research programs, and advise the agency on scientific matters. A central principle of developing, reviewing, and providing scientific advice is a rigorous review from the scientific community and incorporating such feedback into the final analysis and advice. Historically, the agency has used the SAB to conduct peer review analysis and provide science advice on many issues. The SAB also drafts Integrated Risk Information System (IRIS) assessments.
    a. Do you intend to continue this practice?
    b. If not, how do you intend to change SAB's role?

95. Do you recognize the importance of diverse membership and broad experience for SAB members, including Appalachia and other regions of the country?

96. Will you evaluate SAB nominations and membership in a fair and impartial manner, based on a nominee's academic, technical, and professional credentials and not on political affiliation?

97. For key committees created by Congress including the Science Advisory Board and the Clean Air Scientific Advisory Committee, Republican and Democratic EPA Administrators have followed precedent by having previously appointed advisors serve out their terms. Will you follow this precedent or remove those experts before their terms expire?

98. Under the Environmental Research, Development, and Demonstration Authorization Act of 1978, Congress created the Science Advisory Board to respond to scientific requests

ED_013012_00003808-00018

from the head of EPA but also this Committee. Will you agree to facilitate Board advice in response to questions from Committee members on both sides of the aisle?

99. Robust and credible scientific and technical analyses is critical, supplemented by a vigorous cost-benefit analysis, for well-formed and legally sound EPA regulations. Where will you and the EPA regulatory offices look for scientific answers?

100. Former EPA Administrator Pruitt was criticized for his policy that prevented the appointment of scientists to the SAB if they were actively taking grant funds from the EPA on the grounds that this was a conflict of interest. Do you believe that a scientist who takes funds from the EPA has a conflict of interest if he or she serves on a committee to provide advice to the EPA and review EPA science? If not, why not?

101. Would you agree that reliance upon scientific advice from an individual who receives EPA funding at least creates the *appearance* of a conflict of interest?

102. Environmental groups, such as your past employer, the Environmental Defense Fund, assert EPA should not use data and science provided by industry. If you believe that receiving funds from the EPA does *not* create a conflict of interest, would you apply that same standard to scientific advice provided by peer-reviewed research conducted by industry?

103. Environmental groups organized as nonprofits, such as Environmental Defense Fund, do not have to disclose their donors.
    a. Do you believe that scientific research or policy papers composed, promoted, or in any way funded by these groups pose a potential conflict of interest or at least the appearance of a conflict of interest? Should they be considered equivalently to those promoted by industry or trade associations in any science-based rulemaking processes?
    b. Will you support EPA's use of scientifically sound data regardless of who generates that information, as long as such data is subject to a thorough peer-review process?

104. EPA currently has about 20 Federal Advisory Committees (FACA). Will you commit that *all* of EPA's FACAs will represent a diversity of geographic regions, including West Virginia and Appalachia, in addition to a diversity of backgrounds and experience of individual FACA members?

105. While the Office of Research and Development leads the Agency's scientific research activities, EPA's program offices, as well as state regulatory agencies, also carry out research and data analysis activities. Findings among different offices may not converge on a single outcome. In news reports, a recent instance of such a scientific disagreement within the Agency took place on the toxicity assessment for "PFBS," which is a member of the "PFAS" class.
    a. How will you handle instances in which conflicting data amongst credible peer-reviewed work exists within EPA?

ED_013012_00003808-00019

b. How will you handle instances in which there are conflicting conclusions between EPA and your state partners?
c. If there is conflicting data, are there instances in which it is appropriate to set a risk-based range that would be used for decisions based on specific sites or circumstances?
d. Do you agree that for scientific research to be credible, it must be subject to objective, independent peer review before it is published and remain subject to scrutiny after it is published?

106. EPA's Office of Research and Development (ORD) is the agency's scientific research arm. It was restructured in 2019 to better address how today's environmental challenges are approached.
a. What is your view about ORD's current strategic planning process that puts the agency programs as its primary customer?
b. Is ORD the sole arbiter of science or does the Agency intend to seek input from all stakeholders, including private regulated entities and states?

107. On January 7, 2021, EPA published its rule on "Strengthening Transparency in Pivotal Science Underlying Significant Regulatory Actions and Influential Scientific Information." The rule establishes how EPA will consider availability of dose-response data for science used in significant regulatory actions.
a. Do you support policies that increase transparency in scientific analysis?
b. Do you believe that the American public should have access, to the maximum extent practicable, to underlying scientific data used to make consequential and costly regulatory decisions?
c. If so, do you feel that applies to all rules imposing unfunded mandates on stakeholders, regardless of whether they constitute "major rules" as defined under the Congressional Review Act?

108. Nuclear energy currently generates more than half of our nation's carbon-free electricity. North Carolina generates 75 percent of its carbon-free electricity from nuclear power plants. Those plants also employ more than 2,600 workers with good-paying jobs.
a. What is your view of nuclear energy?
b. Can you share your views on the role of nuclear energy in North Carolina's baseload generation mix and its importance in meeting the state's carbon emissions targets?
c. If confirmed, will EPA take actions to support the safe, continued use of existing operating nuclear power plants?
d. If confirmed, will EPA take actions to support the development and deployment of new, advanced nuclear energy systems?

109. The current standards for health impacts of radiation are based on the "linear no threshold" (LNT) principle. LNT is based on decades-old studies and models that directly extend down from high levels of radioactive exposure to very low doses of radiation. Congress has provided bipartisan support for the Department of Energy (DOE) to

ED_013012_00003808-00020

research the impacts of low doses of radiation on human health. EPA is responsible for setting the health standards for radiation exposure.

a. If confirmed, will you commit that EPA will work with DOE on assessing the potential impacts of very low doses of radiation?
b. If there is new information, will you commit that EPA will give fair and careful consideration for how EPA sets its radiation standards, including whether to apply a model other than LNT?

110. EPA uses the "social cost of carbon" (SCC) as part of its assessment to justify regulations on greenhouse gas emissions. A January 26, 2021 *Inside EPA* article states that President Biden's recent Executive Order on climate change "is expected to spur a significant increase in the interim social cost of carbon, the metric used to quantify the benefits of greenhouse gas rules, with key advocates press it to be set as high as $125 per ton, up to four times the Obama-era value, which would help EPA and other agencies to justify sweeping new GHG policies." Under the Obama Administration, an Interagency Working Group (IWG) met behind closed doors to revise SCC, which was then rapidly implemented without public scrutiny. This is detrimental to the public's trust in the rationale underpinning environmental regulations. On January 21, 2021, President Biden established an Interagency Working Group on the Social Cost of Greenhouse Gases to set the SCC, the "social cost of nitrous oxide" (SCN), and the "social cost of methane" (SCM).

a. Secretary Regan, if confirmed, will you commit to inform this Committee of EPA's participation the Interagency Working Group on Greenhouse Gases?

b. Will you commit to inform this Committee of EPA's participation on any interagency working group on any other issue that may lead to or influence EPA regulatory policy?

c. Will you also commit you will provide this Committee all communications, meeting notes, membership, and related documents associated with the working group as requested and in a timely manner?

d. Will EPA consider *all* economic costs associated with the environmental regulatory decisions necessary to implement any proposed SCC, including job losses, increased costs to consumers, and offshoring of American industries, businesses, and jobs?

e. Should the Biden Administration propose to revise an SCC, will you commit to a process that includes public involvement, including a public notice and comment period prior to such a revision?

f. In applying the SCC, SCN, and SCM estimates to regulatory proposals, will you commit to evaluating the likelihood that higher domestic costs due to regulations could increase global emissions by forcing US industries to produce goods off-shore where environmental emissions are higher due to less stringent regulations

and higher transportation-related emissions from bringing the resulting goods to domestic markets?

111. On January 20, 2021, President Biden directed the Office of Management and Budget (OMB) to review and update OMB Circular A-4 through a Presidential Memorandum. OMB Circular A-4 is the overarching guidance document that dictates how to develop regulatory analysis. Do you believe there are gaps in Circular A-4 that require it to be revised? If so, what are they?

112. President Biden's memorandum states the document should be updated to "fully account for regulatory benefits that are difficult or impossible to quantify." If confirmed as the leader of an agency that is committed to basing decisions on science and facts, how do you believe EPA should balance quantifiable costs and benefits compared to relying on an undefined rationale?

113. Will you commit to wait until the Administration's review of OMB Circular A-4 is complete before making any revisions to EPA's Final Benefit-Cost Analysis rulemaking?

114. In addition to two climate czars in the White House, the Administration has announced senior staff for nearly every Federal agency with portfolios dedicated to climate change. Costly and burdensome environmental regulations stifle our economy and hinder job creation. This makes it critical that environmental policies are established only after careful consideration within the appropriate agency. If confirmed, how will you ensure that other federal agencies are not trampling over EPA's jurisdiction?

115. In evaluating the costs of regulations, will you commit to present estimates of benefits and costs using discount rates that reflect the opportunity cost of capital for businesses?

116. In estimating benefits and costs, will you commit to identifying all major assumptions and uncertainties in the benefit and cost estimates?

117. Will you also commit to conducting and presenting sensitivity and uncertainty analyses of those uncertainties?

118. Do you agree that "[o]ne-size-fits-all approaches to public policy problems can inhibit the creation of effective solutions to those problems," as stated by Section 2(f) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

119. Do you agree that "[t]he national government should be deferential to the States when taking action that affects the policymaking discretion of the States and should act only with the greatest caution where State or local governments have identified uncertainties regarding the constitutional or statutory authority of the national government," Section 2(i) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

120. When undertaking to formulate and implement policies will you commit to "where possible, defer to the States to establish standards" as directed by Section 3(d)(2) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

121. When undertaking to formulate and implement policies will you commit when "determining whether to establish uniform national standards" to "consult with appropriate State and local officials as to the need for national standards and any alternatives that would limit the scope of national standards or otherwise preserve State prerogatives and authority," as directed by Section 3(d)(3) of President Clinton's Executive Order 13132 on Federalism? If not, why not?

122. Do you agree the United States Environmental Protection Agency is required to engage in reasoned decision-making and that its actions must be reasonable and reasonably explained?

123. Do you acknowledge that the Supreme Court's decision in *Michigan v. EPA*, 135 S. Ct. 2699 (2015), was correctly decided?

124. Do you agree that reasonable consideration of the costs of an action requires consideration of potentially superior alternatives and not just consideration of action versus inaction?

125. Will you commit to ensuring that the United States Environmental Protection Agency considers all significant costs and drawbacks of its actions, including localized impacts, and considers all potentially superior alternatives raised by stakeholders, except where Congress has affirmatively forbidden such consideration as a part of a specific regulatory process?

126. President Trump withdrew the US from the Paris Agreement in 2017. That same year marked the ninth time this century that the U.S. reduced carbon emissions more than any other nation. Carbon dioxide emissions in the U.S. are at their lowest level since the early 1990s, meanwhile emissions around the globe have risen 50 percent in the same time period. Despite China emitting more cumulative carbon emissions than the United States and the European Union *combined*, the Paris Agreement allows China to continue increasing their emissions for years down the road. Meanwhile the United States would be required to make sizable emission reductions *today*, raising energy prices for Americans and costing thousands of jobs.

   a. Do you agree that meaningful greenhouse gas emissions reductions were occurring in the United States prior to the Paris Agreement and would continue regardless of whether the United States rejoins the agreement?
   b. Do you agree with the legal findings of the Obama Administration that the Paris Agreement is nonbinding and does not have the force of law in the United States?
   c. Will the EPA be involved in the transfer of taxpayer dollars to developing countries to assist with their climate mitigation efforts, as enshrined in the Paris Agreement?

ED_013012_00003808-00023

127. The AIM Act, enacted in Section 103 of Division S of the Consolidated Appropriations Act of 2021, contains clear, newly enacted Congressional direction to EPA to phase down hydrofluorocarbons.

a. Do you commit to following and implementing the AIM Act's regulatory requirements in their entirety in the time periods provided by Congress?
b. On regular intervals as requested by the Senate Environment and Public Works Committee, do you commit to providing updates on EPA's progress in implementing the AIM Act?

128. There is broad recognition across industry and environmental groups on the importance of the AIM Act as it pertains to addressing climate change. David Doniger of the Natural Resources Defense Council went as far as to describe the AIM Act as "the biggest action this Congress has taken to meet the climate crisis." Given the broad recognition of the significance of the AIM Act, in conjunction with the clear deadlines and congressional direction assigned to the agency, do you commit to prioritizing implementation of the AIM Act over other regulations in EPA's Office of Air and Radiation?

129. Senator Carper asked you to commit that, if confirmed, you'll support the president's direction to the State Department to send Kigali Amendment to the Senate for ratification and make implementation a top priority for EPA, to which you replied "Yes." In your view, does the AIM Act satisfy the domestic requirements and bring the U.S. into compliance with the Kigali Amendment?

130. The Clean Air Act generally preempts state regulation of motor vehicles. States are able to apply for a waiver from this preemption if they can demonstrate compelling and extraordinary circumstances within the State. When California was first granted a waiver, EPA found that California did in fact meet the compelling and extraordinary circumstances condition for criteria pollutants. That same argument does not apply to greenhouse gas emissions. While criteria pollutant emissions are a localized issue, greenhouse gas emissions are a global issue and are not particular or unique to California. The Trump EPA determined that California's desire to set its own greenhouse gas and zero-emission vehicle standards does not qualify as a compelling and extraordinary circumstance. Further, the Trump EPA determined that California's greenhouse gas emissions and zero-emission vehicle standards are inconsistent with the Clean Air Act because they are technically infeasible and do not provide sufficient lead time to permit the development of necessary technology to meet those standards. As you know, Clean Air Act Section 177 allows other states to abide by the fuel economy standards set by California.

a. Do you agree that any standard California sets influences the national market for automobiles?
b. You testified that "the California waiver exists for a reason." Does this mean you plan to reinstate California's waiver to set its own fuel economy standards?

ED_013012_00003808-00024

131. In response to a question from Senator Carper on fuel economy standards, you testified that "we need the right policies and the right regulations to be sure that all the players understand there's a level playing field." How will there be a level playing field if the national auto market has states with different standards?

132. Do you agree that technologies needed to achieve emissions reductions from automobiles contribute to a higher retail cost for new cars?

133. Regions of California are the only parts of the country to be in nonattainment of multiple National Ambient Air Quality Standards. Is it fair that a state that cannot meet existing, nationally applicable air pollution requirements that other states have been able to meet can in turn dictate regulatory policy for the entire nation in tailpipe emissions?

134. Earlier this week, Gina McCarthy, who was not confirmed by the Senate, spoke to the press about how she is already engaging in discussions with regulated industry on revisions to fuel economy standards, which are promulgated by EPA. This statement, however, was made before you even testified before the Environment and Public Works Committee.

   a. If confirmed, how will you ensure that Ms. McCarthy will not circumvent your authority to set fuel economy standards?

   b. If confirmed, do you commit to providing briefings jointly with Ms. McCarthy, at the request of the Senate Environment and Public Works Committee Majority or Minority staffs, detailing any discussions Ms. McCarthy has had with regulated industry on fuel economy standards that implicates EPA authorities?

135. As the auto market moves further towards electric vehicles and automated vehicle systems, the average weight of a vehicle is expected to increase. As a result, new lightweight automotive materials, such as innovative plastic and polymer composites, will increase in importance. The development of such composite materials has spurred growth in U.S. manufacturing jobs. If confirmed as Administrator, do you plan to work with the Department of Transportation to ensure these lightweight plastic and polymer composite automotive materials are not disadvantaged in fuel economy standards?

136. As you are aware, last year California announced its intention to ban ICE vehicles by 2035. Earlier this month, a report from California's Energy Commission found that if California wants to achieve their goal of 100 percent electric vehicles by 2035, it will need 1.5 million chargers. This is three times the 500,000 chargers that President Biden promised to build nationwide on the campaign trail. To illustrate how far California is from realizing this reality: the state currently has only 67,000 public chargers, with an additional 121,000 chargers planned for construction. The Biden Administration has made clear its goals for promoting electric vehicle adoption in the United States. When asked about a potential proposal in Japan to ban gas-powered vehicles by 2035, Akio Toyoda, Toyota's President, said if Japan is too hasty in banning gas powered cars *"the current business model of the car industry is going to collapse,"* causing the loss of millions of jobs.

ED_013012_00003808-00025

a. How many electric vehicle chargers do you believe will be needed for nationwide electric vehicle deployment?
b. Do you believe the United States is capable of meeting such a massive infrastructure undertaking in a way that will not result in job loss and higher car prices for the average American? If so, how?

137. Within the explanatory statement for the Consolidated Appropriations Act of 2021 (P.L. 116-260), $3 million was expressly directed to facilitating development of Class VI wells that are used to inject carbon dioxide for geological sequestration. This funding was also specified to help review and process Class VI primacy applications and will help improve permitting procedures for commercial and research carbon sequestration projects. Do you commit to spending this $3 million to develop additional expertise at the Agency for this purpose?

138. Carbon capture, utilization, and storage (CCUS) is essential to meeting global climate targets and preserving and growing manufacturing and energy jobs in this country. I have worked across the aisle, including with members of this Committee, to support wide scale deployment of CCUS technology. The United Nations' Intergovernmental Panel on Climate Change (IPCC) has called CCUS key to addressing climate change. Additionally, in President Biden's Plan for a Clean Energy Revolution, he announced that he shares the Carbon Capture Coalition's goal to "make CCUS a widely available, cost-effective, and rapidly scalable solution" and wants to accelerate the development and deployment of this technology. In the North Carolina DEQ comments to the ACE Rule that you submitted along with Governor Roy Cooper, North Carolina voiced support for carbon capture and sequestration technology.
a. If confirmed, will you commit to work with me to accelerate development and deployment of CCUS technology?

b. If confirmed, will you commit to working collaboratively on supporting infrastructure, such as pipelines, that will enable greater CO_2 storage?

139. Instead of implementing overreaching and illegal regulations to tackle climate change, I support incentivizing American innovation through research and development. For example, the Clean Industrial Technology Act was recently signed into law. This new law will help ensure American ingenuity is at the forefront of reducing emissions from the industrial sector. Do you agree that American innovation is a key component to reducing emissions and that promoting American ingenuity is preferable to overreaching regulatory actions?

140. Over the last few decades, our country has made incredible strides in reducing air pollution. Between 1970 and 2019, the combined emissions of the six common air pollutants have dropped by 77 percent. And from 1990 to 2017, emissions of air toxics in the U.S. declined by 74 percent.
a. Do you agree that the US has successfully reduced air pollution over the past few decades?
b. What type of air pollution will be your primary target at EPA?

c. Will your priorities be based on direct health impacts, environmental effects, or something else?

141. The so-called '*Clean Power Plan*' was an unrealistic, illegal regulation that would have strangled our energy economy and raised electricity prices across the country before its implementation was stopped by the Supreme Court. Many former Obama Administration officials, including Gina McCarthy and Joe Goffman, who has been called "the legal architect of Obama's Clean Power Plan," have already been hired by the Administration.

a. Do these hiring decisions, made without a confirmed EPA Administrator in place, undermine the authority of an incoming Administrator?
b. How can you be sure that these "architects of the Clean Power Plan" whom have not been confirmed by the Senate, have not already begun working on a similar regulatory proposal that would be chiefly your responsibility to implement should you be confirmed as EPA Administrator?

142. How will EPA consider the financial impact of its rules on older energy workers for whom a transition to a new industry is infeasible? How about those workers who become unable to transition due to a lack of jobs in their region?

143. During his 2012 State of the Union, President Obama said, "the development of natural gas will create jobs and power trucks and factories that are cleaner and cheaper, proving that we don't have to choose between our environment and our economy."[3] Do you agree with President Obama's statement?

144. As you testified, your strategy has always been to "engage our private sector counterparts." If you are confirmed, will you commit to engaging with industry before drafting any proposal related to methane to ensure the agency better understands the technological advancements that have been made on methane detection and mitigation?

145. As you mentioned during your hearing, you wanted regulations to be flexible and for "interpretations of the regulations to be flexible enough to allow for innovation." Will you commit to ensuring operators are provided flexibility to implement the most feasible technologies?

146. If confirmed, will you commit to consider the impacts on public health with respect to medical device availability when considering any regulatory actions that may impact ethylene oxide?

147. You testified that you "see the executive orders as setting goals and setting vision. But in those Executive Order, they leave plenty of room for how these things would be implemented. The reality is that these cabinet agencies will be implementing and executing these visions. And so, we have a ton of time, in my opinion, to aim for these

[3] https://obamawhitehouse.archives.gov/the-press-office/2012/01/24/remarks-president-state-union-address

ED_013012_00003808-00027

goals but massage the processes which we will achieve those goals." If confirmed, would you have flexibility to extend the timelines included in Executive Orders as necessary?

148. In response to Senator Sullivan, you stated, "I don't think it's a good idea to kill jobs." Do you agree the Executive Orders have already eliminated jobs, including laying off workers from the Keystone XL pipeline?

149. The so-called '*Clean Power Plan*' was an unrealistic, illegal regulation that would have strangled our energy economy and raised electricity prices across the country before its implementation was stopped by the Supreme Court. Its replacement, the *Clean Energy (ACE) Rule* balanced the rule of law with what was economically feasible and protective of the environment, while continuing the progress this country has already made on reducing emissions of carbon dioxide and criteria pollutants.

a. What is your understanding of the Section 111(d) of the Clean Air Act?
b. As you testified, you will confer with staff and legal counsel on if EPA has the authority to use Section 111(d) of the Clean Air Act to regulate a power plant's carbon dioxide emissions beyond, or "outside," the fence line. Will you commit to providing me with information on what your legal counsel has advised in regards to if EPA has the authority to regulate outside or beyond the fence line through Section 111(d)?
c. Will you commit to providing regular briefings to keep the Committee Majority and Minority staffs informed on how you plan to proceed?
d. Will you commit to consulting with the Committee prior to taking any proposed or final actions on similar proposals?
e. Following the D.C. Circuit's decision to remand the ACE Rule to EPA, do you plan to reinstate the Obama Administration's Clean Power Plan that the Supreme Court issued a stay on in 2016, or any substantively similar regulatory proposal?

150. In your response to my questions on the Clean Power Plan, you testified, "We can apply those lessons learned to how we are going to move forward." What lessons do you feel you learned from the Clean Power Plan and ACE Rule?

151. You also testified "the reality is that it presents a significant opportunity for the EPA to take a clean slate and look at how do we best move forward." Can you expand upon your statement?

152. In your capacity as Secretary of NCDEQ, you sent a letter in April 2018 opposing the proposed repeal of the Clean Power Plan (CPP), in which you stated the "CPP framework is a reasonable regulatory approach."

a. Do you continue to endorse the view that the CPP framework is a reasonable regulatory approach?
b. In the same letter you also stated that the "CPP does not have vast economic and political significance." Do you continue to endorse this view?

153. North Carolina is a party to the lawsuit challenging the Affordable Clean Energy (ACE) Rule. Did you have any role in this decision?

154. Do you personally support North Carolina's decision to challenge the ACE Rule?

155. High regulatory costs have been acutely felt in West Virginia. Under the Obama Administration, the direct benefits of EPA's *Mercury and Air Toxics Standards* were estimated in the millions, while compliance costs were $9.6 billion annually.
   a. Do you support creating consistency in how EPA documents costs and benefits, including not counting "co-benefits" beyond the immediate scope of a rule?
   b. Should the benefits of the subject of a rule exceed its costs?
   c. Will you commit that if you are confirmed, EPA will consider all costs of significant new regulations, including potential job losses and associated negative health impacts?

156. Over the last decade, EPA has struggled to implement the requirements of the Renewable Fuel Standard, with administrations of both parties missing statutory deadlines. This precedent is troubling considering that the EPA will have discretion to set annual volumes beyond the year 2022.
   a. If confirmed, how do you plan to exercise this authority beyond 2022?
   b. Do you plan to take into consideration that setting unachievable annual volumes drives up energy prices and hurts low-income Americans?

157. As long as the Renewable Fuel Standard (RFS) remains the law of the land, the federal government should be prioritizing the transition from renewable fuels that disrupt agricultural markets and consumer food prices in favor of cellulosic, biomass, and other advanced biofuels. Pathway petitions concerning cellulosic fuels have been pending before the Agency for some time. These pathways will generate cellulosic renewable identification numbers (RINs) associated with production of a renewable transportation fuel from waste-derived biogas. Similar pathways have been approved by EPA, but these three petitions have remained pending.
   a. If confirmed, will you commit to completing the review of pathway petitions within a reasonable timeframe?
   b. Do you agree that the statutory authority to administer the Renewable Fuel Standard resides at EPA?

158. You testified that "we will follow the letter of the law as it was intended for that program." You also testified that "agriculture should have a seat at the table" and that one of your first conversations upon being nominated was to reach out to USDA Secretary Tom Vilsack to "talk about how we can partner together."
   a. In light of the fact that the US Department of Agriculture (UDSA) has statutory authority under the Clean Air Act to assist in administering the Renewable Fuel Standard, how do you rectify those mutually exclusive pledges?
   b. If USDA does not have statutory authority to administer the RFS, do you believe they should be a party to interagency RFS policy discussions?
   c. What other interests, beyond agriculture, "should have a seat at the table" for these policy discussions?

ED_013012_00003808-00029

159. How do you define "demonstrated disproportionate economic hardship" for the purposes of considering Small Refinery Exemptions (SREs) and how do you intend to score SRE petitions accordingly?

160. Certain agricultural groups want EPA to publish the confidential business information (CBI) of SREs, which is prohibited by federal law and could cause harm to refiners petitioning due to experiencing economic hardship. How do you plan to create additional transparency into the Small Refinery Exemption process without disclosing confidential business information?

161. In your response to Senator Duckworth, you shared that as EPA Administrator, you would "clear the backlog of applications." Do you consider pending SREs to be backlogged, in addition to biofuel waivers?

162. North Carolina was one of the states that brought a lawsuit challenging the 2015 Waters of the United States (WOTUS) rule and secured a stay of the 2015 rule on the basis that they were likely to prevail on the merits. Do you agree that the 2015 WOTUS rule was an overreach of EPA authority and inconsistent with the legal authority of the Clean Water Act (CWA)?

163. In 2017, the North Carolina Department of Environmental Quality (DEQ) withdrew from the legal challenge to the 2015 WOTUS rule. According to a news article: "major stakeholders say they were left in the dark" about the decision to withdraw from the litigation.[4] Did you meet with any stakeholders in North Carolina before this decision was made?

164. North Carolina joined a lawsuit filed by the State of California and other states challenging the Navigable Waters Protection Rule (NWPR). What was your involvement in North Carolina's joinder to this lawsuit?

165. Given the public comments you submitted on behalf of the North Carolina Department of Environmental Quality as well as North Carolina's involvement in the multi-state action challenging EPA's NWPR, do you believe you should recuse yourself from having any involvement in any future EPA action on the NWPR?
   a. If not, what assurances can you provide that you are capable of acting impartially with respect to any potential actions EPA may take with respect to the NWPR?

166. Do you believe the Science Advisory Board is authorized to determine the extent of the jurisdiction of the Clean Water Act with respect to which waters are "Waters of the United States," or do you believe that authority lies with political appointees at the EPA and the Army Corps of Engineers?

---

[4] [HYPERLINK "https://nsjonline.com/article/2017/04/in-quiet-move-cooper-administration-retreats-from-waters-of-the-u-s-lawsuit/"]

ED_013012_00003808-00030

167. If confirmed, how would you resolve differences of opinion with your counterparts at the Army Corps of Engineers concerning the implementation of your respective authorities under the Clean Water Act?

168. During the hearing, you were asked "what is the significant nexus test" and you did not answer that question.
   a. How have you, in your capacity as Secretary of the North Carolina Department of Environmental Quality, interpret the significant nexus test?
   b. Do you agree that it is improper to use stream and wetland datasets that were not created for regulatory purposes and which have significant limitations in determining the actual jurisdictional reach of the NWPR or any subsequent rule defining "waters of the United States"?

169. In December 2018, EPA and the Army Corps of Engineers launched a workgroup to being investigating needs and available resources to map Clean Water Act (CWA) "waters of the United States." This workgroup developed an interagency work plan and as of early January were coordinating to document requirements, mapping and modeling surface waters in four case study watersheds, and beginning efforts to more fully scope-out the aquatic resources mapping effort. Will you commit to making a decision on maintaining, repealing, or revising the Navigable Waters Protection Rule (NWPR) that is based on the best available scientific and mapping information?

170. Do you agree that only a subset of discharges of pollutants to groundwater that ultimately reach a WOTUS are the "functional equivalent" of a direct discharge to WOTUS?

171. Have you been directed to repeal the NWPR?

172. Have you been directed to rescind the EPA's guidance titled "Applying the Supreme Court's *County of Maui v. Hawaii Wildlife Fund* Decision in the Clean Water Act Section 402 National Pollutant Discharge Elimination System Permit Program"?

173. The West Virginia Department of Environmental Protection (WVDEP) and the staff at EPA Region III have been working collaboratively to finalize the federal review of the state's hardness-based aluminum water quality standard. West Virginia has been in this regulatory process since 2016, and it is my understanding that the next step is for Fish and Wildlife Service to conduct their final review, and they have 120 days to conclude it.
   a. If confirmed, will you commit to holding Fish and Wildlife Service to their 120-day timeline for review?
   b. Will you also commit to ensuring EPA acts on this submittal as expeditiously as possible?

174. The WIFIA program typically operates on an approximately 100-to-1 appropriations multiplier, increasing its leveraging power. A prospective municipal

WIFIA project near Fargo, North Dakota, was to be constructed in close proximity to a Corps of Engineers project. A scoring concern was raised about prospective projects that may connect to an existing federal project – such as the use of an existing intake structure in an Army Corps of Engineers or Bureau of Reclamation. The concern was that the mere proximity or potential connection to an existing structure of a federal project by a prospective project resulted in that prospective project being deemed a "federal project." A "federal project" receives a scoring of dollar-for-dollar appropriations under the Federal Credit Reform Act. The determination can render an otherwise eligible potential project – one that would be entirely designed, built, and paid for by a municipality – a "federal project," and therefore effectively ineligible for a WIFIA loan. There have been many critics of this interpretation, and a lot of confusion in its potential implementation. Importantly, the 2020 Senate EPW-passed WRDA bill included language to rectify this scoring issue and confusion.

a. Do you believe that just because a prospective project, otherwise entirely eligible for WIFIA funding, is near a federal project, it should automatically be effectively ineligible for participation in the WIFIA Program?

b. Will you commit that you will continue the practice of implementing the WIFIA program in a manner which maximizes the infrastructure benefits to the country, in the nonpartisan manner with which it has been implemented since the passage of the statute?

c. Will you commit to continue working with the Army Corps of Engineers and the Bureau of Reclamation to evaluate all potential opportunities to broaden the application of WIFIA to ensure maximum leveraging of funding in a way that advances holistic water policy for the country?

175. Will you commit to ensuring EPA's continued focus on the sustainability of America's water workforce?

176. Will you commit to continuing to implement and meet the action items documented in "America's Water Sector Workforce Initiative"?

177. Over the past four years EPA committed to partnering with the agricultural industry and to look for creative solutions to manage excess nutrients and focused on collaborative approaches to reducing excess nutrients.

a. Do I have your commitment that if you are confirmed, you will continue to evaluate, in partnership with the agricultural community, the use of market-based approaches to manage excess nutrients?
b. Will you commit to continue implementing EPA's memorandum titled "Updating the Environmental Protection Agency's Water Quality Trading Policy to Promote Market-Based Mechanisms for Improving Water Quality," issued February 6, 2019?

ED_013012_00003808-00032

c. Will you commit to continuing to support and provide financial assistance for state-led approaches that address nutrient pollution through a mix of regulatory and non-regulatory approaches?

178. Water rules targeted in the President's fact sheet listing "[Federal] Agency Actions for Review" include, but are not limited to: the Navigable Waters Protection Rule, the Lead and Copper Rule, and the Clean Water Act 401 Certification Rule.

a. Will you commit that if you are confirmed, any EPA rulemakings and administrative decisions will be made within the limits of EPA's statutory authorities?
b. In October 2015, EPA issued the 4th Edition of the Agency's Peer Review Handbook. Will you commit that in any Agency rulemakings or administrative decisions involving science that EPA will adhere to the Agency's Peer Review Handbook?

179. The Clean Water Act is predicated on the concept of cooperative federalism, which necessitates the Agency to work collaboratively with states, local government, and tribes to implement laws and establish regulations that allow states the flexibility to use their respective expertise in their resources in determining how best to manage and protect their resources.

a. Given your prior role as the head of a state environmental agency, do you believe that states are ultimately the experts in, and therefore in the best position to, manage their own resources?
b. Will you commit to taking meetings with stakeholders and holding listening sessions to better gain a national perspective *prior* to taking action on existing regulations?
c. Will you commit to having listening sessions on rulemakings in those states that are likely to be most significantly economically impacted by said rulemakings concerning Clean Water Act issues?
d. Will you commit to notifying this Committee prior to taking actions on these rules?

180. Implementing cybersecurity best practices is critical for water and wastewater utilities. Cyber-attacks are a growing threat to critical infrastructure sectors, including water and wastewater systems. Many critical infrastructure facilities have experienced cybersecurity incidents that led to the disruption of a business process or critical operation. Cyberattacks on water or wastewater utility business enterprise or process control systems can cause significant harm, such as upsetting treatment and conveyance processes, defacing the utility's website or compromising the email system, stealing customers' personal data, and installing malicious programs like ransomware. These attacks can compromise the ability of water and wastewater utilities to provide clean and safe water to American citizens. However, a number of challenges face both EPA (in partnership with the Department of Homeland Security) and water systems in ensuring the safety of this critical infrastructure sector. One challenge is that many water systems lack the necessary training for proper response to a cybersecurity attack. Another challenge is that it can be difficult for the federal government, including EPA, to fully

ED_013012_00003808-00033

understand the scale of cybersecurity attacks currently facing the nation's water infrastructure because there is no requirement for water systems to report cyber incidents to the federal government. Will you commit to providing updates to this Committee on the actions that you are taking to address these challenges, which are vital to the nation's critical water infrastructure?

181. Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. The Clean Water Act provides states and tribes the option of assuming the administration of the CWA Section 404 program. The Section 404 program is another example of the cooperative federalism construct which underpins the CWA.
   a. Do you agree with EPA's approval of Florida's 404 program?
   b. Will you commit to inform the Committee in a timely manner of any state you are made aware of that is considering assumption of the CWA Section 404 Program?
   c. If you receive a state program submittal will you commit to acting as expeditiously as possible, but in any event within the 120-day statutory timeline for EPA review?

182. If confirmed, how will you ensure timely action on submittals to the Agency, including on actions on issuance of National Pollutant Discharge Elimination System (NPDES) permits, states' lists of impaired waters, and Federal Underground Injection Control (UIC) Class II permits?

183. Will you continue to ensure EPA's involvement in implementing the "United States Federal Strategy for Addressing the Global Issue of Marine Litter?"

184. In reviewing state water quality standards submitted to the EPA for review and approval, will you commit to ensuring the Office of Water provides reviews consistent with the legal timeframes and substantive bounds of the Clean Water Act?

185. Do you believe that the cost analysis provisions of the Safe Drinking Water Act are important in considering whether and how to promulgate a National Primary Drinking Water Standard?

186. Do you agree with several key federal court decisions, as well as the plain text of the Statute, that Congress created a "bright line" for state agencies to act on a Clean Water Act (CWA) Section 401 water quality certification request in a "reasonable period of time" and that such time shall not exceed one year?

187. Do you agree that a state waives its CWA Section 401 certification authority if it fails or refuses to act within that reasonable period of time?

188. Do you agree that the reasonable period of time commences upon the state's receipt of the request for the Section 401 certification?

ED_013012_00003808-00034

189. Do you believe the scope of a state's review of a request for a CWA Section 401 certification should be limited to water quality issues, consistent with the statutory framework in which the certification provision resides, as opposed to relying on other factors like completion of an environmental review process under the National Environmental Policy Act, property interest, recreational or other access improvements, climate change, or a state's clean energy goals?

190. In your February 3 Confirmation Hearing with this Committee and during your exchange with Senator Wicker, you two were discussing the interplay between technical support and compliance with water quality standards. You stated "I think everyone is struggling across the country, sir."
   a. With what, specifically, were you referring to "everyone struggling"?
   b. If you were referring to meeting water quality standards, which specific water quality standards were you referring to?

191. If you are confirmed, will you seek an all-out prohibition or ban on hydraulic fracturing?

192. If confirmed, do I have your commitment to apprise this Committee about any potential new actions related to the regulation of hydraulic fracturing prior to taking any potential actions?

193. If confirmed, do I have your commitment that you will continue to work with states seeking primacy for Underground Injection Control (UIC) Class II programs, including working towards helping them obtain primacy where consistent with EPA's statutes and implementing regulations?

194. Does EPA plan to evaluate the effectiveness of in-home water treatment technologies for contaminants found in drinking water?

195. Do agree not to retroactively or preemptively veto permits issued under section 404(c) of the Clean Water Act?

196. Superfund epitomizes EPA's mission to protect communities across the country. This program can improve people's lives by cleaning up contamination and providing the opportunity to transform communities. It was refreshing to see the last Administration's focus and emphasize on this critical program, including through the listing of a priority site in Minden, West Virginia.
   a. Will you continue to make the Superfund program a key priority, specifically with the goal of continuing to remove Superfund sites from the National Priorities List through successful mitigation?
   b. Will you commit to visit the site in Minden, West Virginia to make sure that it remains a key EPA priority?

ED_013012_00003808-00035

197. One significant outcome of the Superfund Task Force recommendations was the creation of the Administrator's Emphasis List. The list consists of sites that can benefit from the Administrator's direct engagement to spur action at sites where opportunities exist to act quickly and comprehensively. Given competing demands and limited time, this tool has proven effective at efficiently elevating issues to ensure continual progress at Superfund sites across the country. EPA recently issued a report on the success of the Administrator's Emphasis List over the last four years, showing that the list helped EPA achieve the critical milestones at 28 sites to move cleanups forward. Will you continue utilizing the Administrator's Emphasis List to ensure issues preventing progress of cleanups are quickly elevated to your attention and resolved?

198. Adaptive Management can be a particularly useful tool at large or complex Superfund sites as it requires developing a site strategy that acknowledges uncertainties but establishes measurable decision points to evaluate learned data and information and adapt if needed. This results in expedited cleanups, which is critical for addressing immediate risks, and helps ensure the remedy is effective as opposed to allowing uncertainties to prevent progress and leave sites languishing for years. This approach is particularly effective at contaminated sediment and complex groundwater sites.

EPA indicated it would finalize Adaptive Management Guidance by December 2019, but the Agency has yet to publish it. If confirmed, will you commit to finalize and implement the Guidance?

199. North Carolina Department of Environmental Quality touts the recent settlement agreement with a large energy producer as the largest coal ash cleanup in the country. While the settlement will reduce the amount borne by ratepayers, the reality remains that North Carolina ratepayers will bear some cost of the cleanup. That may not be economically feasible for all utilities nor all states.

a. Do you see this as a model for your national approach to coal ash cleanups?
b. Should associated costs be borne by ratepayers, as in North Carolina?
c. Given your familiarity with coal ash cleanups, do you support EPA's recently promulgated regulations addressing management of coal ash?
d. Do you plan to further regulate coal combustion residuals?
e. Does the coal ash cleanup in North Carolina include beneficially using any of the coal ash being handled?
f. If so, did North Carolina encourage that?

200. Coal ash has several beneficial uses, including being used for the manufacture of concrete and wallboard. According to the Agency, "EPA supports the responsible use of coal ash in this manner."[5] In December 2020, EPA released a notice seeking information and data related to the beneficial use of coal ash. That comment period ends February 22, 2021. What is EPA's timeline for reviewing all comments and finalizing a rule?

[5] https://www.epa.gov/coalash/frequent-questions-about-beneficial-use-coal-ash#:~:text=All%20Close%20All-,Beneficial%20Use%20under%20the%20Final%20CCR%20Disposal%20Rule,coal%20ash%20in%20this%20manner.

201. According to EPA's responses to recent Questions for the Record from EPW Committee members, "the Agency has been working extensively with individual states to establish or revise their regulatory programs in preparation of the state's submittal for program approval to operate in lieu of the federal program." The executive-ordered political review of completed regulations for coal combustion residuals should not take time and resources away from these important federal-state partnerships. Revisiting completed regulations and further delaying approval of state permitting programs prolongs uncertainty among industry and states. Do you commit to completing any pending technical assistance for these state programs and completing review of all state programs currently with EPA prior to revisiting any completed regulations?

202. EPA's Brownfields grants provide communities an opportunity to transform contaminated sites into community assets. According to EPA, communities that received Brownfields grants successfully leveraged 8.5 jobs per $100,000 of Brownfields grant funds spent. This program provides critical opportunities to under-served and economically disadvantaged communities for sustained economic benefits. Prioritizing the issuance of Brownfields grants to areas in opportunity zones can make these areas more attractive for economic development and bring private investment. Will you commit to prioritizing this important program?

203. During your nomination hearing, Senator Merkley asked if you would take a close look at the Presidential Plastics in Action Plan, a plan put together by non-profit organizations urging President Biden to take "eight key executive actions to solve the plastic pollution crisis." You responded that you would "take a close look at it…evaluate EPA's role and…partner with you on advancing that." Are you going to advocate that President Biden take the actions outlined in the Plan?

204. Last month, EPA met a major milestone by completing the first 10 TSCA risk evaluations, serving as a guide for future risk evaluations.
   a. Do you think EPA's implementation of the Lautenberg Act over the past four years is a reasonable approach?
   b. Will EPA continue to collaborate with industry to create more robust TSCA risk evaluations and risk management of existing chemicals?
   c. Are you committed to meeting all statutory deadlines in the Lautenberg Act?

205. If confirmed as EPA Administrator, where specifically will PFAS rank within your priorities?

206. With competing priorities across the Agency and limited resources, what would your first significant action be to address PFAS?

207. Will you continue to deliver on the commitments EPA made under the PFAS Action Plan?

208. On January 15 2021, EPA signed the Agency's determination to regulate PFOA and PFOS, two particular compounds from the larger class of PFAS, under the Safe Drinking Water Act.

a. Are you committed to seeing through the remainder of the process to establish a National Primary Drinking Water Standard under the Safe Drinking Water Act?
a. Will you commit to consider the impacts on rural water systems, including cost, in setting any standards?
b. Will you commit to following the Administrative Procedure Act, ensuring the important principles and practices of public comment are followed?

209. EPA issued an Advance Notice of Proposed Rulemaking (ANPRM) on January 14, 2021 to gather public comment and data to inform EPA's ongoing evaluation of PFOA and PFOS. Under Chief of Staff Ronald Klain's "Regulatory Freeze Pending Review" memorandum, the ANPRM was withdrawn from the Office of Federal Register since it had not yet been published.

a. Do you move forward with publishing that ANPRM for a 60-day comment period to give the public an opportunity to provide input and to help collect critical information where EPA has identified gaps?

210. What is your preferred uniform scientific definition of perfluoroalkyl and polyfluoroalkyl substances (PFAS)?

a. If you do not have one, will you commit to work with all interested stakeholders to create a scientifically-sound and consistent definition of PFAS to be used Agency-wide?

211. As the top environmental regulator in North Carolina, what was your position on how to assess PFAS: as individual PFAS compounds, in groups, or as an entire class?

212. During your dialogue with Senator Gillibrand in your February 3 hearing before this committee, you stated (with respect to addressing PFAS), "[w]e will pursue discharge limits" and "[w]e will pursue water quality values." As we have all learned, accurate communication with respect to a contaminant such as PFAS, which has garnered such significant public interest and concern, is vital.

a. To what types of "discharge limits" were you referring?
b. Which PFAS will you be looking to set those "discharge limits" for and from what sources?

<u>Senator Capito for Senator Barrasso:</u>

213. Secretary Regan, before serving in your role as NC DEQ Secretary, you served as the Environmental Defense Fund (EDF) Vice President for Climate and the Southeast Regional Director.

a. Do you intend to recuse yourself from issues where EDF petitions or otherwise lobbies the Agency?

b. If not, please provide an explanation why you believe it is proper for you to engage with a former employer directly engaging with the EPA.

c. If not, please provide further details on how you intend to assure the American public that you are not beholden to your former employer even though you refuse to recuse yourself from matters where they are involved

214. The Committee questionnaire asks for disclosure regarding any business relationship, dealing or financial transaction with 501(c)(4) organization in the last ten years. You responded "none." Didn't you work with EDF – of which EDF Action, a 501(c)(4), is "the advocacy partner" – in the last ten years?

215. Secretary Regan, your questionnaire to the Senate failed to disclose a number of positions noted in your public biography for the North Carolina Department of Environmental Quality. These include your positions on a number of boards as well as your private consulting business. This poses serious concerns about our ability to understand any conflicts of interest you may have.

a. Why didn't you disclose these on your forms?

b. Do you understand that the members of this Committee require transparent and open disclosure of information requested in order to conduct oversight?

216. Secretary Regan, Wyoming leads the United States in uranium production. Our American uranium helps power American nuclear reactors. Those reactors generate over half of our carbon free energy. On the final day of the Obama Administration, EPA proposed a midnight rule to regulate how this uranium is produced. This punishing proposal would have made it too expensive, with no environmental benefit, to produce American uranium. American production would shut down and our utilities would buy more nuclear fuel from countries like Russia. The non-partisan, independent nuclear safety regulator, the Nuclear Regulatory Commission, also took issue with EPA's midnight rule. It stated there was no health or safety justification for this rule. The rule interfered with NRC's jurisdiction over uranium recovery activities. At my request, EPA and NRC signed a Memorandum of Understanding last year to clarify the respective agencies' jurisdiction over these activities.

a. Secretary Regan, if confirmed, will you commit that EPA will adhere to the Memorandum of Understanding with NRC?

b. The NRC is currently reviewing its regulations on uranium recovery activities. Secretary Regan, will you commit that EPA will not revise its regulations, until NRC completes its ongoing review?

ED_013012_00003808-00039

217. On his first day in office, President Biden revoked the permit for the Keystone XL pipeline. This is a project that brings 8,000 American union jobs with it.

   a. Did President Biden or his advisors seek your counsel before revoking the Keystone XL permit?

   b. Did you encourage the President to revoke the permit and, if so, what was your rationale for killing jobs on day one?

   c. How is this decision consistent with the President's goal of fostering stronger relations with Canada, reducing our vulnerability to OPEC and our foreign adversaries, and putting Americans back to work?

218. Since President Obama first rejected the Keystone XL pipeline in 2015, shipments of crude oil by rail have nearly tripled.

   a. Is it generally safer to transport crude oil by pipeline or rail?

   b. Is it the policy of the Biden administration to revoke permits for cross-border oil pipelines and encourage more crude-by-rail shipments?

219. Section 102(b)(6)(B)(ii) in Division S of the Consolidated Appropriations Act of 2021 requires the EPA Administrator, no later than one year after enactment, in consultation with the Secretary of Energy, to establish a program to provide financial awards on a competitive basis for direct air capture (DAC) from media in which the concentration of carbon dioxide is dilute. This is the text of the USE IT Act, which was supported in bipartisan fashion by the members of this Committee. Do you commit to ensuring the agency will establish a DAC prize within the time period established by the USE IT Act as enacted?

220. Section 102(b)(6)(C)(ii) in Division S of the Consolidated Appropriations Act of 2021 requires the EPA Administrator, no later than one year after the enactment of the USE IT Act, in consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, to prepare, submit to Congress, and make publicly available a report that includes—

   (I) A comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;
   (II) Recommendations for managing the potential risks identified under subclause (I), including potential risks unique to public land; and
   (III) Recommendations for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

Do you commit to ensuring the agency will release and submit this report within the time period established by the USE IT Act?

221. Section 102(c)(1) in Division S of the Consolidated Appropriations Act of 2021, which amends Subtitle F of Title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.), requires the Secretary of Energy, in consultation with the EPA Administrator, to carry out a program of research, development, demonstration, and commercialization relating to carbon dioxide utilization. Do you commit to working on consultation with the Secretary of Energy to establish this program in a reasonable timeframe?

222. Section 102(c)(1) in Division S amends Subtitle F of Title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) by creating a "Carbon Utilization Program." The legislation requires the Secretary of Energy, in consultation with the EPA Administrator, to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study that assessed the barriers and opportunities relating to the commercial application of carbon dioxide in the United States. Do you commit to working on consultation with the Secretary of Energy to conduct this study in a reasonable time frame?

223. Section 102(c)(1) also inserts after section 968, "section 969 Carbon Utilization Program" and requires that not later than 180 days after the enactment of the USE IT Act, the Chair of the Council on Environmental Quality, in consultation with the EPA Administrator, the Secretary of Energy, the Secretary of Interior, the Secretary of Transportation, the Executive Director of the Federal Permitting Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

    (I) Compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment and impact of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—
        (aa) the appropriate points of interaction with Federal agencies;
        (bb) clarification of the permitting responsibilities and authorities among Federal agencies; and
        (cc) best practices and templates for permitting in an efficient, orderly, and responsible manner, including through improved staff capacity and training at Federal permitting agencies;
    (II) Inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value
    (III) Inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

ED_013012_00003808-00041

(IV) Identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(V) Identifies Federal financing mechanisms available to project developers; and

(VI) Identifies public engagement opportunities through existing laws, including under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

The CEQ Chair shall submit the report under clause (i) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and as soon as practicable, make the report publicly available.

In addition, after submission of the report under subparagraph (B)(ii), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all 12 relevant Federal agencies that—

(I) Facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(II) Supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

Do you commit to working in consultation with the CEQ Chair and other heads of Federal agencies to release the report within the 180-days-from-enactment deadline set by the USE IT Act?

224. Last year, California announced its intention to ban internal combustion engine (ICE) vehicles by 2035. Earlier this month, a report from the California Energy Commission found that if California wants to achieve this 2035 goal, the state will need to have 8 million electric vehicles on the road by 2030, a 948 percent increase over current EV deployment. You can be sure that if California's waiver to set its own fuel economy standards is reinstated, those standards will be written as stringently as possible. Restoring California's waiver to set its own fuel economy standards under these command-and-control regulatory pretenses would be disastrous. In West Virginia, only 218 electric vehicles were sold in 2018. Americans want the freedom to choose what type of car they drive, best-suited to their needs and the requirements of where they live. They do not want the federal government making that decision for them.

a. Are you concerned that restoring California's waiver authority will tilt the market towards EVs despite a lack of consumer demand?

b. If consumer interest fails to shift, could higher prices for new vehicles and sales bans of ICE vehicles lead Americans to hold onto older and more emissive

ED_013012_00003808-00042

vehicles for longer? If so, what would that mean for overall emissions from the transportation sector

c. Do you agree that Americans should have the freedom to choose the cars they want to drive?

d. Do you agree that California's 2035 EV mandate will imbalance the national auto market?

e. Do you think it is feasible to have a fully electric vehicle fleet by 2035 without heavy-handed regulatory mandates, costly taxpayer subsidies, or both?

225. A Berkeley city deputy attorney commented during arguments on February 2, 2021, that the law banning natural gas in Berkeley, CA is timely as "there's a realistic possibility there will be no natural gas utilities" in the nation under the Biden administration's stated intentions to eliminate fossil fuels by 2035. More than 4.1 million jobs are connected to the natural gas industry. Natural gas utilities serve 180 million Americans with energy every day to power their households and businesses. Natural gas is the lowest cost energy source for homes, according to the Department of Energy, while leading the US in greenhouse gas emissions reductions.

a. As stated by the Berkeley attorney, is it the Biden Administration's intention to eliminate natural gas in the next 14 years?

b. Is there a realistic possibility of removing the lowest-cost energy source from homes, businesses, industry, transportation, and power, along with the millions of jobs provided, in the next 14 years?

c. What would be the impacts of forcing people, especially those in low-income communities, to switch from a reliable and, more importantly, an affordable energy source to more expensive options?

Senator Capito for Senator Rounds:

226. Mr. Regan, the biofuels industry has been hit hard by recent regulatory decisions by the EPA and the sharp decline in fuel demand across the country due to COVID-19. As we experience biofuel plant closures and slowdowns, another casualty has been investments into new and innovative approaches to liquid fuels.

Unfortunately, it appears the EPA has ceased the approval of registrations for cellulosic biofuel, including fuels derived from corn kernel fiber. Although the RFS requires the EPA to approve applications validated by peer review, many applications have been left languishing for years. This has prevented the approval of cellulosic fuels that add value to the corn crop and increase margins for ethanol producers while reducing carbon emissions.

ED_013012_00003808-00043

Will you commit to following the standard of review laid out in the RFS statute and approve backlogged corn fiber biofuel registrations validated by peer review?

227. Mr. Regan, biofuels like ethanol and biodiesel are big economic drivers in my state. But stable and predictable policy for these important job creators has been tough to come by. First, they had to deal with an Obama-era RFS interpretation that tried to redefine demand as supply, a concept that was roundly rejected by the courts and still has not been implemented by the EPA. In the last Administration, we had an increase in exemptions granted to oil refineries that has since been reined in by Circuit courts, and now sits before the Supreme Court. What has been clear is that for the last 8 years, there has not been enough consistency in this policy.

Can you commit that the EPA under your leadership will work towards getting this policy back on track, meeting deadlines and following the law as written by Congress?

228. Mr. Regan, as you know, the EPA will soon begin its role in helping craft the next round of fuel economy standards, and according to some press reports, may even re-evaluate some of the existing standards as well. This is a great opportunity to make certain all available pathways to increase mileage and lower emissions are considered and prioritized for new vehicles. My home state of South Dakota is not likely to be on the early side of adopting electric vehicles, but I do see a role we can play in helping meet these standards – through high octane fuels like ethanol. Ethanol blends increase octane, a necessary component to increase engine efficiency and get more miles per gallon of fuel.

Will you commit to working with members of Congress and the biofuels industry to make certain CAFE rulemakings recognize the important value of octane and for the first time ever establish a national octane standard for vehicle fuels?

229. Mr. Regan, in October 2018, the oversight subcommittee I chaired held a hearing on the use of sound science at the EPA. During the hearing, we heard testimony from experts on the importance of transparency in making certain that the EPA was relying on the best available science to guide their regulatory decisions. The hearing yielded important information for the record, and highlighted both the strengths and weaknesses of the Trump Administration's approach to regulatory science.

I believe that robust congressional oversight ought to be applied to the executive branch, no matter which party is in control. Hearings should be fact finding missions, not simply an opportunity to sell an agenda. This committee and its subcommittees will likely request both you and your subordinates to appear as witnesses in the future.

If confirmed, what process will you implement to consider congressional requests of this type, and will you implement a similar process to determine whether or not to participate in meetings with senators?

Senator Inhofe:

230. Secretary Regan, as the top environmental regulator in North Carolina, one of your responsibilities included reviewing permit requests from pipeline developers. As you recall, in 2018, you approved a permit for the Atlantic Coast Pipeline. But last year, you denied a permit for the Mountain Valley Pipeline. While FERC and PHMSA are the primary regulators of pipelines, it's still important to fully understand your approach to pipeline development. Secretary Regan, will you elaborate on your approach to pipelines and other fossil energy development? Do you agree with a past statement by the President's nominee for Secretary of Energy that we ought to, "…keep fossil energy in the ground…"?

231. Secretary Regan, in 2019, natural gas was the largest source of electric power generation in the United States. The increased use of natural gas has also led to a significant expansion in American jobs and a reduction in the cost of electricity in American homes. The increased use of natural gas in the power sector has also allowed our country to greatly reduce emissions nationwide. According to data from the U.S. Energy Information Administration, between 2005 and 2009, carbon dioxide emissions from the U.S. power sector declined by 33 percent with natural gas accounting for more than half of those reductions. It is also clear that natural gas plays a vital role in ensuring U.S. electric grid reliability as more renewable generation comes online as renewables are more susceptible to intermittency issues. Secretary Regan, do you agree that natural gas is a vital and necessary source of electric power generation in the United States? And do you agree that the expanded use of natural gas in the power sector has contributed to the reduction in cost of electricity for American families?

232. Secretary Regan, the Consolidated Appropriations Act of 2021 (P.L.116-260) was signed into law in December 2020. The joint explanatory statement of Division G, which provides appropriations for the EPA, among other agencies, includes report language directing the EPA to brief the Appropriations Committees within 60 days of enactment regarding the actions the EPA plans to take in response to potential changes to emission standards established under section 111(b) of the Clean Air Act to facilitate the greater use of quick start stationary combustion turbines which are needed to accommodate the increased use of renewable resources in the power sector. As you know, the increased use of renewables elevates the risk of intermittency issues for renewable energy generation. This is a significant issue impacting the 14 states of the Southwest Power Pool, including Oklahoma. Moreover, as the need for the use of quick start generators increases, the 111(b) limitations on those types of generators limits their use, thus creating a predictable conflict between the increased use of renewables and system reliability. Secretary Regan, if confirmed, will you ensure the aforementioned report is provided to Congress and done so in a timely manner? Will you also provide me with a copy of this report? And will you commit to working with the Southwest Power Pool and other concerned parties on this issue so we can arrive at an appropriate resolution to this issue?

233. Secretary Regan, one of the best examples of a successful, price-competitive market that directly benefits consumers is the retail gasoline market. Consumers are able

ED_013012_00003808-00045

to compare the price of gas when visiting different gas stations, allowing them to comparison-shop to effectively acquire affordable gas. As you know, there are significant challenges and discussion with regard to the electricity market as it relates to electric vehicle charging. Secretary Regan, with regard to the electric vehicle charging market, do you think there should be a competitive marketplace that delivers fair pricing benefits to consumers – similar to what the gas market currently provides for consumers? If so, how would EPA play a role, compared to other appropriate federal agencies?

234. Secretary Regan, the issue of small refinery exemptions (SREs) is of great importance for many states, including Oklahoma. As you know, the Clean Air Act exempts small refiners facing "disproportionate economic hardship" from complying with the Renewable Fuel Standard (RFS). The Supreme Court of the United States has taken up the case, *HollyFrontier v. EPA*, which could impact SREs. Secretary Regan, if confirmed, will you commit to delay any action on SREs until after the Supreme Court has issue its decision in the aforementioned case?

235. Secretary Regan, the RFS mandates more ethanol than engines and infrastructure can handle and more bio and renewable diesel than we have produced domestically. As a result, since 2015, the RFS has necessitated between four hundred million and one billion gallons of foreign biofuel imports *each year* to achieve compliance. Secretary Regan, how does a reliance on foreign biofuel imports advance American energy security? Will you commit to managing the RFS in a manner that eliminates this massive necessity on foreign biofuel for compliance?

236. Secretary Regan, the RFS program has no cost containment provisions. Last year, as fuel demand tumbled and eight American refineries permanently closed, Renewable Identification Numbers (RINs) increased over one thousand percent. The cost of RINs puts tremendous pressure on small and mid-sized merchant refiners. These cost increases are particularly concerning since history has shown there is no correlation between the RIN price and the amount of biofuel blended. Secretary Regan, in light of these circumstances, will you commit to exploring cost containment programs for the RFS program? And will you direct your staff to develop cost containment options for the program?

237. Secretary Regan, nuclear energy is a vital resource for our country's energy generation mix. Nuclear energy is clean, reliable and safe. It is also the country's largest source of carbon-free electricity. According to the Nuclear Energy Institute, nuclear accounts for nearly 20 percent of the nation's electricity needs. Your home state of North Carolina benefits tremendously from this resource through cleaner air and reliable, affordable energy. For example, Duke Energy's fleet of eleven nuclear power plants in the Carolinas makes up more than 50 percent of the power the utility provides in those states. Secretary Regan, if confirmed, what will be your regulatory approach to nuclear energy at EPA? Do you agree with me that nuclear energy should be an important part of America's energy future?

238. Secretary Regan, President Biden's January 20, 2021 Executive Order on climate and the environment directs the EPA to propose new regulations for existing source methane emissions by September 2021. Secretary Regan, does this order mean EPA plans to reinstate the same or similar source methane standards as were issued by the Obama administration? Are you committed to ensuring the EPA engages in data collection before proposing the adoption of existing source methane standards so that such standards are based upon a robust administrative record and establish safe, sound, effective and achievable requirements?

239. Secretary Regan, as you know, the EPA operates both the Natural Gas STAR and Methane Challenge programs, which are focused on information sharing, technology transfer and providing a public means to report methane emission reductions. Since the inception of the Natural Gas STAR program, for example, industry partners have eliminated more than 1.63 trillion cubic feet of methane emissions by implementing approximately 150 cost-effective technologies and practices. Secretary Regan, are you committed to continuing to operate these successful voluntary programs, including maintaining the option to comply through the ONE Future option?

240. Secretary Regan, Section 401 of the Clean Water Act (CWA) is a prime example of cooperative federalism. States, tribes and federal agencies each have roles under the statute. States and tribes are given authority to certify that any discharges from the project to regulated waters will comply with applicable federal water quality standards. Sadly, several states have abused the law and their role in this process in an effort to block energy development projects. Secretary Regan, are you committed to retaining the recent amendments to the CWA Section 401 implementation regulations, which are consistent with case law and Congressional intent, such that states and tribes shall be required to act on a certification request within a reasonable period of time, not to exceed one year?

241. Secretary Regan, EPA's pesticide evaluation process established under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is science-based and takes into account risks *and* benefits of pesticide products. This robust regulatory system has been the gold standard for the world, and the risk-based approach is required to meet our World Trade Organization obligations. It is also critical for ensuring our agricultural producers have the tools they need to safely and effectively protect our food supply, and that public health entities (mosquito control, hospitals, etc.) have the tools they need to keep our population safe. Secretary Regan, if confirmed, how should we expect the EPA to manage our existing risk and science-based regulatory system? Also, would EPA participate in efforts to hold our trading partners to a similar standard?

242. Secretary Regan, certain conservation practices – such as no-till and cover crops – have grown in popularity with farmers in recent years. There is a growing body of evidence showing these practices can trap significant volumes of greenhouse gas in the soil, reduce tractor fuel use, and minimize soil erosion and nutrient losses into waterways. However, in order to use these conservation practices, farmers *need* pesticides to

ED_013012_00003808-00047

eliminate weeds instead of tilling the soil. Secretary Regan, would you work to ensure farmers can continue to access safe and effective tools, including pesticides, needed to protect their crops and preserve these important conservation practices?

243. Secretary Regan, approximately 97 percent of our nation's public water utilities serve fewer than 10,000 people. Due to their smaller ratepayer bases, these small utilities, often in rural America, struggle relative to their larger counterparts to complete the necessary upkeep and upgrades in order to remain in compliance with EPA standards. Secretary Regan, how can EPA right-size its rules and regulations to address the unique circumstances facing small utilities in rural America and empower them to provide safe, reliable access to their customers?

244. Secretary Regan, as you know, the United States is heavily reliant on imports of critical minerals used in things from electronics to missiles and other munitions for our military. Our dependence on foreign countries for critical minerals is a national security issue. Mining is one of the most heavily regulated industries in America with dozens of state and federal laws and regulations. Secretary Regan, will you commit to supporting a strong domestic mining industry and workforce so as to reduce our dependence on foreign imports of minerals? If so, what are your thoughts on ways to ensure we have a strong domestic mining workforce?

Senator Cramer:

245. Section 401 of the Clean Water Act is a prime example of Congress expecting cooperative federalism. States, tribes and federal agencies each have unique roles under the statute. States and tribes were given the authority to certify that any discharges from the project to regulated waters will comply with applicable federal water quality standards. Unfortunately, there have been a handful of States that have interpreted the statute inconsistently and have tried to abuse their authority, using it as a means to veto certain federally-approved projects or to dictate interstate commerce. Are you committed to retaining the recent amendments to the CWA Section 401 implementation regulations, which are consistent with case law and Congressional intent, such that States and tribes shall be required to act on a certification request within a reasonable period of time, not to exceed one year?

a. Given that this is authority granted under the Clean Water Act, are you also committed to ensuring that those regulations continue to limit the scope of State and tribal review to water quality standards?

246. Historically, the New Source Review (NSR) program has discouraged rather than encouraged maintenance and improvement projects at existing power plants and industrial facilities, including investments in emission control equipment and efficiency projects that would reduce greenhouse gas emissions. Executive Order 13990, "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis," directed an immediate review of agency actions taken the last four years.

ED_013012_00003808-00048

A number of important NSR reforms were implemented to fix the uncertainty and extreme interpretations that have stifled important technological advancements. What are your views on the current NSR program and how it can be further improved to encourage technological advancements and on-the-ground implementation?

247. Recently, the EPA finalized guidance implementing the April 2020 Supreme Court decision, County of Maui v. Hawaii Wildlife Fund. This guidance is an important step toward returning certainty to regulated stakeholders. We need to make sure that this new Supreme Court decision is not abused by EPA or 3rd party litigants to attack farmers and ranchers for nutrients that may unintentionally enter groundwater. Do you plan to retain the agency's January 14th guidance memorandum?

   a. Furthermore, can you provide assurance that EPA will not abuse this decision to take punitive actions against farmers and ranchers for unintentional nutrient loss?

248. Some studies have indicated that EPA regulations are the most burdensome federal regulations on states and business. I understand your record of engaging with stakeholders, but please explain how you intend to balance the dictates or targets set by the White House and your responsibility to engage in the cooperative federalism model enshrined in the statutes that govern EPA, including when state's make primacy applications and submit state implementation plans.

   a. Further, how will you ensure that benefits are commensurate with costs?

249. Given that EPA may be tasked with rewriting the section 111(d) rule again to limit greenhouse gas emissions from electric generating facilities, will you ensure that such a rule recognizes the statutory limits of the Clean Air Act and cooperative federalism, preserves the remaining useful life of these facilities, and does not negatively impact ratepayers?

   a. Will you commit to convening and working with all stakeholders – including rural electric cooperatives in the power sector – before you begin developing any possible replacement to the ACE rule?

   b. Considering the economic hardship facing American families, manufacturers and small businesses, now would be the worst time to have a significant rate increase for electricity. Can you commit to ensuring that any greenhouse gas regulations issued by the EPA will take into account any increased cost to ratepayers before being finalized?

250. As we discussed briefly at the hearing, your predecessor, Administrator Wheeler, finalized EPA's methane regulations last August. I, along with many of my colleagues, applauded the final rule for many reasons, but chief among them for me was that the rule takes into account existing regulations which effectively encompass methane emissions so producers are saved from duplicative requirements. As I mentioned at the hearing, states who have already done the work of regulating these emissions, including methane,

ED_013012_00003808-00049

would have their work disqualified under a one-size-fits-all mandate. Part of President Biden's environment plan includes "aggressive methane pollution limits for new and existing oil and gas operations." With that in mind, do you believe this is a task that falls under the EPA's regulatory authority?

a. If so, would you agree with the assessment that there should be some accommodation for states who already have strong regulations in place tailored to operations in their states?

251. As we discussed briefly at the hearing, North Dakota led the litigation effort against the Obama administration's Waters of the U.S. (WOTUS) rule. Under that rule, roughly 85 percent of North Dakota's waters would have fallen under federal jurisdiction. North Dakota was joined by North Carolina and helped to secure a stay of the 2015 rule on the basis that they were likely to prevail on the merits. However, in 2017 North Carolina withdrew from the litigation. Did you agree with or recommend North Carolina withdraw from the litigation?

a. When Congress passed the Clean Water Act, do you believe it was ever their intent for states like North Dakota, which have relatively few navigable waters, to have roughly 85 percent of the water within their borders fall under federal jurisdiction?

252. Carbon capture, utilization, and storage (CCUS) is essential to meeting any emission targets set by the Biden administration and President Biden rightly included CCUS implementation in his climate plan. I, along with my colleagues on EPW, have worked in a bipartisan fashion to support wide scale commercial deployment of CCUS technology. North Carolina DEQ comments to the ACE Rule also expressed support for carbon capture and sequestration technology. If confirmed, will you commit to Congress to accelerate development and deployment of CCUS technology for all types of carbon sources and storage methods?

a. If confirmed, will you commit to working collaboratively with CEQ and other federal agencies to support infrastructure, such as pipelines, that will enable greater CO2 storage?

Senator Boozman:

253. Mr. Regan- There is mounting pressure on investor-owned electric companies to reduce their carbon footprint, and businesses worldwide are taking proactive measures and setting new, ambitious environmental goals, such as net-zero carbon emissions. However, achieving such advanced targets threatens the reliability of the power grid; it requires integrating a significant number of clean and renewable energy sources that are unreliable and intermittent in nature.

a. Navigating the safe deployment of clean energy has been a significant concern of the Southwest Power Pool—an energy company headquartered in Arkansas, responsible for providing electric service to 14 states spanning from Texas to the

ED_013012_00003808-00050

US-Canada border. While the SPP employs a wealth of renewable energy sources, particularly in wind power, the integration of such technologies has and will continue to be made possible through the use of natural gas.

b. In the event of a sudden power shut off from a seasonal reduction of wind, water flow, or sunshine, natural gas is used in "quick start" turbines to provide reliable power. While integrating clean energy sources is crucial to achieving lower carbon emissions, it is equally critical that it be done in an affordable, reliable, and clean manner; Therefore, do you support the use of natural gas in "quick start" turbines to achieve environmental goals?

Senator Wicker:

254. Nearly 20% of Mississippi's economic activity relies on forestry and agriculture. Under the Obama Administration, EPA pursued far-reaching regulations, such as the 2015 Waters of the U.S. rule, without properly analyzing the impact on farmers and other landowners. Will you commit to proactively partnering with the agricultural community instead of pursuing overly burdensome regulations that fail to recognize farmers as partners in environmental stewardship?

a. How will you partner with the agricultural community if confirmed?

255. In September 2020, the Mississippi Department of Agriculture and Commerce signed a Memorandum of Understanding (MOU) with EPA Region IV to work together and openly communicate on environmental issues important to agriculture. On January 11, 2021, the Mississippi Farm Bureau Federation signed a similar MOU with EPA. If confirmed, will you commit to continuing to recognize these MOUs?

256. If confirmed, will you direct EPA to continue following FIFRA (Federal Insecticide, Fungicide & Rodenticide Act) requirements in continuing the registration review of pesticides that are critically important to the safe and efficient production of major crops in the United States?

257. Approximately 360 million acres of the working forests in the U.S. are on private land, owned by individuals, families, and small and large businesses. In Mississippi, over 17 million acres of forestland are privately owned. It is estimated that U.S. forests offset 15% of U.S. carbon emissions every year. Working forests are forestlands carefully managed to supply a steady, renewable supply of wood for lumber, energy, paper and packaging, and more than 5,000 items that consumers use every day. This sector employs 2.5 million Americans, including nearly 50,000 Mississippians, mainly in rural communities. Given its importance to our economy and the environment, how would you ensure that the U.S. forest products sector remains viable and that any policy EPA advances will provide markets for U.S. forest products?

258. EPA is working to implement the new Clean Water Act technical assistance initiative authorized by my legislation, the Small and Rural Community Clean Water Technical Assistance Act, which was included in the 2018 America's Water

ED_013012_00003808-00051

Infrastructure Act. The intent of this legislation is to have a minimum of two full-time Circuit Riders or on-site technicians operating in each state. If confirmed, would you be willing to consult with the USDA Rural Utilities Service (RUS) to model the new initiative on the successful RUS Circuit Rider initiative?

259. Small refineries throughout the country have experienced disproportionate economic harm under the Renewable Fuel Standard, as predicted by a 2011 Department of Energy study. In the last year, prices for RINS, or Renewable Identification Numbers, have increased over one thousand percent. The COVID-19 pandemic also has reduced demand for transportation fuels. The combination of these factors has resulted in a number of small refinery closures. Many of these small refineries are located in rural areas and support jobs that are needed in this challenging economic time. There are a number of small refinery hardship petitions pending at EPA, which will be before you if confirmed. Will you commit to prioritizing a fair and timely evaluation of these petitions?

Senator Sullivan:

260. In 2016, then-Vice President Biden stated: "the United States and North America -- Mexico, the United States and Canada -- will be the energy epicenter for the 21st century -- in part to our abundance of natural gas." Do you agree with then-Vice President Biden's assessment that natural gas made North America an energy epicenter for the 21st century? Do you think EPA has an obligation to speak and work with the industries it regulates? Does EPA have an imperative to provide regulatory clarity and compliance assistance to affected parties?

261. Natural gas is a necessary source of energy that has supports millions of good American jobs and has helped lower the cost of utility bills across the country. The new presidential climate envoy John Kerry told a meeting of the World Economic Forum that "the problem with gas is if we build out a huge infrastructure for gas now to continue to use it as the bridge fuel, when we haven't really exhausted the other possibilities, we're going to be stuck with stranded assets in 10, 20, 30 years."

Do you agree with John Kerry that we shouldn't be building out additional natural gas infrastructure? Do you agree that natural gas is an important component efforts to reduce emissions and our nation's natural gas supply is important to providing low-cost electricity and ensuring reliability on our nation's electric grid? Do you agree that increased natural gas production and use has led to significant reductions in CO2 emissions in the U.S. compared to a 2005 baseline? Do you support an "all-of-the-above" approach to ensure we are supporting U.S. energy independence?

262. While we understand you may disagree with certain actions taken during the Trump Administration, it seems counter to the principle of regulatory certainty to do a comprehensive revocation of all of those policies, many of which were developed and supported by career EPA staff. You responded to a question during your North Carolina State Senate committee hearing in 2017 on working with states, industry, and by stating, "I learned that when all is said and done, the business community wants regulatory

certainty" and that industry and environmentalists both "want to be heard and to participate in a transparent process." How to you compare your statements on regulatory certainty to the unilateral, executive actions that we have seen coming out of the White House from President Biden and others like John Kerry and Gina McCarthy with roles that have no accountability to Congress or the American public? Will you commit to standing by your views from 2017 and prioritizing and ensuring regulatory certainty over the extreme unilateral executive actions that we have seen so far from this Administration? Do you plan on following the direction of the White House and revoking a long list of actions taken under the Trump Administration, which would directly cause regulatory uncertainty? If not, what actions will you commit to doing before taking action to upend current regulations to prevent the regulatory uncertainty that you expressed concern about in 2017?

263. What is often left out of the discussion about expanding renewable energy deployment is the supply stream needed to produce "green energy" materials like electric vehicle batteries, wind turbines, and solar panels. The COVID-19 pandemic taught us the pitfalls of our over-reliance on China for raw materials. I am concerned that we have not adequately learned our lesson as it relates to green technology.

There is no doubt that our nation possesses the domestic supply of critical minerals sufficient to reduce or even end our over-reliance on China. Many environmental groups strongly oppose any expansion of domestic mining and recovery of critical minerals in this country. Preventing domestic production leaves critical mineral production and downstream processing and manufacturing to countries that are economic competitors of, and which have far less stringent environmental policies than, the United States.

Do you recognize the importance of critical minerals, including rare earth elements, in manufacturing electric vehicles, batteries, solar panels and wind turbines? Are you concerned that the United States is overly reliant upon China and Chinese-controlled supply chains for critical minerals used in green technologies? Do you agree that in order to foster domestic manufacturing of green technologies in the United States, a stated priority of the Biden Administration, a complete domestic supply chain – including initial mineral production as well as end-of-life processing and recycling of products using these materials – is necessary to draw sufficient capital investment in the sector? If not, how is this goal of expanding the domestic green energy manufacturing base feasible?

Senator Ernst:

264. The Biden Administration has made it clear that it will push heavily to transition the country from internal combustion engines to electric vehicles. Last Congress, more than 100 Democratic members of the House and Senate signed on to the Green New Deal, which arguably envisions a future without liquid fuels. The open hostility towards liquid fuels from both the Executive branch and the Democratic majorities in Congress is cause for concern for our farmers and the biofuels industry. If confirmed, you will undoubtedly be under pressure to hasten this transition away from liquid fuels. How will you ensure that EPA's actions to cut greenhouse gas emissions from the transportation

ED_013012_00003808-00053

sector take full advantage of biofuels, which offer immediate emissions reductions from the current fleet at lower prices?

265. The President has laid out an ambitious domestic climate agenda that will be coordinated in large part by White House National Climate Advisor and former EPA Administrator Gina McCarthy. What is your perspective on the relationship between the Climate Policy Office and the EPA? Specifically, as EPA Administrator, how will you ensure the integrity of EPA rulemaking processes while also having to react to potentially conflicting directives being handed down from the Climate Policy Office?

266. The Renewable Fuel Standard is intended to promote low-carbon, cellulosic biofuels. The corn kernel fiber pathway was established in 2014, but the EPA has effectively blocked applications to register under this pathway, in the process stifling one of the objectives of the RFS. Approving these applications is a win-win for the environment as well as for farmers and an ethanol industry experiencing unprecedented market challenges. If confirmed, will you ensure the timely processing of cellulosic biofuel applications, including those made under the corn kernel fiber pathway established in 2014?

267. A growing body of scientific literature shows that certain conservation practices, such as no-till soil management, help to sequester greenhouse gasses in the soil. However, for no-till to work, farmers need access to herbicides, otherwise they have to till the soil to eliminate weeds, which causes greenhouse gasses to be released. These herbicide-enabled practices also reduce soil erosion, help lock-in soil nutrients, among other benefits. As EPA Administrator, would you ensure farmers continue to have access to the tools they need to preserve these important conservation practices?

268. Between 2014 and 2019, North America's share of the global bioplastics market grew from 14% to just 18%, while Europe's share increased from 15% to 25%. This occurred despite the U.S,'s position as a global leader in agricultural production. President Biden has clearly articulated his commitment to development of the US bioeconomy. Will EPA take action to articulate a biogenic carbon emissions policy for agricultural crops to help level the playing field?

269. Because of America's leadership in the development and deployment of ag biotech innovation, U.S. producers and processors have already made significant reductions in greenhouse emissions throughout the agricultural supply chain. On October 9, 2020, EPA proposed regulatory revisions which would clarify and streamline oversight for certain "plant incorporated protectants" ("PIPs")-- pesticide-like substances occurring naturally in plants whose levels are altered using modern biotechnology. Under your leadership, will you continue to prioritize the implementation of new rules to clarify EPA oversight of these safe, innovative products, to ensure America's farmers, ranchers, and forest landowners will have the tools to adapt to climate change, capture greater amounts of carbon in the soil, and lessen agriculture's overall environmental footprint?

270. The USDA is a critical asset for helping EPA understand the impacts of regulatory actions on agricultural producers. Secretary Vilsack, in particular, has a long

ED_013012_00003808-00054

and accomplished history of working with EPA in the previous Democratic Administration to ensure the agency understood the impacts of how it used its regulatory authority with respect to farmers. Can you commit to working closely with USDA and Secretary Vilsack before proceeding with regulatory actions that would impact agriculture, and to taking USDA's feedback and expertise seriously?

271. EPA has the authority to require the use of ever increasing volumes of advanced biofuels through the Renewable Fuels Standard even beyond 2022. These advanced biofuels, like biomass-based diesel, are produced across the country from a variety of surplus and waste fats and oils – they are important to Iowa because of our soybean farmers and the 11 biodiesel facilities. Biodiesel is working today to reduce GHG emissions by 65-80 percent, and significantly reduce particulate emissions. Then-candidate Biden committed to support growth in advanced biofuels. Do you support the use and promotion of advanced biofuels like biomass-based diesel? Do you intend to utilize EPA's authority under the RFS to grow the use of advanced biofuels like biomass-based diesel over the next 4 years?

ED_013012_00003808-00055

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/8/2021 2:16:20 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Questions for the Record for Admin Regan

No cover note is required. Just an email.

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works
Desk line: 202-225-8098 (forwards to cell)

On Feb 7, 2021, at 8:01 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Whoops I meant a signed cover note!

From: Adhar, Radha
Sent: Sunday, February 7, 2021 8:00 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: RE: Questions for the Record for Admin Regan

Hi Mary Frances,

Hope you are having a wonderful weekend. Do you mind sharing if I can email your responses on behalf of Secretary Regan tomorrow and if you require a cover note?

Thanks in advance,
Radha

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Friday, February 5, 2021 9:28 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FW: Questions for the Record for Admin Regan

From: Repko, Mary Frances (EPW)
Sent: Friday, February 5, 2021 9:05 PM
To: Dan Utech (utech.dan@epa.gov) <utech.dan@epa.gov>; Adhar, Radha (Duckworth) <Radha_Adhar@duckworth.senate.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>; Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Questions for the Record for Admin Regan

Dan and Radha-

Attached please find the complete PDF of the cover letter and QFRs for Secretary Regan. Also attached is a Word document of just the questions themselves.

To comply with Committee rules, please have Secretary Regan email a copy of his responses to QFR@epw.senate.gov or deliver one hard copy by 9:30 AM on Monday, February 8, 2021. Responses should be delivered to the EPW Committee at 456 Dirksen Senate Office Building, Washington, DC 20510.

If you have questions over the weekend, please call me at Ex. 6 Personal Privacy (PP)

Please confirm receipt,

-Mary Frances

Mary Frances Repko
Democratic Staff Director
U.S. Senate Committee on Environment and Public Works

Message

From: Atkins, Abby (Wicker) [Abby_Atkins@wicker.senate.gov]
Sent: 2/8/2021 2:55:20 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Cantor, Chloe (Wicker) [Chloe_Cantor@wicker.senate.gov]; Jett, Jen (Wicker) [Jen_Jett@wicker.senate.gov]
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

Hi there,
I have just opened up the conference line for the call, and Senator Wicker will join once everyone is on the line closer to 10:00 AM ET / 9:00 AM CT.

Dial: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

Thanks!
Abby

—
Abby Atkins
Deputy Scheduler
Senator Roger F. Wicker (R-MS)

From: Atkins, Abby (Wicker)
Sent: Monday, February 8, 2021 9:20 AM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

Hi Kathleen,
I actually haven't gotten confirmation from the Senator yet as he has been traveling. I don't think we will be able to do 10:00 AM ET. Is there a good number that Mr. Regan can be reached on in case the Senator wants to quickly say a few words?

Thanks,

—
Abby Atkins
Deputy Scheduler
Senator Roger F. Wicker (R-MS)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Monday, February 8, 2021 9:15 AM
To: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

Good morning Abby,

Reaching out to see if we are confirmed for 10amEST today with Senator Wicker and Administrator Nominee Michael Regan. The number to connect you have provided me is: Dial: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

Thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Friday, February 5, 2021 5:11 PM
To: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

Thank you so much, Abby. Will wait for your confirmation for 10:00amEST.

Administrator Nominee Regan will be joined by Ms. Radha Adhar, Principal Deputy Associate Administrator for Congressional Affairs.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Sent: Friday, February 5, 2021 4:58 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

Kathleen,
We can shoot for 10:00 AM ET // 9:00 AM CT. Please use the following conference line:

Dial: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

I will circle back to confirm. In the meantime, please pass along all participants expected to join the call.

Thanks much, and have a great weekend!
Abby

—
Abby Atkins
Deputy Scheduler
Senator Roger F. Wicker (R-MS)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 5, 2021 4:49 PM
To: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

I'm so sorry – can we make it 1:30pm-2:00pm?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lance, Kathleen
Sent: Friday, February 5, 2021 4:37 PM
To: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

Not a problem. 3:30pmEST on Monday works great! Do you have a conference call number you could share with me to use?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Sent: Friday, February 5, 2021 4:31 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: RE: Senator Wicker and Administrator Nominee Michael Regan

The Senator actually has an appointment at 3:00 PM. He is available between 1:30 pm – 3:00 pm and 3:30 pm – 4:30 pm.

Thanks!
Abby

--
Abby Atkins
Deputy Scheduler
Senator Roger F. Wicker (R-MS)

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 5, 2021 4:28 PM
To: Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Subject: Senator Wicker and Administrator Nominee Michael Regan

Hi Abby,

It was nice to connect with you. Does the Senator's schedule offer an opportunity to briefly reconnect with Administrator Nominee Michael Regan on Monday?

Would 3:15pm work well for a call?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: QFR@epw.senate.gov [EPW_Questions@epw.senate.gov]
Sent: 2/8/2021 3:00:55 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]; Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Subject: Re: QFR responses from Secretary Regan

Thank you very much!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 9:30:16 AM
To: QFR@epw.senate.gov
Cc: Utech, Dan
Subject: QFR responses from Secretary Regan

Hello,

Attached, please find responses from Secretary Regan to QFRs the Committee provided him. Please let me know if you have any questions.

Best,

Radha Adhar
Ex. 6

Message

From: Graber, Scott (L. Graham) [Scott_Graber@lgraham.senate.gov]
Sent: 2/8/2021 3:08:25 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to check in

Hey,

I likely won't be able to connect with my boss prior to the call, but happy to connect: Ex. 6 Personal Privacy (PP) is my cell

I have a 10:30, 11:00 call, but otherwise around

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Sunday, February 7, 2021 3:57 PM
To: Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: RE: Time to check in

Hey Scott,

So sorry to bother you on a weekend but I understand our boss's may chat tomorrow. Do you mind if I ring you to chat about what is front of mind for Senator Graham in terms of EPA priorities?

Thank you in advance,
Radha

From: Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Sent: Friday, February 5, 2021 12:03 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to check in

Hey Radha,

Congrats on the new job! We are on EPW and look forward to working with you. Happy to connect. I should be at my desk (202 224 6437) for another 30 min or would Monday at 11:30 work?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 4, 2021 2:03 PM
To: Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: Time to check in

Hey Scott,

I hope all is well with you and your family during these tough times- especially your new addition!

I wanted to let you know I've recently joined EPA as Deputy Associate Administrator for Congressional Affairs at EPA. I understand you'll be joining EPW, and I am excited we will get to continue to work together. Do you mind letting me know if you have some time to chat? We are proud to share we have Senator Burr and Tillis's support.

Looking forward to hearing from you,
Radha

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/8/2021 3:29:28 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Fwd: U.S. Chamber of Commerce - Nomination of Michael Regan to be EPA Administrator

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

Begin forwarded message:

From: "Xiao, Lucy (Carper)" <Lucy_Xiao@carper.senate.gov>
Date: February 8, 2021 at 10:19:21 AM EST
To: "Repko, Mary Frances (EPW)" <MaryFrances_Repko@epw.senate.gov>, "Spain, Emily (Carper)" <Emily_Spain@carper.senate.gov>, "Levitan, Rachel (EPW)" <Rachel_Levitan@epw.senate.gov>, "Abbott, Jake (EPW)" <Jake_Abbott@epw.senate.gov>, "Connolly, Gil (EPW)" <Gil_Connolly@epw.senate.gov>
Subject: FW: U.S. Chamber of Commerce - Nomination of Michael Regan to be EPA Administrator

I'm sure you guys are getting these too, but passing along just in case!

From: U.S. Chamber of Commerce <hill_letters@uschamber.com>
Sent: Monday, February 8, 2021 10:15 AM
To: Xiao, Lucy (Carper) <Lucy_Xiao@carper.senate.gov>
Subject: U.S. Chamber of Commerce - Nomination of Michael Regan to be EPA Administrator

Click To View Documents: 210208_ReganNomination_EPA_SenateEPW.pdf (131KB);

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

SUZANNE P. CLARK
PRESIDENT

1615 H STREET, N.W.
WASHINGTON, DC 20062
SCLARK @ USCHAMBER.COM

February 8, 2021

TO THE MEMBERS OF THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS:

The U.S. Chamber of Commerce applauds the Committee for holding last week's hearing to consider the nomination of Michael Regan to be Administrator of

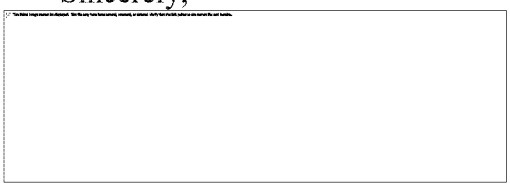
the U.S. Environmental Protection Agency (EPA). We support his nomination and urge his swift confirmation.

Mr. Regan has extensive experience working on complex environmental challenges, most recently serving as Secretary of the North Carolina Department of Environmental Quality and earlier as an air quality and energy policy expert with both the private sector and the EPA. He is well qualified to lead an organization as large and complex as the EPA, and his record as a thoughtful leader and consensus builder will serve him well in this role.

Mr. Regan's history of working collaboratively with the business community and other critical stakeholders demonstrates an opportunity to improve environmental quality and develop innovative solutions for a broad range of environment and public health challenges. We are committed to such a collaborative approach with the EPA under Mr. Regan's leadership. In particular, we look forward to working closely with him and this Committee on issues such as climate change, sustainability, environmental justice, air and water quality, chemical risk management, circularity and recycling, resilient infrastructure, and phasing down the use of hydrofluorocarbons (HFCs).

Thank you for considering Mr. Regan's nomination. We look forward to working with him as EPA Administrator and with the members of this Committee to pursue these important environmental policy priorities.

Sincerely,



Suzanne P. Clark

This Hill letter can be accessed on the Chamber's website here.

Message

From: Price, Wendi (Inhofe) [Wendi_Price@inhofe.senate.gov]
Sent: 2/8/2021 3:56:37 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Senator Inhofe and EPA Administrator Nominee Michael Regan

Hi Kathleen – Senator Inhofe is traveling back to DC today. Can you provide a good number for Senator Inhofe to call Mr. Regan today when he gets a free moment?

Wendi

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 5, 2021 4:02 PM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Senator Inhofe and EPA Administrator Nominee Michael Regan

Hi Wendi,

Does Senator Inhofe have time Monday to reconnect for a brief video call or phone call with Administrator Nominee Michael Regan?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Lewis, Holly (Boozman) [Holly_Lewis@boozman.senate.gov]
Sent: 2/8/2021 4:02:22 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Senator Boozman and EPA Administrator Nominee Michael Regan

We can't do 12:00 pm as the Senator will be in the air. Give me a few minutes and I should be able to make 3:15 pm work. I'll get back with you ASAP.

Holly Lewis
Director of Scheduling
Senator John Boozman
141 Hart Senate Office Building
Washington, DC 20510
Phone: 202-224-4843

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Monday, February 8, 2021 at 10:57 AM
To: Holly Lewis <Holly_Lewis@boozman.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Senator Boozman and EPA Administrator Nominee Michael Regan

Please don't apologize, Holly!

By chance, would 12pmEST or 3:15pmEST work well for Senator Boozman?

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Lewis, Holly (Boozman) <Holly_Lewis@boozman.senate.gov>
Sent: Monday, February 8, 2021 10:50 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Senator Boozman and EPA Administrator Nominee Michael Regan

Hi Kathleen,

I apologize for the delayed response. Senator Boozman would be happy to do a call this afternoon. He is available from 4:00 pm EST – 5:30 pm EST. Is there a time in that window that works on your end?

Holly

Holly Lewis
Director of Scheduling
Senator John Boozman
141 Hart Senate Office Building

Washington, DC 20510
Phone: 202-224-4843

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Friday, February 5, 2021 at 4:23 PM
To: Holly Lewis <Holly_Lewis@boozman.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: Senator Boozman and EPA Administrator Nominee Michael Regan

Hi Holly,

Does Senator Boozman have time Monday to reconnect for a brief video call or phone call with Administrator Nominee Michael Regan?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Graber, Scott (L. Graham) [Scott_Graber@lgraham.senate.gov]
Sent: 2/8/2021 5:27:06 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letters of support

Thank you

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 12:18 PM
To: Graber, Scott (L. Graham) <Scott_Graber@lgraham.senate.gov>
Subject: Letters of support

Hey Scott, trying not to clog up your inbox too much but I thought the letters attached from the Chamber and the Ag community would be helpful to you.

Message

From: Werner, Brian (Klobuchar) [Brian_Werner@klobuchar.senate.gov]
Sent: 2/8/2021 5:53:57 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Bipartisan Senate Letter on EPA RFS Integrity

No worries. Hope you are settling in!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 11:27 AM
To: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Cc: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: RE: Bipartisan Senate Letter on EPA RFS Integrity

Thank you for sharing this letter Brian- we hope to be back to you soon! Apologies for the delayed response.

From: Werner, Brian (Klobuchar) <Brian_Werner@klobuchar.senate.gov>
Sent: Wednesday, February 3, 2021 11:52 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: Bipartisan Senate Letter on EPA RFS Integrity

Hi Radha,
Please find the attached letter from Senators Klobuchar, Grassley, and colleagues to the Acting Administrator.
I hope your first couple of weeks over there have been great. We miss you in the Senate!
Thanks,

Brian Werner
Senior Legislative Assistant
Senator Amy Klobuchar
@SenAmyKlobuchar

Message

From: Ryder, Tim (Schumer) [Tim_Ryder@schumer.senate.gov]
Sent: 2/8/2021 6:30:48 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can I give you a quick ring

Hi Radha, was there anything you needed here?

From: Ryder, Tim (Schumer)
Sent: Friday, February 5, 2021 12:06 PM
To: 'Adhar, Radha' <Adhar.Radha@epa.gov>
Subject: RE: Can I give you a quick ring

Hi! Of course!! Call anytime: Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 5, 2021 9:25 AM
To: Ryder, Tim (Schumer) <Tim_Ryder@schumer.senate.gov>
Subject: Can I give you a quick ring

Hey Tim! Can I bother you about two things when you have a second?

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/8/2021 7:10:18 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Attendance tomorrow

Hey so far all Dems confirmed except Duckworth and Sanders. We have Schumer reaching out to Sanders.

Also I'm hearing Sen. Graham is a yes? That your understanding?

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

Message

From: Johnson, Brennan (Shelby) [Brennan_Johnson@shelby.senate.gov]
Sent: 2/8/2021 7:35:12 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Time to chat

Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 2:34 PM
To: Johnson, Brennan (Shelby) <Brennan_Johnson@shelby.senate.gov>
Subject: RE: Time to chat

Wonderful! Can you share your number and I'll ring you up? Looking forward to it.

From: Johnson, Brennan (Shelby) <Brennan_Johnson@shelby.senate.gov>
Sent: Monday, February 8, 2021 2:33 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Time to chat

Hey Radha,

Thanks for the email. Happy to find time to chat. I have time now or after 4:00 PM ET. Just let me know what works.

Thanks,
Brennan

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 12:19 PM
To: Johnson, Brennan (Shelby) <Brennan_Johnson@shelby.senate.gov>
Subject: RE: Time to chat

Hi Brennan,

Hope you had a wonderful weekend. Do you mind letting me know if you have a second to chat today? Would love to touch base about republican support for Secretary Regan if you have time today.

Best,
Radha

From: Adhar, Radha
Sent: Thursday, February 4, 2021 4:23 PM
To: brennan_johnson@shelby.senate.gov
Subject: Time to chat

Hi Brennan!

By way of introduction, my name is Radha Adhar and I am the Deputy Associate Administrator for Congressional Affairs.

I am thrilled that in this capacity I'll have a chance to work with your office, and would appreciate the chance to chat with you today or tomorrow if you have the time. Specifically, I'd like to discuss Secretary Regan's confirmation.

Do you mind letting me know if you have a few minutes for me to give you a ring?

Looking forward to chatting,
Radha

Message

From: Jones, Caroline (EPW) [Caroline_Jones@epw.senate.gov]
Sent: 2/8/2021 8:32:43 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Can you let me know if y'all need hard copies?

Hi! Do you mean in the formal letter we sent along with the QFRs? I believe it said you can email OR send a hard copy, but that would be a question to clarify with MF! Let me know if you were referring to something else, though.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 3:30 PM
To: Jones, Caroline (EPW) <Caroline_Jones@epw.senate.gov>
Subject: Can you let me know if y'all need hard copies?

Hey lady! I saw in our instructions that we need hard copies of the QFRs. Can you please let me know if I need to print some off for y'all?

Thank you in advance!
Radha

Message

From: Hagerott, Virginia [Virginia.Hagerott@mail.house.gov]
Sent: 2/8/2021 8:45:09 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Letter to Biden Administration re Senior Advisor to the Chesapeake Bay

Totally understand. These past few weeks have been incredibly busy!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 8, 2021 3:44 PM
To: Hagerott, Virginia <Virginia.Hagerott@mail.house.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Letter to Biden Administration re Senior Advisor to the Chesapeake Bay

Thank you Virginia. Apologies for having not responded earlier.

From: Hagerott, Virginia <Virginia.Hagerott@mail.house.gov>
Sent: Monday, February 1, 2021 2:42 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: FW: Letter to Biden Administration re Senior Advisor to the Chesapeake Bay

Hello to you both!

Just wanted to forward this letter along to your inboxes in case the general EPA inbox email did not go through.

Best,
Virginia

From: Hagerott, Virginia
Sent: Monday, February 1, 2021 2:00 PM
To: OCIRmail@epa.gov
Subject: Letter to Biden Administration re Senior Advisor to the Chesapeake Bay

Hello,

Please see the attached letter from Rep. Luria and other Chesapeake Bay Delegation Members to Acting EPA Administrator regarding the Senior Advisor to the Chesapeake Bay.

Best,
Virginia

Virginia Hagerott Schrock
Legislative Assistant
Rep. Elaine G. Luria (VA-02)
Sign up for Congresswoman Luria's e-newsletter here.

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/8/2021 9:08:25 PM
To: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Dotson, Greg (EPW) [Greg_Dotson@epw.senate.gov]
Subject: RE: Add Greg?

Go ahead with the call. I need to attend the 5:30 vote with Senator Carper, and I may just be trying to get back to my desk by 6 pm.

From: Gillam, Laura Haynes (EPW) <Laura_Gillam@epw.senate.gov>
Sent: Monday, February 8, 2021 4:03 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>; Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: RE: Add Greg?

Sending to the correct email address. Can you add Greg and MF to the later discussion?

Laura Haynes Gillam
Senior Policy Advisor for Clean Air and Climate
U.S. Senate Environment and Public Works Committee, Democratic Staff
Laura_gillam@epw.senate.gov

From: Gillam, Laura Haynes (EPW)
Sent: Monday, February 8, 2021 3:45 PM
To: Adhar, Radha (Duckworth) <Radha_Adhar@duckworth.senate.gov>
Cc: Dotson, Greg (EPW) <Greg_Dotson@epw.senate.gov>; Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Subject: Add Greg?

Radha, can you add Greg to the discussion later today? He is our new Chief Counsel. Thank you.

Laura Haynes Gillam
Senior Policy Advisor for Clean Air and Climate
U.S. Senate Environment and Public Works Committee, Democratic Staff
Laura_gillam@epw.senate.gov

Message

From: D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]
Sent: 2/8/2021 9:12:56 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Skane, Elizabeth [Skane.Elizabeth@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Question on Funding Level for EPA Water Programs

Hi Sven and Elizabeth,

John and I were hoping to touch base, maybe tomorrow if you have time, about some EPA clean water and drinking water programs. We have been looking at historical funding levels and we'd like to have a conversation as to how much additional funding EPA would actually be able to utilize in those programs if we bumped up the authorizations in some forthcoming legislation. If you'd like me to email the specific programs, I'm happy to send those over, but if it's best to have an initial conversation over the phone first, we of course defer to you on your preference.

If you have some times that work tomorrow please let us know and I can get something on the calendar.

Best,

Annie

Message

From: Stewart, Adam (Lummis) [Adam_Stewart@lummis.senate.gov]
Sent: 2/8/2021 9:11:06 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Lummis

HI Radha, so sorry for the delay, I'd love to chat with you, are you available anytime between now and 5?

Adam T. Stewart | Senior Policy Advisor
U.S. Senator Cynthia M. Lummis (like "hummus"!)
202-224-3424 | lummis.senate.gov

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Sunday, February 7, 2021 at 6:51 PM
To: "Skates, Mikalah (Lummis)" <Mikalah_Skates@lummis.senate.gov>
Cc: "Stewart, Adam (Lummis)" <Adam_Stewart@lummis.senate.gov>
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Lummis

Thank you Mikalah! Adam, if you have some time tomorrow, can I give you a call to introduce myself?

Sent from my iPhone

> On Feb 7, 2021, at 6:49 PM, Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov> wrote:
>
> Forgot to CC Adam!
>
> Sent from my iPhone
>
> > On Feb 7, 2021, at 6:44 PM, Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov> wrote:
> >
> > Absolutely!! CCing Adam Stewart, our Senior Policy Advisor. Have a great rest of your weekend!
> >
> > Mikalah
> >
> > Sent from my iPhone
> >
> > > On Feb 7, 2021, at 3:58 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
> > >
> > > HI Mikalah!
> > >
> > > I hope you are having a wonderful weekend. I wanted to ask for a favor- do you mind connecting me to your colleague that covers EPW issues? I'd love to chat before our boss's meet to discuss how we can work together.

Looking forward to hearing from you,
Radha

From: Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov>
Sent: Thursday, February 4, 2021 6:19 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Lummis

Wonderful! That would work great if you can send me a link! Thank you Kathleen! We are confirmed for Monday, Feb. 8 at 5:00 pm!

Mikalah

Mikalah Skates | Scheduler
U.S. Senator Cynthia M. Lummis (like "hummus"!)
202-224-0112 | lummis.senate.gov

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Thursday, February 4, 2021 at 5:53 PM
To: "Skates, Mikalah (Lummis)" <Mikalah_Skates@lummis.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator nominee and Senator Lummis

Monday 2/8 at 5:00pmEST works great! Thank you.

We have the ability to use Microsoft Teams. If your office would prefer Zoom, could I ask you generate and share with me the Zoom link?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Skates, Mikalah (Lummis) <Mikalah_Skates@lummis.senate.gov>
Sent: Thursday, February 4, 2021 4:05 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: Re: Michael Regan, EPA Administrator nominee and Senator Lummis

Hi Kathleen,

We'd be happy to get this scheduled. Is Mr. Regan available to meet with Senator Lummis on Monday, 2/8 at 5:00 pm? Do you have a video link you'd like to use? Thank you!

Mikalah

Mikalah Skates | Scheduler
U.S. Senator Cynthia M. Lummis (like "hummus"!)
202-224-0112 | lummis.senate.gov

From: "Lance, Kathleen" <Lance.Kathleen@epa.gov>
Date: Thursday, February 4, 2021 at 3:24 PM
To: "Skates, Mikalah (Lummis)"
<Mikalah_Skates@lummis.senate.gov>
Cc: "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator nominee and Senator Lummis

Good afternoon Mikalah,

I am reaching out to set up an introductory meeting via video or phone between Senator Lummis and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Lummis has availability on Monday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 2/9/2021 2:49:46 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: Radha and Becky chat
Location: Microsoft Teams Meeting

Start: 2/9/2021 8:00:00 PM
End: 2/9/2021 8:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 2/9/2021 2:51:12 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: drinking water needs survey

Just accepted! Looking forward to speaking. If our 12pm hearing goes past 3pm (which I really don't think will happen), I will let you know.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 9, 2021 9:49 AM
To: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Subject: RE: drinking water needs survey

Thanks Becky, just sent you an invitation. Thank you for taking the time.

From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Tuesday, February 9, 2021 9:10 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: drinking water needs survey

Thanks, Jackie! Moving you to BCC.

Radha,

Good to virtually meet you too! I am available today until 11 am, between 3-4 pm or after 5pm. We have a hearing today so the bulk of my day is unfortunately pretty busy. Would any times during those blocks work for you?

-Becky

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 9, 2021 9:02 AM
To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>; Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Subject: RE: drinking water needs survey

Thank you Jackie!

Becky, its great to be connected. I am covering congressional affairs for EPA and would love to introduce myself when you have time. Do you mind letting me know if you have time for a quick ring?

Looking forward to hearing from you,
Radha

Ex. 6

From: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Sent: Tuesday, February 9, 2021 8:55 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Subject: RE: drinking water needs survey

Connecting you with Becky, and thank you!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 9, 2021 8:54 AM
To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Subject: RE: drinking water needs survey

Thanks for flagging Jackie, going to get back to you on this as soon as I can. Also, I wrote very bad notes when we were chatting last week and I couldn't read the name of the staffer you suggested that I try and line regular calls with. Do you mind connecting me? Would love to set up a standing chat!

From: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Sent: Tuesday, February 9, 2021 8:52 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: drinking water needs survey

Radha,

This may not be on your radar, but I know the reporting period for the 7th drinking water needs survey is wrapping up/should have recently wrapped up and I am wondering about EPA's timing for sending the report to Congress. This round of the needs survey is the first to include an assessment of lead service line replacement costs, and it would be great to have that figure and the state by state allotment to inform infrastructure work and lead service line replacement funding. Happy to hop on the phone to discuss in more detail if needed.

Thank you,
Jackie

Jacqueline G. Cohen
Chief Environmental Counsel
Committee on Energy and Commerce
202-225-4470

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 2/9/2021 5:21:36 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Skane, Elizabeth [Skane.Elizabeth@epa.gov]
Subject: RE: drinking water needs survey

I am flexible between 11 and 2.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 9, 2021 12:20 PM
To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Cc: Skane, Elizabeth <Skane.Elizabeth@epa.gov>
Subject: RE: drinking water needs survey

Hey Jackie, can you throw out some times for me and Elizabeth to ring you tomorrow? I'll put something on our calendars!

From: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Sent: Tuesday, February 9, 2021 8:52 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: drinking water needs survey

Radha,

This may not be on your radar, but I know the reporting period for the 7th drinking water needs survey is wrapping up/should have recently wrapped up and I am wondering about EPA's timing for sending the report to Congress. This round of the needs survey is the first to include an assessment of lead service line replacement costs, and it would be great to have that figure and the state by state allotment to inform infrastructure work and lead service line replacement funding. Happy to hop on the phone to discuss in more detail if needed.

Thank you,
Jackie

Jacqueline G. Cohen
Chief Environmental Counsel
Committee on Energy and Commerce
202-225-4470

Message

From: Voyles, Travis (EPW) [Travis_Voyles@epw.senate.gov]
Sent: 2/9/2021 11:42:54 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Kane, John (EPW) [John_Kane@epw.senate.gov]
CC: Knapp, Kristien [Knapp.Kristien@epa.gov]; Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Kramer, Jess (EPW) [Jess_Kramer@epw.senate.gov]; Skane, Elizabeth [Skane.Elizabeth@epa.gov]; Klasen, Matthew [Klasen.Matthew@epa.gov]; Jenkins, Tyler (EPW) [Tyler_Jenkins@epw.senate.gov]
Subject: RE: Briefing Request - SolarWinds-Water Sector Cyber

Hi Radha,

Thanks for your reply, but I am very concerned about the response. I am looping in John Kane from the Majority Staff, based on part of a discussion our staff had with him today which touched on the importance of EPA being responsive to both the Majority and Minority as we move forward and the need in receiving this briefing in a timely manner.

As you can imagine, the request for a signed letter in order to be considered for a briefing is unacceptable.

As has been detailed multiple times now, this is a major, national security issue for which the Committee has been asking for a briefing on for roughly two weeks, and it seems now that EPA is refusing to even process our outstanding request because it was not in the format that you have decided to implement today. What I see from your note is that that an email request for a briefing by staff from the Committee of jurisdiction for EPA will no longer be sufficient. Am I understanding that correctly?

I am very disappointed that we seem unable to even get a commitment from EPA on this non-partisan issue that the Agency has already briefed on multiple times. I did not anticipate this to be an issue in scheduling, especially after the emphasis Mr. Regan placed on working with the Committee during his nomination hearing.

Finally for clarification again, our request for a briefing was provided January 28, 2021 at 11:09am, as you can see if you scroll down the many emails that have already resulted from this simple request. Please provide us some dates/times by tomorrow COB at the latest that will work next week for this briefing. Again, we expect by now that all relevant new staff within EPA should have been briefed on this major, national security issue. If this is not the case, then please let us know immediately.

Travis Voyles
(202) 603-6152

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 9, 2021 5:15 PM
To: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
Cc: Knapp, Kristien <Knapp.Kristien@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>; Skane, Elizabeth <Skane.Elizabeth@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>; Jenkins, Tyler (EPW) <Tyler_Jenkins@epw.senate.gov>
Subject: RE: Briefing Request - SolarWinds-Water Sector Cyber

Hi Travis,

Hope all is well with you and your family during these challenging times.

Can you please send the request in a signed letter format so that we can get it into our process? As you might imagine, we have a lot of requests and processing them according to the dates in the signed letters is one way that we're going to manage how to prioritize the associated workload.

Thanks in advance and looking forward to working with you,

Radha

From: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
Sent: Monday, February 8, 2021 1:32 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Knapp, Kristien <Knapp.Kristien@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>; Skane, Elizabeth <Skane.Elizabeth@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>; Jenkins, Tyler (EPW) <Tyler_Jenkins@epw.senate.gov>
Subject: RE: Briefing Request - SolarWinds-Water Sector Cyber

Hi All—

Just wanted to put this back at the top of your inbox. Please provide us some dates/times by tomorrow COB at the latest that will work next week for this briefing. We expect by now that all relevant new staff within EPA should have been briefed on this major, national security issue. If this is not the case, then please let us know immediately.

Any confirmation or details that can be provided prior to tomorrow's Committee business meeting would be beneficial.

Thanks,

Travis

Travis Voyles
(202) 603-6152

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, February 1, 2021 8:52 PM
To: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
Cc: Knapp, Kristien <Knapp.Kristien@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>; Skane, Elizabeth <Skane.Elizabeth@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>
Subject: Re: Briefing Request - SolarWinds-Water Sector Cyber

Awesome have a great night Travis.

Sent from my iPhone

> On Feb 1, 2021, at 8:47 PM, Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov> wrote:
>
> 9:30a works great. And you can just call this number—(202) 603-6152.
>
> Sent from my iPhone
>
>> On Feb 1, 2021, at 8:43 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Likewise Travis! Can we chat tomorrow at 930? Please let me know what number is best.

Looking forward to it!
Radha

Sent from my iPhone

> On Feb 1, 2021, at 7:10 PM, Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov> wrote:
>
> Thanks! Great to meet you.
>
> I'm available anytime from 9:15-10:45a tomorrow morning.

> > On Feb 1, 2021, at 6:57 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
> >
> > Hi Travis,
> >
> > By way of introduction, my name is Radha Adhar and I recently joined EPA. Do you have some time to chat about this request tomorrow? We are very committed to working with Senator Capito and are looking forward to collaborating on several fronts.
> >
> > If you are free, can you let me know what time would be best?
> >
> > Thanks in advance,
> > Radha
> >
> > ---
> >
> > **From:** Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
> > **Sent:** Monday, February 1, 2021 6:45 PM
> > **To:** Knapp, Kristien <Knapp.Kristien@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
> > **Cc:** Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Skane, Elizabeth <Skane.Elizabeth@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>
> > **Subject:** RE: Briefing Request - SolarWinds-Water Sector Cyber
> >
> > Hi All—

I understand that there is a lot going on with incoming staff and ensuring they are adequately up to speed on certain issues, however I would have hoped by now to at least get a commitment for a briefing on this non-partisan issue that the EPA has already briefed on multiple times. I did not anticipate this to be an issue in scheduling, but if there is a continued lack of commitment to provide a briefing this may be something Senator Capito raises with Mr. Regan given his upcoming confirmation hearing.

Again, please let me know if you have any questions about the request. Looking forward to hearing back from you tomorrow.

Travis Voyles
(202) 603-6152

From: Voyles, Travis (EPW)
Sent: Friday, January 29, 2021 5:35 PM
To: 'Knapp, Kristien' <Knapp.Kristien@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Skane, Elizabeth <Skane.Elizabeth@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>
Subject: RE: Briefing Request - SolarWinds-Water Sector Cyber

Thanks for letting me know. We would appreciate a commitment by Monday that the Agency will provide the Committee a briefing before February 10th on this issue. We are aware that EPA has already briefed multiple Committees on this so we just want to ensure we are up to speed on it and any recent updates given the evolving nature of the issue.

Let me know if you have any questions and have a great weekend!

Travis Voyles
(202) 224-9360

From: Knapp, Kristien <Knapp.Kristien@epa.gov>
Sent: Friday, January 29, 2021 5:20 PM
To: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Kramer, Jess (EPW)

<Jess_Kramer@epw.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Skane, Elizabeth <Skane.Elizabeth@epa.gov>; Klasen, Matthew <Klasen.Matthew@epa.gov>
Subject: RE: Briefing Request - SolarWinds-Water Sector Cyber

Hi Travis—Nice to hear from you, it's been awhile. 😉 Just wanted to confirm we received your request and are working with our new management team to coordinate our response. Considering we're still getting them up to speed on lots of things, including this issue, and figuring out the logistics around how we are going to be processing congressional requests going forward, we are going to need some more time. We will be back in touch with you soon.

Thanks,
Kristien

From: Voyles, Travis (EPW) <Travis_Voyles@epw.senate.gov>
Sent: Friday, January 29, 2021 10:05 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Knapp, Kristien <Knapp.Kristien@epa.gov>
Cc: Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>
Subject: RE: Briefing Request - SolarWinds-Water Sector Cyber

Any update on this?

Travis Voyles
(202) 224-9360

From: Voyles, Travis (EPW)
Sent: Thursday, January 28, 2021 11:09 AM
To: 'Kaiser, Sven-Erik' <Kaiser.Sven-Erik@epa.gov>; 'Levine, Carolyn' <Levine.Carolyn@epa.gov>; 'thundiyil.karen@epa.gov' <thundiyil.karen@epa.gov>; 'knapp.kristien@epa.gov' <knapp.kristien@epa.gov>
Cc: Kramer, Jess (EPW) <Jess_Kramer@epw.senate.gov>
Subject: Briefing Request - SolarWinds-Water Sector Cyber

Hi All—

EPW Minority staff would like to request a briefing from EPA on the SolarWinds hack, including details on any internal impacts to EPA systems, impacts to the water sector, and the coordination between EPA and the water sector. I believe this would involve EPA officials

from the Office of the Administrator, Office of Water, Office of Mission Support, and Office of Homeland Security.

We are available anytime Monday or Tuesday or we could do Wednesday morning anytime from 9-11:30. I anticipate an hour would be sufficient for this initial briefing and then we can follow up from there.

Let me know if there are times next week that work. Give me a call if you have any questions.

Thanks!

Travis

--

Travis Voyles
Senate Committee on Environment and Public Works
travis_voyles@epw.senate.gov
(202) 224-9360

Message

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 2/10/2021 2:02:07 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Can we chat

Sure. Call you in 20?

Sent from my iPhone

> On Feb 10, 2021, at 8:44 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> This morning?

Message

From: LaCroix, Cole (Lee) [Cole_LaCroix@lee.senate.gov]
Sent: 2/10/2021 5:12:43 PM
To: Rakosnik, Delaney [rakosnik.delaney@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]
CC: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]
Subject: Re: Lee call request for Michael Regan

That's Microsoft right? That should work.

From: "Rakosnik, Delaney" <rakosnik.delaney@epa.gov>
Date: Wednesday, February 10, 2021 at 12:11 PM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

Does Teams work?

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Wednesday, February 10, 2021 11:59 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Rakosnik, Delaney <rakosnik.delaney@epa.gov>
Subject: Re: Lee call request for Michael Regan

Yes, that works. Let's plan on it. Would you prefer to send a dial-in or should I give you an appropriate number to call?

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Wednesday, February 10, 2021 at 11:57 AM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>, "Rakosnik, Delaney" <rakosnik.delaney@epa.gov>
Subject: RE: Lee call request for Michael Regan

Hi Cole, can you do today at 5:30?

From: Adhar, Radha
Sent: Wednesday, February 10, 2021 11:32 AM
To: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Rakosnik, Delaney <rakosnik.delaney@epa.gov>
Subject: RE: Lee call request for Michael Regan

No worries Cole, appreciate you letting me know. Looping in Joe's scheudeler. Delaney, can you please help us find time with Joe today or tomorrow?

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Wednesday, February 10, 2021 11:28 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Lee call request for Michael Regan

Radha, so sorry to switch up my answers like this but, as it turns out, Friday is the deadline on this issue and I would like to make sure Joe has the opportunity to hear our concerns and have sufficient time to act if determines that's what's right for the agency. Is there ANY time today or Thursday that would work?

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Wednesday, February 10, 2021 at 9:46 AM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

Thanks for being flexible Cole, hope to get back to you soon.

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Wednesday, February 10, 2021 9:33 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Lee call request for Michael Regan

Any time on Friday will work. I was trying to avoid Friday originally, as I will be travelling. But, this is important so I'll be sure to carve out whatever time you can give me.

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Tuesday, February 9, 2021 at 9:43 PM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

Hey Cole, anything Friday work? Sorry those windows are tough for us.

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Tuesday, February 9, 2021 1:52 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Lee call request for Michael Regan

Radha, would there be time available tomorrow any time after 1PM or Thursday between noon and 2PM?

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Tuesday, February 9, 2021 at 9:46 AM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

Hey Cole,

Can you please let me know when this week would work for you and your COS to chat with Joe?

Looking forward to hearing from you,
Radha

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Monday, February 8, 2021 3:25 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Lee call request for Michael Regan

Haha I do that all the time!

Talk soon.

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, February 8, 2021 at 3:24 PM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

Whoops, thank you COLE!

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Monday, February 8, 2021 3:20 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Lee call request for Michael Regan

Yes, of course. We have a constituent, Sinclair Oil, that was recently granted a series of waivers under the RFS program. We were hoping to have a conversation with him regarding the waivers and the litigation that has ensued.

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, February 8, 2021 at 3:13 PM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

You bet, I appreciate your patience!

Do you mind sharing the subject of this conversation?

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Monday, February 8, 2021 9:53 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: Lee call request for Michael Regan

Thank you!

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Monday, February 8, 2021 at 9:50 AM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>, "Levine, Carolyn" <Levine.Carolyn@epa.gov>

Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Subject: RE: Lee call request for Michael Regan

Good morning Cole,

Thank you for flagging your note. I will circle back to you on your request for a call with Joe as soon as I can.

Best,
Radha

Ex. 6

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Monday, February 8, 2021 9:41 AM
To: Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Lee call request for Michael Regan

Hi, just wanted to follow up on this.

From: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>
Date: Wednesday, February 3, 2021 at 2:35 PM
To: "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: Re: Lee call request for Michael Regan

There actually is one thing that would be helpful. Could we organize a staff call between myself, my chief, and Joe Goffman in the meantime?

From: "Levine, Carolyn" <Levine.Carolyn@epa.gov>
Date: Wednesday, February 3, 2021 at 11:27 AM
To: "LaCroix, Cole (Lee)" <Cole_LaCroix@lee.senate.gov>
Cc: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>, "Adhar, Radha" <Adhar.Radha@epa.gov>
Subject: RE: Lee call request for Michael Regan

Hi Cole,

Thank you for the email. We'll certainly follow up with you to set something up after Mr. Regan's Committee hearing. Please let us know if there is anything else we can help with in the meantime.

Best,
Carolyn

Carolyn Levine
Office of Congressional and
Intergovernmental Relations
U.S. EPA
(202) 564-1859 (forwarded)

From: LaCroix, Cole (Lee) <Cole_LaCroix@lee.senate.gov>
Sent: Wednesday, February 3, 2021 11:00 AM
To: Levine, Carolyn <Levine.Carolyn@epa.gov>
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Lee call request for Michael Regan

Hi Carolyn and Sven-Erik,

Hope you both are doing well. Senator Lee is hoping to speak with Mr. Regan at some point before his floor vote. Would you two be able to help coordinate that?

Thanks,
Cole

Cole LaCroix | Legislative Assistant
Office of Senator Mike Lee
361A Russell Senate Office Building
(c) 202.317.0687 | Cole_LaCroix@lee.senate.gov

Message

From: Miers, Earvin [Earvin.Miers@mail.house.gov]
Sent: 2/10/2021 6:26:21 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Lee, Andrea [Andrea.Lee@mail.house.gov]; Henderson, Claytrice [Claytrice.Henderson@mail.house.gov]
Subject: Office of Congressman Bennie G. Thompson (MS-02)

Hi Adhar,

I hope this finds you well.

My name is Earvin Miers and I am reaching out on behalf of Congressman Bennie G. Thompson who represents Mississippi's 2nd Congressional District.

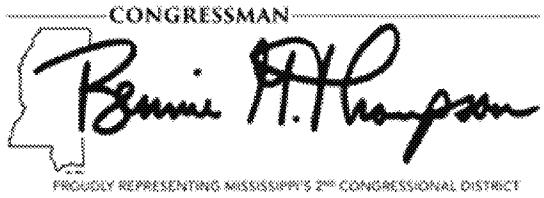
Congressman Thompson would like to request a virtual meeting with Michael Regan, the EPA Administrator nominee, regarding the flooding in the Mississippi South Delta as well as other recent developments as it relates to Mississippi.

Would Mr. Regan be available to speak with Congressman Thompson on next week? If not, we are flexible to work around his schedule.

Thank you for your consideration in this regard, I look forward to hearing from you soon.

Best,
Earvin

Earvin Miers | Executive Assistant/Scheduler
Congressman Bennie G. Thompson (MS-02)
Chairman, House Committee on Homeland Security
2466 Rayburn HOB | Washington, DC
O: 202.225.5876 | C: 202.826.8626 | F: 202.225.5898



Message

From: Bermudez, Navis [Navis.Bermudez@mail.house.gov]
Sent: 2/10/2021 9:39:30 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Subject: Re: Knock Knock

I was really expecting a knock knock joke...
Looking forward to chatting! nb

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Wednesday, February 10, 2021 at 4:35 PM
To: "Seiger, Ryan" <Ryan.Seiger@mail.house.gov>, Navis Bermudez <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

That would work great on my end- just let me know what time is best- I'm free any time after 1:15- and I'll set it up. And I'll be on the look out!

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 10, 2021 4:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Radha:

Thanks for reaching out, that sounds like a good idea. Monday's could be best for us….but probably in the early afternoon.

BTW, I think that Chair Napolitano is going to reach out for a meet and greet with Radhika and Barry (OLEM) in the near future, so be on the look out.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 10, 2021 4:24 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: Knock Knock

Hey guys!

I hope all is well. I know you both are incredibly busy, so feel free to waive me off, but I was wondering if it would be possible to set up a 10 minute weekly chat to make sure we are staying coordinated on issues and how we can work together- especially in these early days as we get the agency up and running. I know Radhika would love to chat now and again!

Do you mind letting me know your thoughts? We have set up similar calls with E&C and EPW.

Looking forward to hearing from you,
Radha

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/11/2021 3:32:45 AM
To: Utech, Dan [Utech.Dan@epa.gov]; Berry, Elizabeth (Carper) [Elizabeth_Berry@carper.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Subject: Re: Congratulations!

Sounds great! MF has a very full dance card but we will figure something out. Perhaps tomorrow or Friday afternoon?

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

> On Feb 10, 2021, at 8:53 PM, Utech, Dan <Utech.Dan@epa.gov> wrote:
>
> Thanks Emily, and thanks so much to you and to MF and Senator Carper for all of your efforts! The markup result was a huge boost for everyone in the agency appointees and career staff alike, and we stand ready to work with you to get the next step done. To that end, if you two would like to do a call with me and Radha late this week, early next to discuss that next step I think Radha and I would be open to it.
Best, Dan
>
> -----Original Message-----
> From: Spain, Emily (Carper) <Emily_Spain@carper.senate.gov>
> Sent: Wednesday, February 10, 2021 8:36 PM
> To: Utech, Dan <Utech.Dan@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
> Cc: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
> Subject: Congratulations!
>
> Hey guys,
>
> So sorry for the belated note but just wanted to say congratulations on a successful mark up. I just saw the whip question come through on Secretary Regan. Very exciting! Please let us know how we can help. Senator Carper said to put him to work!
> Cheers,
> Emily
>
> Emily Spain
> Chief of Staff
> Senator Tom Carper (Delaware)
>

Message

From: Byrne-Haupt, Nannette (Hickenlooper) [Nannette_Byrne-Haupt@hickenlooper.senate.gov]
Sent: 2/11/2021 4:19:04 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Sen Hickenlooper's Inquiry on OffBoard Shields

Hi Sven,

Appreciate your quick follow-up, I'll stand by for your response.

Sincerely,
Nannette Byrne-Haupt
U.S. Senator John Hickenlooper
Constituent Advocate
102 S. Tejon Street, Suite 930
Colorado Springs, CO 80903
Nannette_byrne-haupt@hickenlooper.senate.gov

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, February 11, 2021 8:56 AM
To: Byrne-Haupt, Nannette (Hickenlooper) <Nannette_Byrne-Haupt@hickenlooper.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Sen Hickenlooper's Inquiry on OffBoard Shields

Nanette- thanks for the inquiry on behalf of Sen. Hickenlooper's constituent's product. We'll be glad to take a look at the request and provide a response. Please let me know if any additional questions. Best,
Sven

Sven-Erik Kaiser

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

202-566-2753

kaiser.sven-erik@epa.gov

From: Byrne-Haupt, Nannette (Hickenlooper) <Nannette_Byrne-Haupt@hickenlooper.senate.gov>
Sent: Thursday, February 11, 2021 10:33 AM
To: OCIRmail <OCIRmail@epa.gov>
Subject: Sen Hickenlooper's Office: Congressional inquiry

Greetings,

I am writing on behalf of Mr. Art Onwaller, who is a wholesaler of a non-pesticide product for an Amazon fulfillment center. Recently, Mr. Onwaller's product was removed until he can provide a certificate from the EPA that his product does not contain pesticides.

Mr. Onwaller has provided a letter of explanation, along with the privacy release form that details the components of his product and requests a review and certificate from the EPA approving the product as safe and free of pesticides.

Could you please provide an approximate timeline for a response?

Thank you in advance for your time and assistance, and please do not hesitate to reach out if there are further questions.

Sincerely,

Nannette Byrne-Haupt

U.S. Senator John Hickenlooper

Constituent Advocate

102 S. Tejon Street, Suite 930

Colorado Springs, CO 80903

Nannette_byrne-haupt@hickenlooper.senate.gov

O: 303-244-1628

Message

From: Yelverton, Anna (Coons) [Anna_Yelverton@coons.senate.gov]
Sent: 2/11/2021 10:47:03 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Moser, Chelsea (Coons) [Chelsea_Moser@coons.senate.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Williams, Morgan (Coons) [Morgan_Williams@coons.senate.gov]
Subject: RE: Meeting with Senator Coons

Hi Radha,

Absolutely! I'm at Ex. 6 Personal Privacy (PP) and pretty flexible before 1, or after 4, so just let me know what time works best on your end.

Thank you,
Anna

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 11, 2021 5:39 PM
To: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>; Yelverton, Anna (Coons) <Anna_Yelverton@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Thank you!

Anna, so nice to be connected. Do you have time tomorrow for me to give you a quick ring?

Thank you in advance,
Radha

From: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Sent: Thursday, February 11, 2021 5:32 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>; Yelverton, Anna (Coons) <Anna_Yelverton@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Additionally – I am copying Anna Yelverton who handles this issue area for the Senator.

Thank you,
Chelsea

From: Moser, Chelsea (Coons)
Sent: Thursday, February 11, 2021 5:31 PM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Actually – will 4:00PM work instead?

So sorry for the change!

From: Moser, Chelsea (Coons)
Sent: Thursday, February 11, 2021 5:23 PM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Hi!

Will 2:45PM on 2/16 work?

Thank you,
Chelsea

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 10, 2021 2:48 PM
To: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting with Senator Coons

Hi Chelsea,

Thank you for the message! I am happy to work with you to connect Senator Coons and Nominee Regan.

We have good availability Monday and Tuesday of next week. Are there times that work best for you?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Sent: Wednesday, February 10, 2021 1:14 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: Meeting with Senator Coons

Hi Kathleen!

Senator Coons was hoping to set up a virtual meeting with EPA Nominee Michael Regan in the next week or so. Are there any windows on your end that may work?

Thank you,

Chelsea Moser
Director of Scheduling
U.S. Senator Chris Coons
202-224-5042

Appointment

From: Yelverton, Anna (Coons) [Anna_Yelverton@coons.senate.gov]
Sent: 2/11/2021 10:59:38 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/Coons
Location: Microsoft Teams Meeting

Start: 2/12/2021 5:00:00 PM
End: 2/12/2021 5:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Sent: 2/11/2021 6:26:27 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Circling back
Attachments: ACE Rule Final as filed.pdf; 2018-10-26 Car Rule Comment.pdf

Since we never got to chat, I wanted to email the two docs that my boss mentioned that Regan should take a look at. When he has time lol

Hope all is well!

dan

ORAL ARGUMENT NOT YET SCHEDULED
No. 19-1140
(and consolidated cases)

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

AMERICAN LUNG ASSOCIATION, *et al.*,

Petitioners,

vs.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, *et al.*,

Respondents.

On Petition for Review of final Action by the
United States Environmental Protection Agency

BRIEF FOR U.S. SENATORS SHELDON WHITEHOUSE, JEFF MERKLEY, KIRSTEN GILLIBRAND, BRIAN SCHATZ, AND EDWARD J. MARKEY, AS *AMICI CURIAE* SUPPORTING THE STATE AND MUNICIPAL PETITIONERS, PUBLIC HEALTH AND ENVIRONMENTAL PETITIONERS, POWER COMPANY PETITIONERS, AND CLEAN ENERGY TRADE ASSOCIATION PETITIONERS

Eric Alan Isaacson
LAW OFFICE OF ERIC ALAN ISAACSON
6580 Avenida Mirola
La Jolla, CA 92037-6231
(858) 263-9581
ericalanisaacson@icloud.com

Counsel for *Amici Curiae* U.S. Senators Sheldon Whitehouse, Jeff Merkley, Kirsten Gillibrand, Brian Schatz, and Edward J. Markey

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Pursuant to Circuit Rule 28(a)(1), *amici curiae* U.S. Senators Sheldon Whitehouse, Jeff Merkley, Kirsten Gillibrand, Brian Schatz, and Edward J. Markey provide this certificate as to parties, rulings, and related cases. Counsel understands additional amici curiae may appear in this matter.

A. Parties and *Amici*

The parties, intervenors, and *amici* appearing before the district court and in this Court (except for Sen. Sheldon Whitehouse, Sen. Jeff Merkley, Sen. Kirsten Gillibrand, and Sen. Brian Schatz) are listed in the State and Municipal Petitioners' Opening Brief (State of New York, *et al.*), at i-vi, and in the Initial Opening Brief of Public Health and Environmental Petitioners (American Lung Association, *et al*). Counsel for the senators understands that additional *amici* likely will be appearing before this Court.

B. Ruling Under Review

These consolidated cases involve final agency action of the U.S. Environmental Protection Agency titled, "Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions From

ED_013012_00003931-00002

Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations," which appears in the Federal Register at 84 Fed.Reg. 32,520 (07/08/2019).

C. Related Cases

The matter has not previously been before this Court, and Counsel for amicus is not aware of any other related proceedings, as defined by Circuit Rule 28(a)(1)(C), currently pending before this or any other court.

DATED: April 24, 2020

LAW OFFICE OF ERIC ALAN ISAACSON

/s/ Eric Alan Isaacson
Eric Alan Isaacson

LAW OFFICE OF ERIC ALAN ISAACSON
6580 Avenida Mirola
La Jolla, CA 92037-6231
Telephone: (858) 263-9581
ericalanisaacson@icloud.com

ED_013012_00003931-00003

RULE 29(d) CERTIFICATE

Pursuant to Circuit Rule 29(d) counsel certifies that a separate brief is necessary to ensure that the Court is informed of and fully understands the political background of the agency rulemaking at issue in this proceeding.

DATED: April 24, 2020

LAW OFFICE OF ERIC ALAN ISAACSON

/s/ Eric Alan Isaacson
Eric Alan Isaacson

LAW OFFICE OF ERIC ALAN ISAACSON
6580 Avenida Mirola
La Jolla, CA 92037-6231
Telephone: (858) 263-9581
ericalanisaacson@icloud.com

TABLE OF CONTENTS

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES i

RULE 29(d) CERTIFICATE iii

TABLE OF CONTENTS iv

TABLE OF AUTHORITIES vi

GLOSSARY xiv

AMICI CURIAE'S IDENTITY and INTEREST 1

I. SUMMARY OF ARGUMENT 3

II. FACTUAL BACKGROUND 4

A. The ACE Rule Was Developed Under EPA Leadership Beholden to the Fossil-Fuel Industry 4

1. The Rule Was Developed Under the Tenure of Scott Pruitt, Andrew Wheeler, and Bill Wehrum 4

2. Pruitt, Wheeler, and Wehrum Have Long-Standing Ties to the Fossil-Fuel Industry 6

B. The ACE Rule Is the Product of an Agency Captured by Industry 17

1. EPA Ignored Extensive Scientific and Economic Analyses about the Effects of Climate Change 17

2. The ACE Rule Almost Entirely Adopts the Fossil-Fuel Industry's Requests 21

III. ARGUMENT 23

ED_013012_00003931-00005

A. The ACE Rule Is Arbitrary and Capricious 23

B. EPA Improperly Delegated this Rulemaking to a Regulated Industry 32

C. The Trump Administration and the Fossil-Fuel Industry Have the Same Strategy on Climate Change 34

IV. CONCLUSION 36

CERTIFICATE OF COMPLIANCE 38

CERTIFICATE of SERVICE 39

ED_013012_00003931-00006

TABLE OF AUTHORITIES

Cases

Advocates for Highway & Auto Safety v. Fed. Motor Carrier Safety Admin., 429 F.3d 1136 (D.C. Cir. 2005) 23

Ass'n of American Railroads v. USDOT, 721 F.3d 666 (D.C. Cir. 2013), *vacated on other grounds*, 575 U.S. 43 (2015) 4, 31-32

Bowman Transportation, Inc. v. Arkansas-Best Freight System, Inc., 419 U.S. 281 (1974) 24

Burlington Truck Lines, Inc. v. United States, 371 U.S. 156 (1962) 23

Encino Motorcars, LLC v. Navarro, 136 S.Ct. 2117 (2016) 25

FCC v. Fox Television Stations, 566 U.S. 502 (2009) 25

Greater Boston Television Corp. v. FCC, 444 F.2d 841 (D.C. Cir. 1970) 24, 27, 31

Juliana v. United States, 947 F.3d 1159 (9th Cir. 2020) 34

Massachusetts v. EPA, 549 U.S. 497 (2007) 11, 24

Motor Vehicle Manufacturers Ass'n v. State Farm Mutual Automobile Insurance Co., 463 U.S. 29 (1983) 3, 23, 31

ED_013012_00003931-00007

Nat'l Ass'n of Regulatory Util. Comm'rs v. FCC,
737 F.2d 1095 (DC Cir. 1984).....32

Nat'l Lifeline Ass'n v. FCC,
921 F.3d 1102 (D.C. Cir. 2019).....23

Nat'l Lime Ass'n v. EPA,
627 F.2d 416 (D.C. Cir. 1980).....24

NRDC v. SEC,
606 F.2d 1031 (D.C. Cir. 1979).....25, 27, 31

United Church of Christ v. FCC,
707 F.2d 1413 (D.C. Cir. 1983).....31

Statutes

5 U.S.C. §553(c).....11

5 U.S.C. §706(2)(a).....23

Court Rules

D.C. Circuit Rule 28(a)(1).....i

D.C. Circuit Rule 28(a)(1)(C).....ii

D.C. Circuit Rule 29(d)..... iii

Regulatory Materials

Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,
80 Fed.Reg. 64,924 (10/23/2015).....27

ED_013012_00003931-00008

Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review Program, 83 Fed.Reg. 44,746 (08/31/2018).....5

Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, 74 Fed.Reg. 66,496 (12/15/2009).....11

Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, 74 Fed.Reg. 66,523 *et seq.* (12/15/2009).....28

Hearing on the Nomination of Andrew Wheeler to be Administrator of the EPA 58 (01/16/2019).....12

Hearing on the Nominations of Kathleen Hartnett White to be a Member of the Council on Environmental Quality and Andrew Wheeler to be Deputy Administrator of the Environmental Protection Agency (11/08/2017).....15

Hearing on the Nominations of Michael Dourson, Matthew Leopold, David Ross, and William Wehrum to be Assistant Administrators of the Environmental Protection Agency, and Jeffery Baran to be a Member of the Nuclear Regulatory Commission (10/04/2017).....15

Notice Regarding Withdrawal of Obligation To Submit Information, 82 Fed.Reg. 12,817 (03/07/2017).....10

Regulatory Impact Analysis for the Proposed Emissions Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review Program (Aug. 2018).....27-28

ED_013012_00003931-00009

Regulatory Impact Analysis for the Repeal of the Clean Power Plan, and the Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units (2019).....29

Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, 82 Fed.Reg. 48,035 (10/16/2017).....5

Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations, 84 Fed.Reg. 32,520 (07/08/2019).....i, 5-6

Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations, 84 Fed.Reg. 32,561 (07/08/2019).....27

State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generation Units, 82 Fed.Reg. 61,507 (12/28/2017).....20

Regulatory Comments

Xavier Becerra, for the Stateof California, et al., Comments on EPA Administrator Scott Pruitt's Improper Prejudgment of Outcome of Proposed Repeal of Clean Power Plan (01/09/2018).....26

Susanne Brooks, et al., for the Environmental Defense Fund, et al., Comments on Flawed Estimates of the Social Cost of Carbon in the Proposed Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units (10/31/2018).....30

ED_013012_00003931-00010

Center for Biological Diversity, *et al.*,
Joint Comments of Environmental and Public Health Organizations Regarding the Proposed Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (04/26/2018).....20

Sheldon Whitehouse & Edward J. Markey,
Comments on the EPA's Proposed Affordable Clean Energy Rule and Related Rulemaking (October 31, 2018) (Whitehouse & Markey, *Comments*).....6-11, 16

Sheldon Whitehouse, *et al.*,
Comments on EPA and NHTSA's Proposed Rule Freezing Fuel Economy and Greenhouse Gas Emissions Standards for Cars and Light Trucks (10/26/2018).....15

Sheldon Whitehouse, *et al.*,
Comments on the Environmental Protection Agency's proposed weakening of rules governing methane emissions from oil and natural gas facilities (12/17/2018).....13

Sheldon Whitehouse, *et al.*,
Comments on the Environmental Protection Agency's proposed elimination of rules governing methane emissions from oil and natural gas facilities (11/25/2019).....13-14

Sheldon Whitehouse,
Comments on the Environmental Protection Agency's Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units (11/25/2019).....13

ED_013012_00003931-00011

Books and Articles

Kate Aronoff,
Exclusive Photos Contradict Murray Energy CEO's Claim He Had "Nothing To Do with" Rick Perry's Coal Bailout,
In These Times (12/06/2017).....12

Gavin Bade,
Indiana coal miner hires ex-EPA head Scott Pruitt to lobby against plant closures,
Utility Dive (04/22/2019).....8

Daniel Carpenter & David A. Moss,
"Introduction," in *Preventing Regulatory Capture: Special Interest Influence and How to Limit It*
(Cambridge University Press, 2014).....32

Lindsey Dillon, *et al.*,
The Environmental Protection Agency in the Early Trump Administration: Prelude to Regulatory Capture,
108 Am. J. Pub. Health S89 (April 2018).....16, 32

First Street Foundation,
State by State Analysis: Property Value Loss from Sea Level Rise
(08/08/2019).....18

Paul Fisher,
Confronting the challenges of tomorrow's world
(Bank of England, 03/03/2015).....18

Freddie Mac,
Life's a Beach (04/25/2016).....17-18

Lisa Friedman,
Andrew Wheeler, New E.P.A. Chief, Details His Energy Lobbying Past, N.Y. Times (08/01/2018).....12

ED_013012_00003931-00012

Lisa Friedman,
Bill Wehrum, an Architect of E.P.A. Rollbacks, Faces New Ethics Inquiry, N.Y. Times (07/22/2019).....14

James Goodwin,
Deregulation on Demand: Trump EPA Panders to Polluters in Dismantling Clean Power Plan (Center for Progressive Reform, April 2020).....21-22

J.-F. Mercure, *et al.*,
Macroeconomic impact of stranded fossil fuel assets,
8 Nature Climate Change 588 (06/04/2018).....19

Naomi Oreskes & Erik M. Conway,
Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming (Bloomsbury Publishing, 2011).....16

Dan Reynolds,
Coastal Mortgage Value Collapse,
Risk & Ins. (04/07/2017).....17

Vladimir Stenek,
Carbon Bubbles & Stranded Assets
(The World Bank, 06/03/2014).....18

Union of Concerned Scientists,
Underwater: Rising Seas, Chronic Floods, and the Implications for US Coastal Real Estate (06/18/2018).....17

2 U.S. Global Research Program,
Fourth National Climate Assessment 26 (2018).....19

ED_013012_00003931-00013

Correspondence and Other Materials

Appellants' Opening Brief, *Juliana v. United States*, 947 F.3d 1159 (9th Cir. 2020) (No. 18-36082) (petition for en banc rehearing filed 03/02/2020).....34

Appellants' Opening Brief, *San Mateo v. Chevron*, No. 18-15499 (9th Cir.).....35

Bob Murray, *Action Plan for the Administration of President Donald J. Trump* (03/01/2017).....12

E. Scott Pruitt, April 18, 2017 letter to the American Petroleum Institute, *et al.*, ...10

Washington Coal Club, 2016 Form 990.....12

William Wehrum, *Clean Air Act: Update on Stationary Source Regulations* (12/07/2017).....14

Sheldon Whitehouse, Oct. 10, 2018 letter to President Donald Trump.....14

ED_013012_00003931-00014

GLOSSARY

ACE	Affordable Clean Energy
AFPM	American Fuel and Petrochemical Manufacturers
ANPRM	Advanced Notice of Proposed Rulemaking
APA	Administrative Procedures Act
API	American Petroleum Institute
BSER	Best System of Emissions Reduction
CAA	Clean Air Act
CO_2	Carbon dioxide
CPP	Clean Power Plan
EPA	Environmental Protection Agency
FCC	Federal Communications Commission
GDP	Gross Domestic Product
GHG	Greenhouse Gas
IWG	Interagency Working Group
JA	Joint Appendix
OIRA	Office of Information and Regulatory Affairs
PAC	Political Action Committee
RAGA	Republican Attorneys General Association

ED_013012_00003931-00015

RSLC	Republican State Leadership Committee
SCC	Social Cost of Carbon
UARG	Utility Air Regulatory Group

STATUTES AND REGULATIONS

The pertinent statutes and regulations are reproduced in an addendum to the State and Municipal Petitioners' Opening Brief.

ED_013012_00003931-00016

AMICI CURIAE'S IDENTITY AND INTEREST

Senator Sheldon Whitehouse represents the State of Rhode Island. First elected to the United States Senate in 2006, Senator Whitehouse has been active seeking comprehensive solutions to address climate change. He is a member of the Senate's Environment and Public Works Committee and author of the American Opportunity Carbon Fee Act, which would reduce carbon pollution by roughly 50 percent.

Senator Jeff Merkley represents the State of Oregon–a state which is already feeling devastating impacts from climate chaos. First elected in 2008, Senator Merkley is a member of the Senate's Environment and Public Works Committee and is dedicated to making the transition to clean energy and clean transportation a central priority of the federal government. He introduced the 100 by 50 Act which would transition our country to 100 percent clean and renewable energy by 2050, and the Good Jobs in the 21st Century Energy Act to ensure the creation of good-paying union jobs in all aspects of the clean energy economy.

ED_013012_00003931-00017

United States Senator Kirsten Gillibrand has represented the State of New York since 2009. She serves as a member of the Senate Committee on Environment and Public Works, where she has worked to address climate change.

Senator Brian Schatz has represented the State of Hawaii in the United States Senate since 2012. He works to develop legislative solutions that reduce carbon emissions, prepare our financial sector for climate-related risk, and increase the use of renewable energy. He is the chair of the Senate Democrats' Special Committee on the Climate Crisis and is a cosponsor of the American Opportunity Carbon Fee Act.

Senator Edward J. Markey represents the Commonwealth of Massachusetts in the United States Senate. He is a member of the EPW Committee and serves as Chair of the Senate Climate Change Task Force. Senator Markey's more than 40 years of legislative experience includes co-authorship with Congressman Henry Waxman of the only comprehensive climate legislation ever to pass a chamber of Congress. Then-Representative Markey was also the principal House author of a 1987 energy conservation act and a 2007 law to increase

national fuel economy standards. Senator Markey is the Senate sponsor of the Green New Deal resolution.

The senators file this brief to focus the Court's special attention on the web of political, financial, and professional connections between the political appointees at EPA responsible for promulgating the rule and the fossil-fuel industry that asked for it.

All parties have consented to the filing of this brief. No party's counsel authored the brief in whole or in part, no party or party's counsel contributed money that was intended to fund preparing or submitting the brief, and no person other than the senators or their counsel contributed money that was intended to fund preparing or submitting the brief.

I. SUMMARY OF ARGUMENT

This Court should vacate EPA's Affordable Clean Energy (ACE) Rule for two reasons. First, it should be vacated because it is arbitrary and capricious under the Administrative Procedure Act (APA).[1] As the record makes clear, the ACE Rule is the product of EPA political leadership uninterested in the science or economics of climate change

[1] *Motor Vehicle Manufacturers Association v. State Farm Mutual Automobile Insurance Co.*, 463 U.S. 29, 43 (1983).

and completely beholden to the fossil-fuel industry via close political, financial, and professional ties. Second, the EPA's ACE Rule should be vacated because it constitutes an illegal delegation of the agency's rulemaking authority to private entities: fossil-fuel companies and organizations representing their interests.[2] An agency so flagrantly captured by powerful special interests cannot meet APA standards for administrative fairness, and has conspicuously failed to do so here.

II. FACTUAL BACKGROUND

A. The ACE Rule Was Developed Under EPA Leadership Beholden to the Fossil-Fuel Industry

1. The Rule Was Developed Under the Tenure of Scott Pruitt, Andrew Wheeler, and Bill Wehrum

The ACE Rule was developed under the leadership of former EPA Administrator Scott Pruitt, current EPA Administrator Andrew Wheeler, and former EPA Assistant Administrator for Air and Radiation Bill Wehrum. Their ties to the fossil-fuel industry, which appears to have written the rule to serve its own interests at the

[2] *Ass'n of American Railroads v. USDOT*, 721 F.3d 666, 670 (D.C. Cir. 2013), *vacated on other grounds,* 575 U.S. 43 (2015).

expense of the public policy mandated by Congress, are highly germane to this Court's review.

Pruitt became EPA Administrator on February 17, 2017. He oversaw EPA's original proposal to rescind the Clean Power Plan (CPP),[3] and the draft ACE Rule was sent to the Office of Information and Regulatory Affairs (OIRA) for review just three days after Pruitt resigned amidst corruption allegations. Wheeler was confirmed as EPA Deputy Administrator on April 12, 2018, became Acting Administrator on July 9, 2018, upon Pruitt's resignation, and was confirmed as Administrator on February 28, 2019. EPA's final ACE Rule was published under his name.[4]

Wehrum was confirmed as EPA Assistant Administrator for Air and Radiation in November 2017. As head of EPA's Office of Air and Radiation, Wehrum was responsible for day-to-day oversight and development of the original ACE Rule proposal and for the final rule

---

[3] *Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,* 82 Fed.Reg. 48,035 (11/16/2017).

[4] *Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review Program,* 83 Fed.Reg. 44,746 (08/31/2018).

promulgated in July 2019.[5] It adopts the 2017 proposal to rescind the CPP and the 2018 ACE Rule proposal without substantial changes.

2. Pruitt, Wheeler, and Wehrum Have Long-Standing Ties to the Fossil-Fuel Industry

Before being confirmed as EPA Administrator, Pruitt served as Oklahoma's elected Attorney General. Pruitt's political career was largely underwritten by the fossil-fuel industry, the industry most affected by regulations to limit greenhouse gas (GHG) emissions. In Pruitt's four campaigns for elected office, the energy sector and associated industries and groups provided over $1,250,000 in donations to Pruitt—or about 44 percent of the total donations, and 55 percent of donations that can be tied to a particular sector.[6]

---

[5] *Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations,* 84 Fed.Reg. 32,561 (07/08/2019).

[6] Senators Whitehouse and Markey submitted a comment on the original ACE Rule proposal that catalogues political and financial ties between Pruitt and the fossil-fuel industry. *See* Sheldon Whitehouse & Edward J. Markey, *Comments on the EPA's Proposed Affordable Clean Energy Rule and Related Rulemaking* at 3 (10/31/2018) (hereafter cited as Whitehouse & Markey, *Comments*), https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0355-23800

Energy-industry support for Pruitt went beyond direct contributions to his campaigns. In Pruitt's 2010 campaign for attorney general, an outside group called the Republican State Leadership Committee (RSLC) spent $150,000 on his behalf. Energy interests are among the RSLC's largest donors.[7]

Pruitt and his supporters also created political action committees (PACs) to expand his political influence. Run by Pruitt, the Oklahoma Strong Leadership PAC raised roughly $400,000 during the 2016 election cycle, almost 20 percent of it coming from energy interests.[8] Liberty 2.0, a super PAC created by Pruitt's supporters, raised approximately $450,000 during the 2016 election cycle, over a third of which came from energy interests.[9]

During this period, Pruitt also served as chair of the Republican Attorneys General Association (RAGA) which, under Pruitt's leadership, raised enormous sums from energy interests for its own

---

[7] *Id.* at 4.

[8] *Id.*

[9] *Id.*

PAC. During the 2014 and 2016 election cycles, energy interests contributed well over $5 million to RAGA's political arm.[10]

Fossil-fuel-backed outside spending groups continued to support Pruitt after President Trump nominated him to run EPA. The America Rising super PAC, which receives large donations from fossil-fuel interests, funded a campaign supporting Pruitt's confirmation, including a ConfirmPruitt.com website and ads targeting senators.[11]

The fossil-fuel industry's patronage of Pruitt's political career was not based on charity or coincidence. It showered money on Pruitt to reward and promote his long history of doing the industry's bidding—a pattern that continued at EPA.[12]

In 2011, Pruitt used his official Oklahoma Attorney General letterhead to press the case of Devon Energy—one of his biggest donors—before EPA. Devon's lawyers drafted a letter claiming EPA

---

[10] *Id.* at 4-5.

[11] *Id.*

[12] Pruitt has taken full advantage of "the revolving door" between his regulatory agency and the industry he was supposed to regulate. *See* Gavin Bade, *Indiana coal miner hires ex-EPA head Scott Pruitt to lobby against plant closures,* Utility Dive (04/22/2019), https://www.utilitydive.com/news/indiana-coal-miner-hires-ex-epa-head-scott-pruitt-to-lobby-against-plant-cl/553155/

was overestimating the air pollution caused by natural-gas drilling and then sent it to Pruitt's office, which cut and pasted its text virtually verbatim onto his official state-government stationery, and then sent it to Washington over Pruitt's signature.[13]

In 2013, American Fuel and Petrochemical Manufacturers (AFPM), a fossil-fuel industry trade association and donor to Pruitt, gave him template language for a petition and urged him to sue the federal government over the Renewable Fuel Standard. The trade association noted that "this argument is more credible coming from a state." As requested, Pruitt sued.[14]

In early 2014, the energy industry, its corporate lawyers, Republican strategists, and the U.S. Chamber of Commerce, a major fossil-fuel ally, had already begun plotting strategy to oppose President Obama's soon-to-be announced carbon-pollution regulation, the CPP. Pruitt was among the key strategists involved in this early planning.[15]

Once confirmed as EPA Administrator, Pruitt opened the doors to his long-time benefactors in the fossil-fuel industry, an industry he now

---

[13] Whitehouse & Markey, *Comments, supra* note 6, at 6.

[14] *Id.*

[15] *Id.* at 3-4.

regulated. In his first several weeks on the job, Pruitt met with more than forty energy interests; sixteen were petitioners in litigation against the CPP. During this same period, Pruitt met with almost no environmental groups.[16]

As EPA Administrator, Pruitt moved quickly to deliver industry's policy wish list. On March 2, 2017, just two weeks after Pruitt's confirmation, EPA withdrew its request that oil and gas companies provide detailed information regarding their facilities' methane emissions.[17] On April 18, 2017, Pruitt wrote to the American Petroleum Institute (API) and other oil-and-gas industry trade associations to announce that he was postponing implementation of a rule that would have required equipment retrofits in order to prevent leaks of methane and other dangerous gases.[18] These decisions are estimated to save oil

---

[16] *Id.* at 6.

[17] *Notice Regarding Withdrawal of Obligation To Submit Information,* 82 Fed.Reg. 12,817 (03/07/2017).

[18] E. Scott Pruitt, April 18, 2017 letter to the American Petroleum Institute, *et al.*, *available at* https://www.epa.gov/sites/production/files/2017-04/documents/oil_and_gas_fugitive_emissions_monitoring_reconsideration_4_18_2017.pdf

ED_013012_00003931-00026

and gas companies—many of them donors to Pruitt and the outside spending groups affiliated with him—millions of dollars.[19]

Rescinding the CPP, one of the fossil-fuel industry's top priorities, would require more time, as the rescission would have to go through the notice-and-comment period required by the APA.[20] Moreover, a flat repeal of the CPP would likely have been rejected by the courts in light of the Supreme Court's determination in *Massachusetts v. EPA*[21] that the Clean Air Act (CAA) authorizes the agency to regulate GHG emissions, and the agency's subsequent determination that GHG emissions endanger public health and welfare.[22] Achieving industry's longstanding goal of freeing itself from power-sector GHG regulations would require a carefully orchestrated replacement of the CPP. Under Pruitt's leadership, planning for this replacement, the rule today before this Court, began in earnest.

---

[19] Whitehouse & Markey, *Comments, supra* note 6, at 7.

[20] 5 U.S.C. §553(c).

[21] 549 U.S. 497, 528-35 (2007).

[22] *Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act,* 74 Fed.Reg. 66,496 (12/15/2009).

Wheeler, like Pruitt, enjoys close ties to the fossil-fuel industry. Wheeler was a longtime lobbyist for energy interests before serving at EPA.[23] Most notably, he represented Murray Energy, whose CEO Bob Murray put the CPP's repeal atop an "Action Plan" he circulated to Vice President Mike Pence, Pruitt, Secretary of Energy Rick Perry, and others.[24] In March 2017, Wheeler even accompanied Murray to lobby Perry on this action plan[25] and his firm arranged for Murray to meet with Pruitt on the same subject.[26] Wheeler earned nearly $3 million for his lobbying firm by representing Murray Energy.[27] While lobbying for

---

[23] Whitehouse & Markey, *Comments, supra* note 6, at 12.

[24] Bob Murray, *Action Plan for the Administration of President Donald J. Trump* (03/01/2017), https://www.nytimes.com/interactive/2018/01/09/climate/document-Murray-Energy-Action-Plan.html

[25] Kate Aronoff, *Exclusive Photos Contradict Murray Energy CEO's Claim He Had "Nothing To Do with" Rick Perry's Coal Bailout,* In These Times (12/06/2017), http://inthesetimes.com/features/murray_energy_trump_doe_coal_industry_grid_plan.html

[26] *Hearing on the Nomination of Andrew Wheeler to be Administrator of the EPA* 58 (01/16/2019), https://www.epw.senate.gov/public/_cache/files/6/c/6ca552e9-7080-46b2-9aba-50f858dbfb31/EFD9580A8C9CFC98C19BFF1248249EC7.spw-011619.pdf

[27] Lisa Friedman, *Andrew Wheeler, New E.P.A. Chief, Details His Energy Lobbying Past,* N.Y. Times (08/01/2018),

Murray Energy, Wheeler also served as president of the Washington Coal Club, a group dedicated to advancing coal-industry interests.[28]

Wheeler continued Pruitt's pro-fossil fuels agenda. EPA substantially weakened GHG emission standards for cars and light trucks, and is attempting to revoke California's authority under the CAA to set higher standards.[29] The California standards were expected to save consumers $1.7 trillion in fuel costs; weakening them hands the oil industry a massive windfall.[30] Wheeler has also proceeded to roll back two different methane regulations,[31] and to relax GHG-emission requirements on new coal-fired power plants.[32]

---

https://www.nytimes.com/2018/08/01/climate/andrew-wheeler-epa-lobbying.html

[28] Washington Coal Club, 2016 Form 990, *available at* https://www.documentcloud.org/documents/4594012-Washington-Coal-Club-2016-1.html#document/p3/a437136

[29] These actions were taken following a lobbying blitz by the oil industry and many of the front groups it funds. *See generally* Sheldon Whitehouse, *et al.*, *Comments on EPA and NHTSA's Proposed Rule Freezing Fuel Economy and Greenhouse Gas Emissions Standards for Cars and Light Trucks*, at 6-13 (10/26/2018) https://www.regulations.gov/document?D=EPA-HQ-OAR-2018-0283-5483

[30] *Id.* at 6, 25 & n.166.

[31] *See* Comment submitted by Senator Sheldon Whitehouse, *et al.*, (12/17/2018), https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0483-0998; Comment submitted by Sheldon Whitehouse, *et al.*,

Wehrum, too, enjoys close ties to the fossil-fuel industry. A longtime lawyer for energy companies and trade groups, Wehrum repeatedly sued EPA to block clean-air rules before he was nominated to run the EPA office that writes those rules. His clients included the Utility Air Regulatory Group (UARG), Duke Energy, Dominion Resources, API, AFPM, Chevron, ExxonMobil, Koch Industries, and Phillips 66, among other energy concerns.[33] In a likely violation of the Trump ethics pledge,[34] Wehrum met with UARG and several electric utilities to discuss replacing the CPP just weeks after he assumed his duties as Assistant Administrator.[35] At least one instance of Wehrum

---

(11/25/2019), https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0757-2130

[32] *See* Comment submitted by Senator Sheldon Whitehouse, https://www.regulations.gov/document?D=EPA-HQ-OAR-2013-0495-12549

[33] Whitehouse & Markey, *supra* note 6, at 12.

[34] Sheldon Whitehouse Oct. 10, 2018 letter to President Donald Trump, https://www.whitehouse.senate.gov/imo/media/doc/Wehrum%20Letter%20to%20President%20Trump.pdf

[35] William Wehrum, *Clean Air Act: Update on Stationary Source Regulations* (12/07/2017), https://www.documentcloud.org/documents/4776445-EPA-s-William-Wehrum-and-the-Effort-to-Move.html#document/p190/a448289

acting in favor of former clients has been referred to the EPA Inspector General for investigation.[36]

The views of all three men on the underlying science establishing the contribution of carbon pollution to climate change also align with the interests of the fossil-fuel industry. In March 2017, Pruitt stated "I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact, so, no, I would not agree that [CO_2] is a primary contributor to the global warming that we see."[37] At his Senate confirmation hearing, Wheeler testified, "I believe that man has an impact on the climate but what's not completely understood is what the impact is."[38] Similarly, Wehrum testified at his Senate confirmation

---

[36] Lisa Friedman, *Bill Wehrum, an Architect of E.P.A. Rollbacks, Faces New Ethics Inquiry,* N.Y. Times (07/22/2019), https://www.nytimes.com/2019/07/22/climate/william-wehrum-epa-inquiry.html

[37] Whitehouse & Markey, *Comments, supra* note 6, at 11.

[38] *Hearing on the Nominations of Kathleen Hartnett White to be a Member of the Council on Environmental Quality and Andrew Wheeler to be Deputy Administrator of the Environmental Protection Agency* 95 (11/08/2017), https://www.epw.senate.gov/public/_cache/files/5/0/505551c3-fc95-4c6e-8ae3-31a236ad54b3/613973623082D4C8E2A574B5C4ACFBB5.spw-110817.pdf

hearing that it was an "open question" whether human activities are the primary driver of climate change.[39] The Court should take notice of the extensive body of academic research that ties this type of climate-change denialism among policymakers to the fossil-fuel industry's decades-long efforts to cast doubt on climate science.[40]

Peer-reviewed research has concluded, as we have, that EPA is exhibiting many signs of regulatory capture under this leadership.[41] Among the findings pointing to regulatory capture are the facts that "appointees have deep ties with industries" and that "significant policy

---

[39] *Hearing on the Nominations of Michael Dourson, Matthew Leopold, David Ross, and William Wehrum to be Assistant Administrators of the Environmental Protection Agency, and Jeffery Baran to be a Member of the Nuclear Regulatory Commission* 144 (10/04/2017), https://www.epw.senate.gov/public/_cache/files/8/a/8a316cbd-8530-47a1-b871-765471236559/8DD3338B178EBC207478F12BB8926D81.spw-100417.pdf

[40] *See, e.g.*, Naomi Oreskes & Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* 169-215 (Bloomsbury Publishing, 2011).

[41] Lindsey Dillon, *et al.*, *The Environmental Protection Agency in the Early Trump Administration: Prelude to Regulatory Capture,* 108 Am. J. Pub. Health S89, S89-S93 (2018), https://ajph.aphapublications.org/doi/10.2105/AJPH.2018.304360.

changes … favor businesses and industry, while probably incurring considerable health and environmental consequences."[42]

In sum, key figures at EPA overseeing development of the ACE Rule were long-time advocates for the industry they were entrusted to regulate. They have crafted and/or lobbied for industry's policy and political priorities for decades. As the following sections will show, when given the opportunity to set government policy on one of the fossil-fuel industry's most important priorities, they chose to abdicate the responsibility conferred by Congress, and to instead do industry's bidding—despite overwhelming economic and scientific evidence demonstrating the need for large reductions in GHG emissions.

B. The ACE Rule Is the Product of an Agency Captured by Industry

1. EPA Ignored Extensive Scientific and Economic Analyses about the Effects of Climate Change

In recent years, economists representing interests as varied as central banks and the real-estate industry have produced an enormous volume of research demonstrating that climate change, and the failure

[42] *Id.* at S91-S92.

to plan for an orderly transition to a low-carbon economy, credibly threaten staggeringly large economic losses.

Warnings about a collapse in coastal property values have come from Freddie Mac,[43] the industry publication *Risk & Insurance*,[44] and the Union of Concerned Scientists.[45] Freddie Mac warns that coastal-property losses from rising seas "are likely to be greater in total than those experienced in the housing crisis and the Great Recession."[46] The First Street Foundation calculates that coastal properties from Texas to Maine have already lost almost $16 billion in value since 2005.[47]

---

[43] Freddie Mac, *Life's a Beach* (04/25/2016), http://www.freddiemac.com/research/insight/20160426_lifes_a_beach.html

[44] Dan Reynolds, *Coastal Mortgage Value Collapse*, Risk & Ins. (04/07/2017), http://riskandinsurance.com/coastal-mortgage-value-collapse/

[45] Union of Concerned Scientists, *Underwater: Rising Seas, Chronic Floods, and the Implications for US Coastal Real Estate* (06/18/2018), https://www.ucsusa.org/sites/default/files/attach/2018/06/underwater-analysis-full-report.pdf

[46] Freddie Mac, *Life's a Beach*, *supra* note 44.

[47] First Street Foundation, *State by State Analysis: Property Value Loss from Sea Level Rise* (08/08/2019) ("From Maine to Texas, the data shows that increased tidal flooding driven by sea level rise has eroded $15.9 billion in relative property values between 2005 and 2017."), https://firststreet.org/press/property-value-loss-from-sea-level-rise-state-by-state-analysis/

An additional risk comes from stranded fossil-fuel assets—reserves that can't be burned and facilities that won't be used. The World Bank places the market value of stranded fossil-fuel assets "around US$20 trillion." [48] The Bank of England warns "investments in fossil fuels and related technologies … may take a huge hit."[49] High-cost producer regions like the U.S. could "lose almost their entire oil and gas industry,"[50] with consequences extending well beyond the fossil-fuel industry, likely producing a decline in U.S. GDP of more than than five percent, with millions of jobs lost.[51] The economic consequences to the U.S. will be worse "if it continues to promote fossil fuel production and consumption [rather] than if it moves away from them."[52]

---

[48] Vladimir Stenek, *Carbon Bubbles & Stranded Assets* (The World Bank, 06/03/2014), http://blogs.worldbank.org/climatechange/carbon-bubbles-stranded-assets

[49] Paul Fisher, *Confronting the challenges of tomorrow's world,* at 5 (Bank of England, 03/03/2015), https://www.bankofengland.co.uk/-/media/boe/files/speech/2015/confronting-the-challenges-of-tomorrows-world.pdf?la=en&hash=DA7050DCC625A7127875DA88665B67094914CB2B

[50] J.-F. Mercure, *et al.*, *Macroeconomic impact of stranded fossil fuel assets,* 8 Nature Climate Change 588, 591 (06/04/2018), https://www.nature.com/articles/s41558-018-0182-1

[51] *Id.* at 590-92.

[52] *Id.* at 592.

Many others have warned of the serious damage that unchecked climate change will do to the global economy. The Fourth National Climate Assessment cautions that "with continued growth in emissions at historic rates, annual losses in some economic sectors are projected to reach hundreds of billions of dollars by the end of the century—more than the current gross domestic product (GDP) of many U.S. states."[53] Credible reports and papers paint a grim picture of massive economic losses from unchecked climate change. The ACE Rule fails to address any of this evidence.

Climate science is even more well-documented than climate economics. The heat-trapping qualities of CO_2 have been understood since the nineteenth century, and an overwhelming body of scientific research establishes beyond any doubt that combustion of fossil-fuels is driving climate change. Climate science is so well-established in the record of this rulemaking that we do not feel it necessary to further

[53] 2 U.S. Global Research Program, *Fourth National Climate Assessment* 26 (2018), https://nca2018.globalchange.gov/downloads/

brief the Court on this subject.[54] As with climate economics, the ACE Rule does not seriously address climate science.

2. The ACE Rule Almost Entirely Adopts the Fossil-Fuel Industry's Requests

EPA announced in October 2017 that it planned to rescind and replace the CPP, one of the fossil-fuel industry's primary priorities for the Trump administration. EPA solicited input on what should replace it through an advanced notice of proposed rulemaking (ANPRM).[55] Numerous industry groups submitted recommendations, almost all of which the ACE Rule adopts.

Researchers at the University of Maryland Francis King Carey School of Law and the Center for Progressive Reform have documented how thoroughly the ACE Rule follows industry's wish list. They compared comments submitted by fossil-fuel industry trade associations

---

[54] *See, e.g.*, Comment submitted by Center for Biological Diversity, *et al.* (04/26/2018), https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0355-20637.

[55] *State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generation Units,* 82 Fed.Reg. 61,507 (12/28/2017).

under the ACE Rule ANPRM and in response to the Obama administration's CPP proposal with the final ACE Rule.[56]

They found that 15 of 17 industry requests for the original CPP proposal were adopted in the ACE Rule. Two were partially adopted and none were rejected.[57] With respect to industry requests made in comments to the ANPRM, 31 were adopted, three were partially adopted, and only three were rejected.[58]

Five of industry's requests largely determined the overall architecture of the ACE Rule:

1. The CPP was illegal and should be rescinded and replaced;

2. The best system of emissions reduction (BSER) should be limited to actions that can be taken at individual plants;

3. BSER should exclude technologies such as carbon capture claimed to not be "adequately demonstrated;"

---

[56] James Goodwin, *Deregulation on Demand: Trump EPA Panders to Polluters in Dismantling Clean Power Plan,* at 4-5 (Center for Progressive Reform, April 2020), https://progressivereform.org/our-work/regulatory-policy/deregulation-on-demand/#_ftn1. Specifically, they reviewed comments submitted by the American Coal Council, the American Council for Clean Coal Electricity, API, the National Association of Manufacturers, the National Mining Association, the U.S. Chamber of Commerce, and UARG.

[57] *Id.* at 9-16.

[58] *Id.* at 17-27.

4. BSER should be defined as small heat-rate improvements at individual plants; and

5. Primary authority under the replacement regulation should lie with the states.[59]

EPA adopted all five of these requests. The ACE Rule replaces the CPP with a rule that limits BSER to actions that can be taken at individual plants, and chooses the least stringent of such actions—small improvements in heat rate—over other approaches, such as carbon capture, that would produce dramatically larger reductions in GHG emissions. The rule tells states to set heat-rate improvements for individual plants, while depriving them of real regulatory authority to reduce overall emissions.

III. ARGUMENT

A. The ACE Rule Is Arbitrary and Capricious

The APA authorizes courts to set aside agency actions found to be "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law."[60] "Normally, an agency rule would be arbitrary and capricious if the agency has [1] relied on factors which

---

[59] *See generally id.*

[60] 5 U.S.C. §706(2)(a).

Congress has not intended it to consider, [2] entirely failed to consider an important aspect of the problem, [3] offered an explanation for its decision that runs counter to the evidence before the agency, or [4] is so implausible that it could not be ascribed to a difference in view or the product of agency expertise."[61]

An agency "must examine the relevant data and articulate a satisfactory explanation for its action including a 'rational connection between the facts found and the choice made.'"[62] "In reviewing that explanation, [a court] must 'consider whether the decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment.'"[63] In certain circumstances, heightened scrutiny is appropriate, and particularly if "from a combination of danger signals," it appears "that the agency has not really taken a 'hard

---

[61] *State Farm,* 463 U.S. at; *see, e.g., Nat'l Lifeline Ass'n v. FCC,* 921 F.3d 1102, 1110 (D.C. Cir. 2019); *Advocates for Highway & Auto Safety v. Fed. Motor Carrier Safety Admin.,* 429 F.3d 1136, 1145 (D.C. Cir. 2005).

[62] *State Farm,* 463 U.S. at 43 (quoting *Burlington Truck Lines, Inc. v. United States,* 371 U.S. 156, 168 (1962)).

[63] *Id.* (citing *Bowman Transportation, Inc. v. Arkansas-Best Freight System, Inc.,* 419 U.S. 281, 285 (1974)).

look' at the salient problems, and has not genuinely engaged in reasoned decision-making."[64]

Close scrutiny also is appropriate for regulatory decisions that, like the ACE Rule, constitute an abrupt change in course. An agency making a regulatory U-turn must "provide a more detailed justification ... when, for example, its new policy rests upon factual findings that contradict those which underlay its prior policy.... It would be arbitrary and capricious to ignore such matters."[65] "An agency cannot simply disregard contrary or inconvenient factual determinations that it made in the past...."[66] "'[A] reasoned explanation is needed for disregarding

---

[64] *Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 844-5 (D.C. Cir. 1970); *see Nat'l Lime Ass'n v. EPA,* 627 F.2d 416, 451 & n.126 (D.C. Cir. 1980)(applying *Greater Boston's* "hard look" standard to judicial review of agency rulemaking). In *Greater Boston Television*, the biggest "danger signal" requiring a "hard look" was the fact that the chair of the Federal Communications Commission (FCC) had had potentially improper contacts with an executive from a regulated industry. *See id. See also, Massachusetts v. EPA*, 549 U.S. 497, 528-35 (2007)) (constraining EPA's discretion and subjecting the agency's deferral of a decision to what amounts to a hard-look review).

[65] *FCC v. Fox Television Stations*, 566 U.S. 502, 515-16 (2009).

[66] *Id.* at 537 (Kennedy, J., concurring).

facts and circumstances that underlay or were engendered by the prior policy.'"[67]

Another "danger signal" that triggers heightened scrutiny arises where, as here, an agency has demonstrated "undue bias towards particular private interests."[68] Here, the EPA engaged in a sham decision-making process lacking any rational connection between the record facts and the final rule. At every turn, EPA rejected well-established scientific and economic research and agency technical expertise showing an urgent need to dramatically reduce GHG emissions. It instead embraced self-serving proposals from the fossil-fuel industry that will not significantly reduce emissions. The resulting do-nothing rule cannot be deemed the product of "reasoned decision-making."

The ACE Rule cannot be analyzed independent of the deep ties that bind EPA's political leadership to the fossil-fuel industry. Although a Court might accord agency rulemaking some deference,

---

[67] *Encino Motorcars, LLC v. Navarro,* 136 S.Ct. 2117, 2126 (2016) (quoting *Fox Television,* 566 U.S. at 515-16).

[68] *NRDC v. SEC*, 606 F.2d 1031, 1050 n.23 (D.C. Cir. 1979).

none is warranted on such a troubling record as is presented here—replete with so many danger signals.

The first danger signal is the fossil-fuel industry's unprecedented access to EPA political leadership. Pruitt met with over a dozen petitioners against the CPP in just his first several weeks on the job. A month after he released the proposal to rescind the CPP, in remarks to the fossil-fuel-funded Heartland Institute, Pruitt stated "[w]e've withdrawn the Clean Power Plan."[69] Such a statement calls into serious question EPA's meaningful compliance with APA notice-and-comment requirements.

Wheeler's and Wehrum's records are no better. Just before joining EPA, Wheeler was lobbying for a CEO whose top priority was rescinding the CPP. Wehrum met with industry groups to discuss power-sector GHG regulations in a seeming violation of the Trump ethics pledge. These are the sorts of "improper contacts" and "undue bias" that troubled this Court in *Greater Boston Television* and *NRDC*.[70]

---

[69] Comment submitted by Xavier Becerra, Attorney General, State of California, *et al.*, pg. 22 (01/09/2018), https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0355-7861

[70] *See supra* notes 64 & 68.

Another prominent danger signal stems from the ACE Rule's abrupt U-turn away from the CPP policy of reducing GHG emissions (by almost 20 percent),[71] and from the EPA's 2009 endangerment finding. EPA admits that "the impacts of the [ACE Rule] in terms of change in emissions ... are small compared to the recent market-driven changes that have occurred in the power sector."[72] The ACE Rule would do almost nothing to reduce GHG emissions compared to a baseline scenario of no regulation.[73]

---

[71] *Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,* 80 Fed.Reg. 64,924 (10/23/2015).

[72] *Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations*, 84 Fed.Reg. 32,561 (07/08/2019).

[73] GHG emissions reductions would average roughly 0.5 percent annually. *See id.* It is of note that EPA largely abandoned comparing the ACE Rule to the CPP. In the original ACE Rule proposal, such a comparison showed that the ACE Rule resulted in higher CO_2 emissions as well as additional deaths, illness, and lost work and school days among other costs. *See* EPA, *Regulatory Impact Analysis for the Proposed Emissions Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review Program* (Aug. 2018), https://www.epa.gov/sites/production/files/2018-08/documents/utilities_ria_proposed_ace_2018-08.pdf. By changing the baseline used in the final rule to a no regulation scenario, EPA was able

EPA's 2009 endangerment finding contains a richly sourced summary of how climate change harms public health and welfare, through its effects on temperature, air quality, extreme-weather events, diseases and aeroallergens, agriculture, forestry, water resources, sea-level rise, energy, infrastructure, settlements, ecosystems, and wildlife.[74]

EPA's decision, with the CPP Rule's repeal and ACE Rule's adoption, to *not* regulate GHG emissions demands real explanation. But EPA provides none, running afoul of *Fox Television* and *Encino Motorcars*. Given its 2009 endangerment finding, the agency needs to explain how a rule that results in essentially zero GHG emission reductions comports with the direction given to it by Congress. EPA's failure to explain why it promulgated a rule that doesn't actually accomplish its ostensible purpose should be fatal.

In fact, the rule's regulatory-impact analysis' only engagement with climate science and economics is a mention that since EPA's 2009

---

to avoid these unflattering comparisons, which would be almost impossible to defend as an exercise in reasoned decision-making.

[74] *Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act,* 74 Fed.Reg. 66,523 *et seq*. (12/15/2009).

endangerment finding "other science assessments suggest accelerating trends" for climate change.[75] This militates in favor of a rule *more* stringent than the CPP, rather than the do-nothing rule birthed by EPA's political leadership.

Yet another danger signal arises from EPA's treatment of the social cost of carbon (SCC) used to measure the monetary benefits of reducing GHG emissions. The rule uses two SCC estimates, $1/metric ton and $6/metric ton (in 2015 dollars),[76] that are many times less than other recent estimates of the SCC. The SCC determined by the prior administration's Interagency Working Group (IWG), which commenters noted "is widely considered by economic and legal experts to reflect an extremely conservative estimate of the true costs of greenhouse gas emissions and should be treated as a lower-bound estimate,"[77] provides a central-case estimate of roughly $48/metric ton (in 2015 dollars).

---

[75] EPA, *Regulatory Impact Analysis for the Repeal of the Clean Power Plan, and the Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units*, at pg. 4-1 (June 2019), https://www.epa.gov/sites/production/files/2019-06/documents/utilities_ria_final_cpp_repeal_and_ace_2019-06.pdf

[76] *Id.* at pg. 4-4.

[77] Comment submitted by Susanne Brooks, Environmental Defense Fund, et al. (10/31/2018),

In order to justify regulations that do next to nothing to limit GHG emissions, EPA needed to find some way to reduce the monetary value of emissions reductions. Instead of trying to fudge the science or the economics, EPA cooked the books by fudging the math.

The record shows that EPA's political leadership was not guided by scientific, economic, and technical expertise in its development of the ACE Rule. Time and again, it adopted industry positions in their entirety, even when they conflicted with the consensus view of climate scientists and economists. The result is precisely what the fossil-fuel industry wanted: the CPP repealed and replaced with a rule requiring only *de minimis* GHG emission reductions achieved through minor technological tinkering. The factual record laid out above presents precisely the sort of "danger signals" that demand "hard look" review. Potentially improper contacts between regulators and regulated industries,[78] "abrupt shifts in policy,"[79] and "undue bias towards

---

https://www.regulations.gov/document?D=EPA-HQ-OAR-2017-0355-24812

[78] *Greater Boston Television*, 444 F.2d at 844-45.

[79] *United Church of Christ v. FCC*, 707 F.2d 1413, 1425 (D.C. Cir. 1983).

particular private interests"[80] are all present in this tawdry tale of industry capture. No court could reasonably conclude that EPA "genuinely engaged in reasoned decision-making,"[81] or that EPA has "articulate[d] a satisfactory explanation for its action including a 'rational connection between the facts found and the choice made.'"[82]

B. EPA Improperly Delegated this Rulemaking to a Regulated Industry

An agency rulemaking should be vacated if a court finds that the agency delegated its rulemaking authority to one or more private interests, because Congress "cannot delegate regulatory authority to a private entity."[83] "Although objections to delegations are 'typically presented in the context of a transfer of legislative authority from the Congress to agencies,' ... 'the difficulties sparked by such allocations are

---

[80] *NRDC v. SEC*, 606 F.2d at 1050 n.23.

[81] *Greater Boston Television*, 444 F.2d at 851.

[82] *State Farm*, 463 U.S. at 43 (quoting *Burlington Truck Lines*, 371 U.S. at 168).

[83] *Ass'n of American Railroads v. USDOT*, 721 F.3d 666, 670 (D.C. Cir. 2013), *vacated on other grounds*, 575 U.S. 43 (2015).

even more prevalent in the context of agency delegations to private individuals.'"[84]

While it is clear that an agency may not *explicitly* delegate its rulemaking authority to private interests, an agency that *implicitly* delegates its rulemaking authority to private interests raises the same concerns. An agency is effectively captured by the private interests when its "'regulation is … directed away from the public interest and toward the interest of the regulated industry' by 'intent and action' of industries and their allies."[85]

As described above, the ACE Rule was the product of a process that was effectively delegated to the fossil-fuel industry, with a politicized and industry-captured EPA serving as but a rubber stamp adopting industry groups' requests.

The fossil-fuel industry had open access to EPA political leadership overseeing this rulemaking, even in violation of ethics rules.

---

[84] *Id.* (quoting *Nat'l Ass'n of Regulatory Util. Comm'rs v. FCC,* 737 F.2d 1095, 1143 (DC Cir. 1984)).

[85] Lindsey Dillon, *et al.*, *The Environmental Protection Agency in the Early Trump Administration: Prelude to Regulatory Capture,* 108 Am. J. Pub. Health S89, S89 (2018) (quoting Daniel Carpenter & David A. Moss, "Introduction," in *Preventing Regulatory Capture: Special Interest Influence and How to Limit It* 13 (Cambridge University Press, 2014)).

EPA political leadership was closely tied to the fossil-fuel industry and had a long history of hostility towards rules designed to reduce GHG emissions including the CPP, particularly on behalf of industry donors who bankrolled their political careers or industry clients they represented as lawyers or lobbyists prior to joining the Trump administration.

This extreme and well-documented regulatory capture of the EPA is evidence that it has effectively delegated its authority to the fossil-fuel industry. There is no substantive difference between an agency explicitly telling a company or industry to write a rule for it, and an agency telling a company or industry that it will write whatever rule the company or industry wants. Like Scott Pruitt's Devon Energy letter, the substance is all industry, whatever the letterhead, and the public interest is ignored.

C. The Trump Administration and the Fossil-Fuel Industry Have the Same Strategy on Climate Change

As this Court evaluates the ACE Rule's specific provisions in light of the fossil-fuel industry's capture of EPA, it should consider how the ACE Rule fits into industry's overall plan of blocking action on climate

change. This plan is being executed both in rulemaking and in the government's position in litigation across the country.

As shown above, the ACE Rule is a do-nothing, industry-designed rule by which EPA has effectively shirked its duty to regulate GHG emissions under the CAA. The Trump administration and industry are simultaneously telling courts that federal action under the CAA is the *only* available legal route to regulate GHGs. The Trump administration recently argued in *Juliana v. United States,* for example, that citizen suits seeking redress for climate damages are displaced by the CAA.[86] Its contentions mirror the position taken by the fossil-fuel industry in public-nuisance lawsuits brought by states and municipalities against fossil-fuel companies.[87] The fossil-fuel industry is asserting in those cases that federal law preempts states and municipalities from suing

---

[86] Appellants' Opening Brief at 53, *Juliana v. United States*, 947 F.3d 1159 (9th Cir. 2020) (No. 18-36082) (petition for en banc rehearing filed 03/02/2020). As Judge Josephine L. Staton observed in dissent: "In these proceedings, the government accepts that the United States has reached a tipping point crying out for a concerted response—yet presses ahead toward calamity. ... Seeking to quash this suit, the government bluntly insists that it has the absolute and unreviewable power to destroy the Nation." *Juliana,* 947 F.3d at 1175 (Staton, J., dissenting).

[87] *See, e.g.*, Appellants' Opening Brief at 56-58, *San Mateo v. Chevron*, No. 18-15499 (9th Cir.).

fossil-fuel companies for damages caused by climate change. This would create an industry-friendly outcome in which states had no regulatory authority, the federal government abdicated its regulatory authority, and fossil fuel emissions could spew without meaningful restraint.

IV. CONCLUSION

The ACE Rule cannot be properly understood in a vacuum. With former fossil-fuel industry lobbyists and lawyers at the helm, EPA has decided to do nothing about GHG emissions. The ACE Rule is not the product of reasoned decision-making by EPA that in any serious way grapples with the evidence of harms from climate change.

The record of this case, and of other regulatory matters of which this Court may take notice, indeed raise the question whether this EPA is even capable of fair decision-making in matters involving the interests of the fossil-fuel industry, or whether rampant cronyism, conflicts of interest, and corruption leave EPA under present leadership unable to conform itself to the strictures of the APA.

The rule should be vacated.

ED_013012_00003931-00052

DATED: April 24, 2020

Respectfully submitted,

/s/ Eric Alan Isaacson

Eric Alan Isaacson

LAW OFFICE OF ERIC ALAN ISAACSON
6580 Avenida Mirola
La Jolla, CA 92037-6231
Telephone: (858) 263-9581
ericalanisaacson@icloud.com

Counsel for *Amici Curiae* U.S. Senators Sheldon Whitehouse, Jeff Merkley, Kirsten Gillibrand, Brian Schatz, and Edward J. Markey

ED_013012_00003931-00053

CERTIFICATE OF COMPLIANCE

In accordance with Fed. R. App. P. 29(a)(5) and 32(a)(7), the undersigned certifies that this brief has been prepared in a proportionally spaced typeface, using the Century Schoolbook 14-point font. According to the word-processing system used to prepare the brief, Microsoft Word (version 16.36), it contains 6,472 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and D.C. Circuit Rule 32(e)(1).

DATED: April 24, 2020

LAW OFFICE OF ERIC ALAN ISAACSON

/s/ Eric Alan Isaacson
Eric Alan Isaacson

LAW OFFICE OF ERIC ALAN ISAACSON
6580 Avenida Mirola
La Jolla, CA 92037-6231
Telephone: (858) 263-9581
ericalanisaacson@icloud.com

ED_013012_00003931-00054

CERTIFICATE OF SERVICE

I hereby certify that, on April 24, 2020, a true and correct copy of the foregoing document was filed with the Clerk of the United States Court of Appeals for the District of Columbia via the Court's CM/ECF system. Counsel for all parties will be served electronically by the Court's CM/ECF system.

DATED: April 24, 2020

LAW OFFICE OF ERIC ALAN ISAACSON

/s/ Eric Alan Isaacson
Eric Alan Isaacson

LAW OFFICE OF ERIC ALAN ISAACSON
6580 Avenida Mirola
La Jolla, CA 92037-6231
Telephone: (858) 263-9581
ericalanisaacson@icloud.com

United States Senate
WASHINGTON, DC 20510

October 26, 2018

Attention: **Docket ID No. EPA-HQ-OAR-2018-0283; NHTSA-2018-0067**
"The Safer Affordable Fuel-Efficient (SAFE) Vehicle Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks"

Re: **Comments on EPA and NHTSA's Proposed Rule Freezing Fuel Economy and Greenhouse Gas Emissions Standards for Cars and Light Trucks**

I. Introduction

The proposed rule is the product of the regulatory capture of the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) by two regulated industries: the automakers and the oil industry. Despite initially agreeing in 2011 to new fuel economy and greenhouse gas emissions standards for model years 2017 through 2025 (hereinafter "the standards"), the auto industry, now joined by the oil industry, seized upon the election of President Trump as an opportunity to weaken the standards during a "mid-term review" scheduled to be completed no later than April 2018. While it is unclear to what extent the auto industry wanted the standards weakened as it has made conflicting statements on the issue, what is clear is that the oil industry, sensing an opportunity to reap hundreds of billions of dollars in future revenues, stepped in and orchestrated a lobbying campaign to freeze the standards and strip California of its ability under the Clean Air Act to set its own standards. Both industries relied upon loyalists in EPA and NHTSA, including former EPA Administrator Scott Pruitt, current Acting EPA Administrator Andrew Wheeler, and Deputy Secretary of Transportation Jeffrey Rosen. Now fully captured by the industries they regulate, EPA and NHTSA have effectively delegated their regulatory authority to those interests.

The proposed rule is a blatant example of regulators ignoring scientific and technical expertise to cater to the industries to whom they are professionally, financially, and politically tied. This comment documents the deep and broad ties the auto and oil industries have to those responsible for developing the proposed rule. As a result of those ties, EPA and NHTSA have proposed a rule that is arbitrary and capricious, serves the interests of the auto and oil industries rather than the public, and is an illegal delegation of their rulemaking authority.

II. Facts

A. Automakers and the Oil Industry Campaigned to Weaken Fuel Economy and Greenhouse Gas Emissions Standards for Future Model Years

ED_013012_00003932-00001

1. The Automobile Industry Pressured EPA and NHTSA to Weaken the Standards

In July 2011, the Obama administration, California, General Motors, Ford, Fiat Chrysler, and most major foreign automakers reached an agreement on new fuel economy and greenhouse gas emissions standards for model years 2017 through 2025.[1] These standards were projected to gradually raise average fuel economy to 54.5 miles per gallon and lower greenhouse gas emissions to 163 grams of carbon dioxide equivalent per mile by 2025, based on the projected mix of cars and light trucks that were expected to be sold.[2] The standards were estimated to save consumers more than $1.7 trillion and reduce greenhouse gas emissions by six billion metric tons.[3] The agreement provided for a midterm review to determine if the standards for model years 2022 through 2025 were technically feasible. This midterm review was required to be completed by April 1, 2018.[4]

In July 2016, EPA, NHTSA, and the California Air Resources Board (CARB) completed their draft technical assessment of the standards for model years 2022 through 2025. This deeply sourced, highly technical report concluded that multiple technologies existed that would allow automakers to meet the model year 2022 through 2025 standards in a cost-effective manner.[5] On November 10, 2016, the Auto Alliance, the trade association representing the major domestic and some foreign automakers, wrote to president-elect Trump and his transition team alleging deficiencies with the technical assessment and asking for a comprehensive regulatory review.[6]

In January 2017, former EPA Administrator Gina McCarthy completed the midterm review and issued a final determination on the standards for model years 2022 through 2025. This final determination found that it would be technologically practical and feasible for automakers to

---

[1] Juliet Eilperin, "Automakers, Obama administration agree on fuel efficiency standards through 2025," *The Washington Post* (July 27, 2011), https://www.washingtonpost.com/national/health-science/obama-administration-auto-industry-strike-deal-on-vehicle-fuel-efficiency/2011/07/27/gIQA72mKdI_story.html?utm_term=.555905e7a8a5

[2] 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, Federal Register Vol. 77, No. 199 (Oct. 15, 2012), pg. 62627, https://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-21972.pdf

[3] Obama Administration Finalizes Historic 54.5 MPG Fuel Efficiency Standards, The White House Office of the Press Secretary (Aug. 28, 2012), https://obamawhitehouse.archives.gov/the-press-office/2012/08/28/obama-administration-finalizes-historic-545-mpg-fuel-efficiency-standard

[4] 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, Federal Register Vol. 77, No. 199 (Oct. 15, 2012), pg. 62784, https://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-21972.pdf

[5] Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards for Model Years 2022 – 2025 (July 2016), https://nepis.epa.gov/Exe/ZyPDF.cgi/P100OXEO.PDF?Dockey=P100OXEO.PDF

[6] November 10, 2016 letter from the Auto Alliance to president-elect Trump and his transition team, https://www.autonews.com/assets/PDF/CA1078111110.PDF

ED_013012_00003932-00002

meet the standards for model years 2022 through 2025 at a reasonable cost and therefore determined that the standards were appropriate.[7]

On January 31, 2017, Elaine Chao became the Trump administration's Secretary of Transportation. On February 17, 2017, Scott Pruitt became the Trump Administration's EPA Administrator.

On February 21, 2017, four days after Pruitt took the helm at EPA, the Auto Alliance wrote to him asking that he withdraw EPA's January 2017 final determination that the standards were appropriate.[8] A copy of this letter was also sent to Chao.

On March 13, 2017, the Auto Alliance petitioned the Court of Appeals for the District of Columbia Circuit to vacate, enjoin, and set aside the January 2017 final determination.[9] Two days later, Pruitt and Chao announced that they would revisit the final determination.[10] On April 27, 2017, the president of the Auto Alliance wrote to Pruitt thanking him for his decision to revisit the January 2017 final determination.[11]

Over the next year, the auto industry embarked upon an extensive lobbying campaign to convince EPA and NHTSA to weaken the standards. The nonprofit group InfluenceMap analyzes data to determine the extent to which corporations and trade associations are lobbying on particular climate and energy-related issues. It studied the auto industry's efforts to weaken the standards and concluded that it pursued "an accelerated pattern of aggressive opposition to weaken climate-motivated policy since the election of President Donald Trump."[12]

That pattern started with direct lobbying of administration officials. A review of Pruitt's calendars obtained pursuant to a congressional oversight request reveals that during 2017, representatives of the auto industry met with Pruitt at least six times. These meetings included individual meetings with GM, Ford, Toyota, Volvo, and BMW, and a group meeting with the

---

[7] Final Determination on the Appropriateness of the Model Year 2022 – 2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation, U.S. Environmental Protection Agency (Jan. 2017), https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100OO91.pdf

[8] February 21, 2017 letter from the Auto Alliance to Scott Pruitt, https://autoalliance.org/wp-content/uploads/2017/02/Letter-to-EPA-Admin.-Pruitt-Feb.-21-2016-Signed.pdf

[9] Petition for Review, *Alliance of Automobile Manufacturers v. U.S. Environmental Protection Agency*, Case No. 17-1086 (D.C. Cir. 2017), https://influencemap.org/site/data/000/260/Auto-Alliance_Legal-Document_GHG-Emissions-EPA-2020-25_16-03-2017(1).pdf

[10] EPA to Reexamine Emissions Standards for Cars and Light Duty Trucks – Model Years 2022 – 2025, U.S. Environmental Protection Agency (March 15, 2017), https://www.epa.gov/newsreleases/epa-reexamine-emission-standards-cars-and-light-duty-trucks-model-years-2022-2025

[11] April 27, 2017 letter from Mitch Bainwol to Scott Pruitt, https://influencemap.org/site/data/000/303/AutoAliance_CEOMitchBainwol_LettertoEPAPruit_April2017_10.11.2017.pdf

[12] "How the US auto industry accelerated its climate lobbying under the Trump administration," pg. 1, InfluenceMap (Nov. 2017), https://influencemap.org/site/data/000/303/Auto_Lobbying_COP23_Nov_2017.pdf

ED_013012_00003932-00003

Auto Alliance and the CEOs GM, Ford, Fiat Chrysler, Toyota, Volkswagen, Daimler, BMW, Jaguar, Land Rover, Mazda, Mitsubishi, Porshe, and Volvo.

Pruitt wasn't the only EPA official with whom the auto industry repeatedly met. A review of calendars for Assistant Administrator for the Office of Air and Radiation William Wehrum obtained pursuant to a Freedom of Information Act (FOIA) request reveals that between December 2017 and June 2018, Mr. Wehrum met at least 11 times with representatives from the auto industry. He met three times with General Motors, once with Toyota, once with Honda, once with Daimler and Volvo, once with Volkswagen, once with the National Auto Dealers Association, and three times with the Auto Alliance. At several of these meetings, senior representatives from the Department of Transportation (DOT), NHTSA, the White House, the Office of Management and Budget (OMB), and/or the White House Council on Environmental Quality (CEQ) also apparently attended. In addition to these meetings, a majority of which appear to be specifically related to the standards, he also spoke at the Auto Alliance's annual dinner just a few weeks after assuming his duties at EPA and he attended both the Detroit and Washington DC auto shows.

The Auto Alliance was so eager to weaken the standards that it even took to questioning climate science despite the fact that most of its members publicly profess to consider climate change to be a serious threat. In January 2018, the Auto Alliance submitted a compilation of studies questioning climate science and the severity of climate change to NHTSA. This compilation cited studies questioning climate models, the links between climate change and droughts, floods, hurricanes, tornadoes, wildfires, and the severity of ocean acidification.[13]

The Auto Alliance's position on climate change contradicted the position of many of its member companies. Ford's public-facing position, for example, states "We believe that climate change is real and that we share the responsibility for reducing greenhouse gas (GHG) emissions to limit the global temperature rise to under 2°C. We also identified climate change, and the impacts that go with it, as one of our most important issues in a recent human rights assessment."[14] GM's CEO describes climate change as a "social imperative."[15] Fiat Chrysler has pledged "concrete steps to mitigate the effects of climate change."[16] Toyota states that greenhouse gas emissions

---

[13] Bibliography of Information Relevant to NHTSA's Reconsideration of the 2022-2025 Model Year GHG Standards, The Alliance of Automobile Manufacturers (Jan. 24, 2018), https://www.regulations.gov/document?D=NHTSA-2017-0069-0176

[14] Our Climate Commitment, Ford Motor Company, https://corporate.ford.com/microsites/sustainability-report-2017-18/driving-change/climate-commitment.html

[15] Mary Barra, "Our Vision for Moving Humanity Forward," General Motors (Sept. 14, 2017), https://www.generalmotors.green/product/public/us/en/GMGreen/resource_preservation.detail.html/content/Pages/news/us/en/gm_green/2017/0914-moving-forward.html

[16] Fiat Chrysler Automobiles recognized among global leaders in climate change, Fiat Chrysler Automobiles (Nov. 4, 2015), https://www.fcagroup.com/en-US/sustainability/fca_news/Pages/FCA_recognized_among_global_leaders_in_climate_change.aspx

ED_013012_00003932-00004

are "expected to cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems" and acknowledges the need for "urgent action."[17]

In April 2018, EPA and NHTSA announced a new final determination in which they concluded that the standards were not appropriate. This short, eleven-page, non-technical document relied almost entirely upon information provided by the Auto Alliance, and another auto industry trade association, the Global Automakers.[18] By way of comparison, the January 2017 final determination relied on the more than 1,200 page draft technical assessment report completed in July 2016. The Obama administration's report was informed by numerous studies conducted or funded by EPA, NHTSA, and CARB, as well as on studies conducted by the National Academies of Sciences, the Department of Energy, and the Canadian government. It also considered hundreds of academic studies on greenhouse gas emissions and/or fuel economy technologies, and dozens of presentations on these subjects made at more than 60 conferences attended by agency staff.[19]

Pruitt originally planned to announce the new final determination that the standards were not appropriate at a Chevrolet dealership, but other Chevrolet dealers apparently objected to being simultaneously associated with an administration, a cabinet secretary, and a policy that did not enjoy broad public support; the event was consequently cancelled.[20] Instead, Pruitt announced the rollback at a press conference to which only Fox News was invited.[21] He was flanked by the presidents of the Auto Alliance and the Global Automakers.[22]

It turned out the auto industry got more than it bargained for by lobbying the Trump administration to weaken the standards. Despite the auto industry's aggressive 18-month campaign to weaken the standards, it actually opposed EPA and NHTSA's proposed rule because it went too far both in terms of the technical details as well as in the efforts to preempt California, in conflict with the automakers' public-facing statements. When the proposed rule

---

[17] Toyota 2017 North American Environmental Report, Toyota, https://www.toyota.com/usa/environmentreport2017/carbon.html#introduction-to-carbon

[18] Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022 – 2025 Light-Duty Vehicles, Fed. Reg. Vol. 83, No. 72 (April 13, 2018), pgs. 16077 - 16087, https://www.gpo.gov/fdsys/pkg/FR-2018-04-13/pdf/2018-07364.pdf

[19] Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards for Model Years 2022 – 2025 (July 2016), pgs. 2-2 – 2-8, https://nepis.epa.gov/Exe/ZyPDF.cgi/P100OXEO.PDF?Dockey=P100OXEO.PDF

[20] Robinson Meyer, "How the Carmakers Trumped Themselves," *The Atlantic* (June 20, 2018), https://www.theatlantic.com/science/archive/2018/06/how-the-carmakers-trumped-themselves/562400/

[21] Benjamin Locke, "Scott Pruitt's move to only allow Fox News into press conference just backfired," *The Washington Press* (April 3, 2018), https://washingtonpress.com/2018/04/03/scott-pruitts-move-to-only-allow-fox-news-into-press-conference-just-backfired/

[22] Keith Laing, "Carmakers proceed cautiously after EPA mpg announcement," *The Detroit News* (April 3, 2018), https://www.detroitnews.com/story/business/autos/2018/04/03/epa-chief-says-mpg-rules-inappropriate/33511869/

ED_013012_00003932-00005

was released, the Auto Alliance issued a statement saying,[23] "Automakers support continued improvements in fuel economy [...] We urge California and the federal government to find a common sense solution that sets continued increases in vehicle efficiency standards while also meeting the needs of America's drivers."

2. The Oil Industry Pressured EPA and NHTSA to Weaken the Standards to the Maximum Extent Possible

Like the auto industry, the oil industry engaged in an aggressive, multi-faceted campaign to get the Trump administration to weaken the standards. For the oil industry, however, the projected savings to consumers of $1.7 trillion represented a colossal loss of future revenues, presenting a profit motive well beyond that of the auto industry. Big oil's strategy was more covert and nefarious than that of the automakers. In order to conceal its lobbying campaign to weaken the standards, and to attempt to provide a patina of public support for weakening the standards, oil and gas interests activated the network of front groups that it so richly funds.

On March 28, 2018, just days before EPA and NHTSA had to decide on the fate of the standards, 11 front groups wrote to Pruitt, urging him to revoke California's waiver under the Clean Air Act which would allow it (and the states that elect to follow California emissions standards[24]) to keep the standards in place even if EPA and NHTSA decided to weaken them.[25] The groups that signed this letter were the American Consumer Institute, Less Government, Taxpayers Protection Alliance, Consumer Action for a Strong Economy, American Commitment, FreedomWorks, Competitive Enterprise Institute, Americans for Tax Reform, 60 Plus Association, Frontiers of Freedom, and Center for Freedom and Prosperity. Tellingly, these front groups began their letter by decrying "California's stated goal [...] to remove all gasoline-powered vehicles from the roads and replace them with their electric counterparts."[26]

While none of these groups disclose their funding sources, all of them have ties to the Koch network[27] and/or other oil interests with a tremendous financial incentive to maintain gasoline-powered vehicles as the dominant form of transportation.

---

[23] Automakers Respond to EPA and DOT Propose (sic) Fuel Economy Standards for MY 2021 – 2026 Vehicles, The Alliance of Automobile Manufacturers (Aug. 2, 2018), https://autoalliance.org/2018/08/02/automakers-respond-epa-dot-propose-fuel-economy-standards-2021-2026-vehicles/

[24] Twelve states and the District of Columbia have elected under section 177 of the Clean Air Act to follow California emissions standards. They are: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

[25] *See*, Appendix I

[26] *Id.*

[27] The Koch network was founded by Charles and David Koch, heirs to an oil fortune and current co-owners of Koch Industries, which has large interests in the oil and gas industry.

ED_013012_00003932-00006

1. *American Commitment*: This group has received at least $11.3 million in funding from the Koch network and has run numerous election attack ads against candidates perceived to be hostile to the fossil fuel industry.[28]
2. *FreedomWorks*: This group has received at least $600,000 in funding from the Koch network and other fossil fuel interests.[29]
3. *Competitive Enterprise Institute*: This climate denial group has received at least $6.7 million from the Koch network, at least $4.6 million from the Sarah Scaife Foundation,[30] at least $1.6 million from ExxonMobil, and at least $25,000 from the American Petroleum Institute (API).[31] It has also received funding from Texaco and Amoco, as well as from GM, Ford, and the Auto Alliance.[32]
4. *Americans for Tax Reform*: This group has received at least $4.5 million from the Koch network and at least $500,000 from API.[33]
5. *60 Plus Association*: This group, a member of a climate denial network, has received at least $18.1 million from the Koch network and at least $25,000 from API.[34]
6. *Frontiers of Freedom*: This climate denial group has received at least $1.2 million from ExxonMobil and at least $300,000 from the Koch network.[35]
7. *Center for Freedom and Prosperity*: This climate denial group has received at least $50,000 in funding from the Koch network and has been active in defending ExxonMobil.[36]
8. *Taxpayers Protection Alliance*: This group is funded by the Koch network and has previously lobbied against renewable energy.[37]
9. *American Consumer Institute*: There is no information available on oil industry funding, but many of its "experts" work at other front groups which are themselves funded by oil

---

[28] American Commitment, SourceWatch, https://www.sourcewatch.org/index.php/American_Commitment#Funding
[29] FreedomWorks, SourceWatch, https://www.sourcewatch.org/index.php/FreedomWorks#Funding
[30] This foundation is funded with money from the Mellon oil fortune, among other sources. *See*, Scaife Family Foundations, *DeSmogBlog*, https://www.desmogblog.com/scaife-family-foundations
[31] Competitive Enterprise Institute, *DeSmogBlog*, https://www.desmogblog.com/competitive-enterprise-institute
[32] Competitive Enterprise Institute, SourceWatch, https://www.sourcewatch.org/index.php/Competitive_Enterprise_Institute#Funding
[33] Americans for Tax Reform, SourceWatch, https://www.sourcewatch.org/index.php/Americans_for_Tax_Reform#Funding
[34] 60 Plus Association, SourceWatch, https://www.sourcewatch.org/index.php/60_Plus_Association#Funding_Sources
[35] Frontiers of Freedom, *DeSmogBlog*, https://www.desmogblog.com/frontiers-freedom
[36] Center for Freedom and Prosperity, Greenpeace, https://www.greenpeace.org/usa/global-warming/climate-deniers/front-groups/center-for-freedom-prosperity-foundation/
[37] *Id.*

ED_013012_00003932-00007

and gas interests.[38] This group has also been exposed as having been funded by the telecom industry to mount an astroturf campaign against net neutrality regulations.[39]

10. *Less Government*: There is no information available on oil industry funding, but its founder works at another front group which is itself funded by oil and gas interests. This group has also been involved in anti-renewable energy campaigns organized by the Koch network.[40]
11. *Consumer Action for a Strong Economy*: There is no information available on oil industry funding, but this group has been involved in numerous lobbying campaigns organized by the Koch network.[41]

Together, these 11 groups have received a *minimum* of more than $49 million from fossil fuel interests.

In April 2018, 12 front groups sent a letter to Pruitt and Chao thanking them for their decision to withdraw the standards, and urging them to go as far as possible in weakening the standards.[42] Notably, the front groups argued that increased domestic oil production has rendered the standards moot, as they claimed that the standards were predicated on an assumption of oil scarcity.[43] Four groups that signed the March 28, 2018 letter also signed this one: American Commitment, FreedomWorks, Competitive Enterprise Institute, and Americans for Tax Reform. They were joined by American Energy Alliance, Heritage Action, Americans for Limited Government, Americans for Prosperity, Rhode Island Center for Freedom and Prosperity, James Madison Institute, Rio Grande Foundation, and Caesar Rodney Institute.

As with the March 28, 2018 letter, all of these groups are tied to oil interests.

1. *American Commitment*: This group has received at least $11.3 million in funding from the Koch network and has run numerous election attack ads against candidates perceived to be hostile to the fossil fuel industry.[44]
2. *FreedomWorks*: This group has received at least $600,000 in funding from the Koch network and other fossil fuel interests.[45]

---

[38] American Consumer Institute, SourceWatch, https://www.sourcewatch.org/index.php/American_Consumer_Institute

[39] Lee Fang, "Cable Companies are Astroturfing Fake Consumer Support to End Net Neutrality," *Vice News* (June 5, 2014), https://www.vice.com/en_us/article/8gdhw5/cables-companies-are-astroturfing-fake-consumer-support-to-end-net-neutrality

[40] Ben Jervey, "Koch vs. California: These Groups are Pushing Pruitt to Undo the State's Right to Regulate Auto Emissions," *DeSmogBlog* (April 10, 2018), https://www.desmogblog.com/2018/04/10/koch-nichols-scott-pruitt-strip-california-waiver-regulate-auto-emissions

[41] *Id.*

[42] *See*, Appendix II.

[43] *Id.*

[44] American Commitment, SourceWatch, https://www.sourcewatch.org/index.php/American_Commitment#Funding

[45] FreedomWorks, SourceWatch, https://www.sourcewatch.org/index.php/FreedomWorks#Funding

ED_013012_00003932-00008

3. *Competitive Enterprise Institute*: This climate denial group has received at least $6.7 million from the Koch network, at least $4.6 million from the Sarah Scaife Foundation, at least $1.6 million from ExxonMobil, and at least $25,000 from the American Petroleum Institute (API).[46] It has also received funding from Texaco and Amoco, as well as from GM, Ford, and the Auto Alliance.[47]
4. *Americans for Tax Reform*: This group has received at least $4.5 million from the Koch network and at least $500,000 from API.[48]
5. *American Energy Alliance*: This climate denial group has received at least $5.6 million from the Koch network.[49] It's parent organization, the Institute for Energy Research, has received at least $160,000 from ExxonMobil.[50]
6. *Heritage Action*: This climate denial group is the political advocacy arm of the Heritage Foundation. The Heritage Foundation has received at least $25 million from the Sarah Scaife Foundation,[51] at least $6.4 million from the Koch network,[52] and at least $780,000 from ExxonMobil.[53] Chevron has also funded the Heritage Foundation.[54]
7. *Americans for Limited Government*: This group received at least $4.1 million from the Koch network. In certain years, just three individuals accounted for 99 percent of its funding.[55]
8. *Americans for Prosperity*: This group was founded by the Koch brothers and has at a minimum received $118 million from the Koch network in addition to at least $380,000 from ExxonMobil and $139,000 from API.[56]
9. *Rhode Island Center for Freedom and Prosperity*: This group is part of the Koch-backed State Policy Network. It has received at least $400,000 from the Koch network.[57]
10. *James Madison Institute*: This group is also part of the Koch-backed State Policy Network. It has received at least $2.3 million from the Koch network.[58] It also received at least $60,000 from API and $5,000 from ExxonMobil.[59]

---

[46] Competitive Enterprise Institute, *DeSmogBlog*, https://www.desmogblog.com/competitive-enterprise-institute
[47] Competitive Enterprise Institute, SourceWatch, https://www.sourcewatch.org/index.php/Competitive_Enterprise_Institute#Funding
[48] Americans for Tax Reform, SourceWatch, https://www.sourcewatch.org/index.php/Americans_for_Tax_Reform#Funding
[49] American Energy Alliance, *DeSmogBlog*, https://www.desmogblog.com/american-energy-alliance-aea
[50] American Energy Alliance, SourceWatch, https://www.sourcewatch.org/index.php/American_Energy_Alliance
[51] Heritage Foundation, *DeSmogBlog*, https://www.desmogblog.com/heritage-foundation
[52] *Id.*
[53] Factsheet: Heritage Foundation, ExxonSecrets, https://exxonsecrets.org/html/orgfactsheet.php?id=42
[54] Heritage Foundation, SourceWatch, https://www.sourcewatch.org/index.php/Heritage_Foundation#Funding
[55] Americans for Limited Government, SourceWatch, https://www.sourcewatch.org/index.php/Americans_for_Limited_Government
[56] Americans for Prosperity, *DeSmogBlog*, https://www.desmogblog.com/americans-for-prosperity
[57] Rhode Island Center for Freedom and Prosperity, SourceWatch, https://www.sourcewatch.org/index.php/Rhode_Island_Center_for_Freedom_and_Prosperity#Funding
[58] James Madison Institute, SourceWatch, https://www.sourcewatch.org/index.php/James_Madison_Institute#Funding
[59] James Madison Institute, *DeSmogBlog*, https://www.desmogblog.com/james-madison-institute

ED_013012_00003932-00009

11. *Rio Grande Foundation*: This group is also part of the Koch-backed State Policy Network. It has received at least $600,000 from the Koch network.[60]
12. *Caesar Rodney Institute*: This group is also part of the Koch-backed State Policy Network. It has received at least $2.3 million from the Koch network

Together, these 12 groups have received a *minimum* of more than $196 million from fossil fuel interests.

On May 10, 2018, senior officials at the Institute for Energy Research and the Competitive Enterprise Institute, who had both been members of President Trump's transition team, as well as a third member of the transition team wrote to the President urging him to roll back the standards.[61]

Once again, all signatories of this letter have close ties to the oil industry.

1. *Institute for Energy Research*: This group has received at least $1 million from the Koch network, at least $337,000 from ExxonMobil, and at least $160,000 from API.[62]
2. *Competitive Enterprise Institute*: This climate denial group has received at least $6.7 million from the Koch network, at least $4.6 million from the Sarah Scaife Foundation, at least $1.6 million from ExxonMobil, and at least $25,000 from the American Petroleum Institute (API).[63] It has also received funding from Texaco and Amoco, as well as from GM, Ford, and the Auto Alliance.[64]
3. Shirley Ybarra: She has been employed by the Koch-backed Reason Foundation.[65]

Together, these two groups have received a *minimum* of $7.7 million from fossil fuel interests.

While our offices obtained these three letters, we do not know how many other similar letters opposing the standards were sent by industry groups and front groups. Of the three letters, only the April letter to Pruitt and Chao appears to have been docketed.[66]

The front groups did not just limit their campaign against the standards to sending coalition letters to senior officials in the Trump administration. Americans for Prosperity, the

---

[60] Rio Grande Foundation, SourceWatch, https://www.sourcewatch.org/index.php/Rio_Grande_Foundation
[61] *See*, Appendix III
[62] Institute for Energy Research, *DeSmogBlog*, https://www.desmogblog.com/institute-energy-research
[63] Competitive Enterprise Institute, *DeSmogBlog*, https://www.desmogblog.com/competitive-enterprise-institute
[64] Competitive Enterprise Institute, SourceWatch, https://www.sourcewatch.org/index.php/Competitive_Enterprise_Institute#Funding
[65] Ben Jervey, "Trump Administration Officially Proposes Rolling Back Clean Car Standards," *DeSmogBlog* (Aug. 2, 2018), https://www.desmogblog.com/2018/08/02/trump-administration-officially-proposes-rolling-back-clean-car-standards
[66] Comment submitted by Thomas Pyle, American Energy Alliance, et al., Docket No. EPA-HQ-OAR-2015-0827-11413, https://www.regulations.gov/document?D=EPA-HQ-OAR-2015-0827-11413

ED_013012_00003932-00010

aforementioned Koch-backed group that has also been funded by ExxonMobil and API, launched a national campaign urging consumers to oppose the standards.[67] In a sign of just how little public support the oil industry's astroturf campaign to roll back the standards actually enjoys, as of October 14, 2018, only 187 people had signed an Americans for Prosperity petition urging a repeal of the standards.[68]

FreedomWorks, another Koch and fossil fuel interest-backed front group, also began an online campaign urging individuals to oppose the standards.[69] The FreedomWorks campaign supplied people with factually incorrect arguments about the standards and then asked them to submit comments on the proposed rule to EPA via an online form.

In September 2018, the American Legislative Exchange Council (ALEC), which has received millions in funding from the Koch network, ExxonMobil, and other oil interests,[70] passed a resolution in favor of weakening the standards and eliminating California's ability to set its own standards.[71] Marathon Petroleum[72] and API,[73] among other oil industry interests, are part of ALEC's Energy, Environment, and Agriculture task force, which passed this resolution.

The State Policy Network, which has received over $20 million in funding from the Koch network,[74] organized an event attacking California's environmental regulations at its annual meeting in October 2018, which was itself sponsored in part by American Fuel and Petrochemical Manufacturers, an oil industry trade association.[75]

While the oil industry-funded front groups were lobbying federal officials and campaigning to repeal the standards, oil companies themselves were quietly lobbying to weaken the standards. Lobbying disclosure reports from 2017 and 2018 reveal that Marathon Petroleum,[76] the largest

---

[67] Repeal Costly Obama-era Fuel Standards, Americans for Prosperity, https://americansforprosperity.ivolunteers.com/Sign/Repeal-Costly-Obama-era-Fuel-Standards?linkId=57498747&linkId=57742372

[68] *Id.*

[69] Help END California's Radical Environmentalist Power Grab, FreedomWorks, https://fwact.org/VutXStb

[70] American Legislative Exchange Council, *DeSmogBlog*, https://www.desmogblog.com/american-legislative-exchange-council

[71] Resolution in Support of the Reconsideration of Corporate Average Fuel Economy (CAFE) Standards, American Legislative Exchange Council (Sept. 18, 2018), https://www.alec.org/model-policy/resolution-in-support-of-the-reconsideration-of-corporate-average-fuel-economy-cafe-standards/

[72] ALEC Corporations, SourceWatch, https://www.sourcewatch.org/index.php/ALEC_Corporations

[73] ALEC Energy, Environment, and Agriculture Task Force, SourceWatch, https://www.sourcewatch.org/index.php/ALEC_Energy,_Environment_and_Agriculture_Task_Force

[74] State Policy Network, *DeSmogBlog*, https://www.desmogblog.com/state-policy-network

[75] 26th State Policy Network Annual Meeting Agenda: Roundtable: California – Policy Bellwether or Bully?, State Policy Network, https://spn.org/meeting/26th-spn-annual-meeting/#agenda

[76] *See, e.g.*, Second quarter 2018 lobbying report for Marathon Petroleum, available at https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B2B8C5EA-87D4-4A0A-A908-1614B503BC04&filingTypeID=60

ED_013012_00003932-00011

U.S. refiner, Valero,[77] the second largest refiner, and Andeavor,[78] the fifth largest refiner, all lobbied on the standards. Koch Companies[79] and American Fuel and Petrochemical Manufacturers also lobbied on the standards.[80]

A review of Pruitt's calendars obtained pursuant to a congressional oversight request reveals that during 2017, he met with representatives from Exxon Mobil, Marathon Petroleum, American Fuel and Petrochemical Manufacturers, Royal Dutch Shell, BP, Chevron, Occidental Petroleum, API, the National Stripper Well Association (a trade group representing small oil and gas companies), the Oklahoma Independent Petroleum, the Independent Petroleum Association of America (a trade group representing smaller oil and gas companies), the Domestic Energy Producers Alliance (a trade group representing oil & gas companies), and the Canadian Association of Petroleum Producers (a trade group representing the Canadian oil and gas industry).

Pruitt wasn't the only executive branch official with whom the oil industry repeatedly met. A review of calendars for Assistant Administrator for the Office of Air and Radiation William Wehrum obtained pursuant to a FOIA request reveals that between December 2017 and June 2018, Mr. Wehrum met with representatives from Andeavor, Occidental Petroleum, Royal Dutch Shell, BP, and Chevron. In June 2018, American Fuel and Petrochemical Manufacturers as well as its members companies urged White House officials to proceed with the planned rollback of the standards.[81] Mike McKenna, a well-connected Republican energy advisor, told reporters that the oil industry wasn't shy about telling the Trump administration it supported weakening the standards and withdrawing California's authority under the Clean Air Act to determine its own standards. "I'm not aware of anybody in the oil and gas world who doesn't think this is the right course of action, and hasn't either volunteered that when asked or told administration officials that," McKenna is quoted as saying.[82]

---

[77] *See, e.g.*, Second quarter 2018 lobbying report for Valero, available at https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=6665CB5D-FB61-4E40-AF44-FEAF27B10193&filingTypeID=60

[78] *See, e.g.*, Third quarter lobbying 2018 report for Andeavor, available at https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=1F5A8A9B-DB7F-4836-BB8D-59F1866BCF69&filingTypeID=69

[79] *See, e.g.*, Second quarter 2018 lobbying report for Koch Companies, available at https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=83943DD2-DAF0-42AC-AB0C-440CED7C040F&filingTypeID=60

[80] *See, e.g.*, Second quarter 2018 lobbying report for American Fuel and Petrochemical Manufacturers, available at https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=764C96EA-C9CA-4ED8-BFBB-C62E24B6A6BE&filingTypeID=60

[81] Ari Natter and Jennifer Dlouhy, "Big Oil's roll in Trump's move to ease fuel-economy standards," *Automotive News* (Aug. 3, 2018), http://www.autonews.com/article/20180803/OEM11/180809888/trump-oil-cafe-standards-reductions

[82] *Id.*

ED_013012_00003932-00012

In addition to directly lobbying relevant Trump administration officials to weaken the standards, the oil industry also apparently sought to mobilize friendly members of Congress to join its campaign. Our offices obtained an unsigned draft letter addressed to NHTSA Deputy Administrator Heidi King, which, like the April letter from the front groups, argues that the standards are predicated on resource scarcity and the current era of domestic oil abundance has rendered them moot.[83]

Although the letter is undated, the Microsoft Word version of the letter that we obtained is named "20180423 NHTSA NPRM for CAFE Letter DRAFT v2," suggesting that it was originally drafted on April 23, 2018. An examination of the letter's metadata reveals that it was apparently drafted by Michael J. Birsic, an in-house lobbyist for Marathon Petroleum Company, and was last modified on June 11, 2018.[84] Birsic is listed by Marathon Petroleum as having lobbied on the standards.[85]

Marathon's letter found a receptive audience in some parts of Congress. Our offices also obtained several letters from members of Congress to King that are strikingly similar to the Marathon draft letter. We analyzed these letters with the aid of software designed to detect instances of plagiarism.[86] This software has been used by academics studying amicus briefs may influence judicial decisions.[87]

The results of this analysis showed that large parts of each letter had been lifted from the Marathon draft letter. On June 7, 2018, eight members of Indiana's congressional delegation sent a letter[88] to King that mirrored 37 percent of Marathon's language. On July 10, 2018, three members of the West Virginia congressional delegation wrote a letter[89] to King tracking 40 percent of Marathon's language. And on July 18, 2018, eight members of Pennsylvania's congressional delegation wrote a letter[90] to King adopting 80 percent of Marathon's letter. In addition to the numerous verbatim similarities in the letters, the Pennsylvania and Indiana delegations cited to the same industry-funded study suggested by Marathon.[91]

---

[83] *See*, Appendix IV
[84] *See*, Appendix V
[85] *See, e.g.*, Second quarter 2018 lobbying report for Marathon Petroleum, available at https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B2B8C5EA-87D4-4A0A-A908-1614B503BC04&filingTypeID=60
[86] To determine the similarly of the Marathon and congressional delegation letters, we compared them using WCopyfind.4.1.5 plagiarism detection software, set to ignore minor variations in the text. A redlined comparison of the letters letters is attached as Appendix VI.
[87] *See, e.g.*, Corley, Pamela C. 2008. "The Supreme Court and Opinion Content: The Influence of Parties' Briefs." *Political Research Quarterly* 61: 468-478.
[88] *See*, Appendix VII
[89] *See*, Appendix VIII
[90] *See*, Appendix IX
[91] On July 23, 2018, 27 members of the Texas congressional delegation sent a letter to King that repeats the Marathon draft letter's arguments that the standards are obsolete in an era of domestic oil abundance. *See*, Appendix X

ED_013012_00003932-00013

B. EPA and NHTSA are Captured by the Industries Pushing to Weaken the Standards

1. Former Administrator Pruitt Has Long and Deep Political and Financial Ties to the Oil Industry

Scott Pruitt may have resigned in disgrace, but the decision to find the model year 2022 – 2025 standards not appropriate was made and announced by him prior to his departure, and the proposed rule to freeze the standards was developed on his watch as Administrator. His conflicts of interest therefore remain highly relevant to the defects of this proposed rule. Pruitt's EPA kept an open door for the oil industry, as his political career was in large part underwritten by this very same industry.

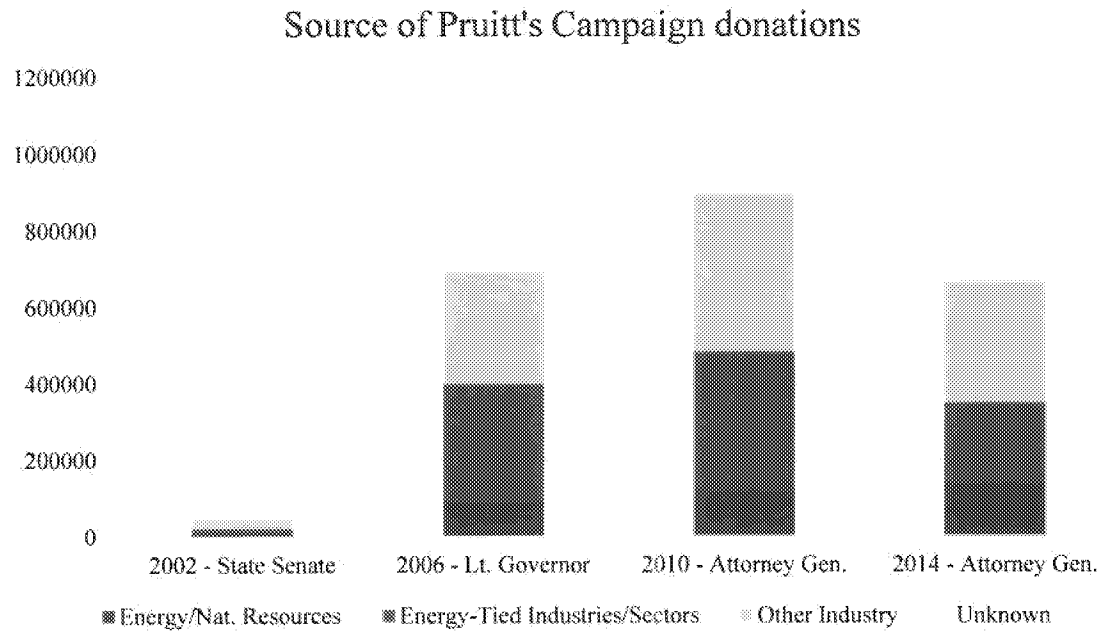
In his four campaigns for elected office in 2002, 2006, 2010, and 2014, Pruitt collected more than $350,000 from corporations and individuals in the energy and natural resources sector, 13 percent of the total campaign contributions he received and 15 percent of campaign contributions that can be tied to a particular industrial or other sector.[92] In comparison, campaign contributions made by the energy and natural resources industry averaged just three percent of total contributions made to state attorney general candidates across the country since 2000.[93]

In addition to contributions directly from the energy industry, Pruitt also received considerable financial support from industries linked to the energy industry: "legal services and lobbying" firms that advocate for the energy industry and "general business" and "construction" entities that service the energy sector. Pruitt's campaigns also received donations from political action committees (PACs) and issue advocacy groups that were at least partially funded by the energy industry.[94]

---

[92] Follow the Money, https://www.followthemoney.org/entity-details?eid=6583668 Note that the total Pruitt's campaign received is actually $2,813,197 because a total of $229,984 listed as donated to his 2014 re-election campaign of OK AG was carried forward from previous campaigns.
[93] Calder Burgam, "Energy Interests Power Pruitt," Follow the Money (Jan. 17, 2017), https://www.followthemoney.org/research/blog/energy-interests-power-pruitt/
[94] Follow the Money, https://www.followthemoney.org/entity-details?eid=6583668

ED_013012_00003932-00014



In total, the energy sector and associated industries and groups gave more than $1,250,000 to Pruitt's campaigns, 44 percent of the total contributions received and 55 percent of donations that were tied to a particular industrial or sector.

Tellingly, these energy sector contributions to Pruitt's 2014 re-election campaign increased 13 percent over 2010 contributions, despite the fact that in 2014, Pruitt ran unopposed in both the primary and general elections. Contributions from almost every other sector fell in 2014, as might normally be expected when a candidate is running unopposed.

Oil industry support for Pruitt went beyond direct contributions to his campaigns.[95] In Pruitt's 2010 campaign for attorney general, the outside group Republican State Leadership Committee (RSLC) spent $150,000 on his behalf.[96] The U.S. Chamber of Commerce, a major, longtime lobbyist for the energy industry,[97] was RSLC's largest donor, contributing almost $4 million to the group. Devon Energy, also a top donor, contributed $350,000 in 2010.[98]

---

[95] Prior to 2015, Oklahoma limited contributions to candidates for state office to $5,000. *See*, State Limits on Contributions to Candidates, National Conference of State Legislatures, http://www.ncsl.org/Portals/1/documents/legismgt/Limits_to_Candidates_2012-2014.pdf. This limit drove larger contributions to outside spending groups organized under section 527 and 501(c)(4) of the Internal Revenue Code.
[96] Paul Monies, "Outside groups make ad push in final days of campaigns," *The Oklahoman* (Oct. 31, 2010), http://newsok.com/article/3509737
[97] Alyssa Katz, "The Influence Machine: The U.S. Chamber of Commerce and the Corporate Capture of American Life," pgs. 111 – 127, Spiegel & Grau (2015)
[98] Republican State Leadership Cmte Contributors, Center for Responsive Politics, https://www.opensecrets.org/527s/527cmtedetail_contribs.php?ein=050532524&cycle=2010

ED_013012_00003932-00015

Pruitt wasn't only on the receiving end of spending by outside groups. He and his supporters created PACs to expand his influence and provide other avenues for him to direct energy industry money to like-minded politicians. Run by Pruitt, the Oklahoma Strong Leadership PAC raised roughly $400,000 during 2016 election cycle, almost 20 percent of which came from energy interests.[99] Liberty 2.0, a super PAC created by Pruitt's supporters,[100] raised approximately $450,000 during the 2016 election cycle, over a third of which came from energy interests.[101] Of its nine largest donors, four are in the energy industry.[102]

During this period, Pruitt also served as chairman and sat on the executive committee of the Republican Attorney Generals Association (RAGA). Under Pruitt's leadership, RAGA raised an enormous amount of money for its section 527 political action committee from the U.S. Chamber of Commerce and the energy industry. During the 2014 and 2016 election cycles, the Chamber was by far its largest donor, giving the organization more than $4 million.

During this period, the largest donors to RAGA's super PAC included Koch Industries (almost $500,000), the American Fuel and Petrochemical Manufacturers (almost $200,000), and Devon Energy ($125,000).[103]

Pruitt maintained his deep ties to the oil industry when he left Oklahoma to run the EPA. During his nomination process, the America Rising super PAC, which has received large donations from fossil fuel interests,[104] funded a campaign in support of his confirmation.[105] This campaign included ads targeting Democratic senators and a ConfirmPruitt.com website.[106]

2. Former Administrator Pruitt Has a Long History of Helping the Oil Industry.

---

[99] Oklahoma Strong Leadership PAC, Center for Responsive Politics, https://www.opensecrets.org/pacs/lookup2.php?strID=C00572198&cycle=2016

[100] Alex Guillén, "Energy executives, secret nonprofit raise money to back Pruitt, *Politico* (Jan. 6, 2017) https://www.politico.com/story/2017/01/scott-pruitt-epa-nonprofit-backers-233306

[101] Liberty 2.0, Center for Responsive Politics, https://www.opensecrets.org/pacs/lookup2.php?cycle=2016&strID=C00572917

[102] Liberty 2.0 Contributors, Center for Responsive Politics, https://www.opensecrets.org/pacs/pacgave2.php?cycle=2016&cmte=C00572917

[103] Republican Attorneys General Assn Contributors, Center for Responsive Politics, https://www.opensecrets.org/527s/527cmtedetail_contribs.php?cycle=2014&ein=464501717

[104] America Rising PAC Contributors, Center for Responsive Politics, https://www.opensecrets.org/pacs/pacgave2.php?cmte=C00542902&cycle=2014

[105] Eliana Johnson, "Conservatives target red-state Democrats to speed Trump's nominations," *Politico* (Dec. 21, 2016), https://www.politico.com/story/2016/12/trump-nominations-red-state-democrats-232890

[106] An archived version of this website is available at http://web.archive.org/web/20170217193132/http://confirmpruitt.com/

ED_013012_00003932-00016

Bankrolled by the energy industry, Pruitt repeatedly used his official position as Oklahoma Attorney General to execute the agenda of his political patrons in the oil industry. The proposed rule freezing the standards is just the latest iteration of this pattern.

Pulitzer Prize-winning reporting by the *New York Times* uncovered that as Oklahoma Attorney General, Pruitt used official letterhead to press the case of Devon Energy, one of his biggest donors, before EPA. Devon claimed EPA was overestimating the amount of air pollution caused by natural gas drilling. The company's lawyers drafted a letter on this subject, sent it to Pruitt's office, which then cut and pasted it onto official state government stationary with only a few word changes, and sent it to Washington over Pruitt's signature.[107]

Documents uncovered from public records requests to the Oklahoma Attorney General's Office also showed how Pruitt worked on behalf of American Fuel and Petrochemical Manufacturers, a major donor to RAGA during the time Pruitt held a leadership role in the group.[108] That group gave Pruitt template language for a petition and urged him to sue the federal government over the EPA Renewable Fuel Standard (RFS). The trade association noted that "this argument is more credible coming from a state."[109] Pruitt followed the group's suggestion and sued.[110] American Fuel and Petrochemical Manufacturers is of course one of the main players in the oil industry's campaign to weaken the standards.

Indeed, as Attorney General of Oklahoma, Scott Pruitt made a habit of suing EPA in order to challenge rules that industry, especially the energy industry, wanted to see weakened or removed. Pruitt sued the EPA 14 times.[111] The target of four of these lawsuits was the Obama administration's Clean Power Plan (CPP). Pruitt was one of the key strategists involved in planning the attack on this EPA rule.[112] Pruitt also sued EPA to overturn air pollution rules that the energy industry didn't like, including regulations limiting mercury, air toxics, and regional

---

[107] Eric Lipton, "Energy Firms in Secretive Alliance with Attorneys General," *The New York Times* (Dec. 6, 2014), https://www.nytimes.com/2014/12/07/us/politics/energy-firms-in-secretive-alliance-with-attorneys-general.html

[108] The American Fuel and Petrochemical Manufacturers contributed almost $250,000 to RAGA while Pruitt served on its executive committee from 2014 to 2016. Data from 2012 and 2013, when Pruitt was RAGA's chairman is unavailable. *See*, Republican Attorneys General Association, Center for Responsive Politics, https://www.opensecrets.org/527s/527cmtedetail_donors.php?url=527cmtedetail_donors.php%3Fcycle%3D2014%26ein%3D464501717&cname=american+fuel+and+petrochemical+manufacturers&ein=464501717&cycle=2014

[109] Oklahoma AG Releases 7,564 Pages in Response to CMD Request, Center for Media and Democracy (Feb. 22, 2017), https://www.exposedbycmd.org/Scott-Pruitt-Missing-Emails

[110] *Id.*

[111] "Pruitt v. EPA: 14 Challenges of EPA Rules by the Oklahoma Attorney General," *The New York Times* (Jan. 14, 2017), https://www.nytimes.com/interactive/2017/01/14/us/politics/document-Pruitt-v-EPA-a-Compilation-of-Oklahoma-14.html

[112] Coral Davenport and Julie Hirschfeld Davis, "Move to Fight Obama's Climate Plan Started Early," *The New York Times* (Aug. 3, 2015), https://www.nytimes.com/2015/08/04/us/obama-unveils-plan-to-sharply-limit-greenhouse-gas-emissions.html?_r=0

ED_013012_00003932-00017

haze.[113] Numerous energy interests that contributed to Pruitt's campaign and/or outside spending groups associated with him also sued to block these rules.

Pruitt's symbiotic relationship with the fossil fuel industry and its allies did not end once he became EPA Administrator. In just his first several weeks on the job, Pruitt met with more than 40 energy interests. During this same period, Pruitt met with almost no environmental groups.[114] The relationships Pruitt established through his political activities as Oklahoma Attorney General continued to pay off for his donors once he became EPA Administrator. Within weeks of Pruitt's assuming control of EPA, the agency withdrew its request that oil and gas companies provide it with detailed information regarding methane emissions at facilities they operate.[115] A few weeks after that, EPA announced that it was postponing the implementation of a rule that would have required oil and gas companies to retrofit equipment in order to prevent leaks of methane and other dangerous gases.[116] It is estimated that these decisions saved oil and gas companies millions of dollars. Many of these companies donated directly and indirectly to Pruitt.[117] Their funding of him was well rewarded.

EPA's efforts to advance the interests of the fossil fuel industry weren't just limited to policy decisions. Despite the fact that the agency's mission is to "protect human health and the environment,"[118] Pruitt travelled to Morocco to promote the U.S. liquefied natural gas industry

---

[113] Scott Pruitt's web of fundraising and lawsuits, Environmental Defense Fund, http://www.edfaction.org/scott-pruitts-web-fundraising-and-lawsuits (viewed on July 2, 2018)

[114] "Who is E.P.A. Administrator Scott Pruitt Meeting With? A Detailed Schedule," *The New York Times* (Oct. 3, 2017), https://www.nytimes.com/interactive/2017/10/03/us/politics/document-Pruitt-Sked-and-McCarthy-Sked.html. These included: the National Association of Manufacturers, Duke Energy, the Edison Electric Institute (a trade group representing utilities), the National Rural Electric Cooperative Association, BP, Chevron, the American Petroleum Institute (a trade group representing oil & gas companies), the National Stripper Well Association (a trade group representing small oil and gas companies), the Oklahoma Independent Petroleum Association, the Domestic Energy Producers Alliance (a trade group representing oil & gas companies), the American Gas Association, FirstEnergy, Consol Energy, Associated Electric Cooperative, the National Association of Royalties Owners, the National Mining Association, Big Rivers Electric Corporation, Kansas Electric Power Cooperative, South Texas Electric Cooperative, Central Missouri Electric Cooperative, Hoosier Energy Rural Electric Cooperative, Seminole Electric Cooperative, Deseret Power Electric Cooperative, Arizona G&T Cooperatives, Central Electric Power Cooperative, Georgia Transmission Corporation, Sho-Me Power Electric Cooperative, N.W. Electric Power Cooperative, Kentucky Association of Electric Cooperatives, North Dakota Association of Rural Electric Cooperatives, Minnkota Power Cooperative, North Central Electric Cooperative, Central Power Electric Cooperative, Basin Electric Cooperative, the Southern Company, Alliance Resource Partners, ExxonMobil, American Fuel & Petrochemical Manufacturers, the Portland Cement Association, Royal Dutch Shell, and Contura Energy.

[115] Hiroko Tabuchi and Eric Lipton, "How Rollbacks at Scott Pruitt's E.P.A. are a Boon to Oil and Gas, *The New York Times* (May 20, 2017), https://www.nytimes.com/2017/05/20/business/energy-environment/devon-energy.html?_r=0

[116] *Id.*

[117] *Id.*

[118] Our Mission and What We Do, U.S. Environmental Protection Agency, https://www.epa.gov/aboutepa/our-mission-and-what-we-do (viewed on July 10, 2018)

ED_013012_00003932-00018

(LNG).[119] One of Pruitt's largest financial patrons, Oklahoma-based natural gas producer Devon Energy, stood to benefit from increased LNG exports.[120] It was later learned that this trip, as well as other international trips Pruitt took or planned to take, were largely organized by lobbyists or others with business interests in the host countries.[121]

3. EPA and Its Advisory Boards Have Been Stocked with Officials Tied to the Energy Industry.

EPA under President Trump has established a pattern of acting in the interests of the energy industry, and has been stocked with staff with close ties to the oil industry. While former Administrator Pruitt is perhaps the best known of EPA's fossil fuel-connected appointees, he is far from the only one.

Bill Wehrum, the Assistant Administrator for Air and Radiation under whose authority the proposed rule freezing the standards was developed, is a longtime lawyer for the fossil fuel industry; he has repeatedly sued EPA to block clean air rules, and has represented API, the American Fuel and Petrochemical Manufacturers, Chevron, ExxonMobil, Koch Companies, Koch Industries, and Phillips 66.[122]

EPA Acting Administrator Andrew Wheeler was a longtime lobbyist for energy interests.[123] EPA Office of Enforcement and Compliance Assurance (OECA) Deputy Assistant Administrator Patrick Traylor is also a former lobbyist and lawyer for energy interests such as Dominion Energy, Koch Industries, and TransCanada.[124]

---

[119] Juliet Eilperin, "Scott Pruitt and a crew of EPA aides just spent four days in Morocco promoting natural gas," *The Washington Post* (Dec. 13, 2017), https://www.washingtonpost.com/news/energy-environment/wp/2017/12/13/scott-pruitt-and-a-crew-of-epa-aides-just-spent-four-days-in-morocco-promoting-natural-gas/?utm_term=.e1f7fa78c8fa

[120] "More vigorous LNG market would benefit Oklahoma," *The Oklahoman* (Dec. 14, 2016), https://newsok.com/article/5530744/more-vigorous-lng-market-would-benefit-oklahoma

[121] Juliet Eilperin and Brady Dennis, "Influential outsiders have played a key role in Scott Pruitt's foreign travel," *The Washington Post* (May 3, 2018), https://www.washingtonpost.com/national/health-science/influential-outsiders-have-played-a-key-role-in-scott-pruitts-foreign-travel/2018/05/03/db28fc6a-4ede-11e8-af46-b1d6dc0d9bfe_story.html?utm_term=.17d93a158c06

[122] *See*, Appendix XI

[123] Steven Mufson, "Scott Pruitt's likely successor has a long lobbying history on issues before the EPA," *The Washington Post* (July 5, 2018), https://www.washingtonpost.com/business/economy/epas-acting-administrator-has-long-lobbying-record-on-issues-before-the-agency/2018/07/05/a591cd40-6a6b-11e8-bea7-c8eb28bc52b1_story.html?utm_term=.02987956d928

[124] Kevin Bogardus, Corbin Hiar, and Arianna Skibell, "Enforcement pick shugs off conflict-of-interest concerns," *E&E News* (July 13, 2017), https://www.eenews.net/stories/1060057347

ED_013012_00003932-00019

In fact, Pruitt reached out to the fossil fuel industry to help staff EPA. Weeks after becoming EPA Administrator, he reportedly made a "plea" to top executives at API to help him identify oil industry leaders he could hire as regional EPA Administrators.[125]

Pruitt also sought to fill EPA's Science Advisory Board (SAB) with individuals recommended by oil interests. Doug Deason, heir to a Texas fortune with significant oil industry holdings[126] and a donor to the Koch network, recommended that EPA appoint Michael Honeycutt to lead the SAB.[127] Honeycutt is the lead toxicologist at the Texas Commission on Environmental Quality (TCEQ), and has a history of industry-friendly actions, including serving on the steering committee of at least one industry-funded group that routinely "whitewash[es] the work of industry."[128] Pruitt appointed Honeycutt to lead the SAB.[129]

API recommended oil industry insiders for appointment to the SAB including Merl Lindstrom, an executive at Phillips 66, and Robert Merritt, a retired executive from Total. Both were selected to serve.[130] Pruitt chose another new SAB member based on an American Public Gas Association recommendation.[131]

Pruitt also named Tony Cox to the SAB and made him the chair of EPA's Clean Air Scientific Advisory Committee (CASAC). Cox has produced studies casting doubt on the health benefits of limiting fine particulates and ozone pollution. Much of his work has been funded by the oil industry, with contributions from API, the Western States Petroleum Association, and the Western Oil and Gas Association.[132] Internal EPA documents show that EPA political appointee Richard Yamada overruled a recommendation from EPA career staff to appoint someone independent from industry. Instead, he chose Cox.[133]

---

[125] Zahra Hirji, "EPA Chief Scott Pruitt Encouraged Oil Executives To Apply For Top Agency Jobs," *Buzzfeed News* (June 25, 2018), https://www.buzzfeed.com/zahrahiR.J.i/scott-pruitt-recruited-oil-executives-trump-hotel?utm_term=.jozV4jpZr3#.dvMR3kjomO

[126] Leadership, Ryan, http://www.ryan.com/about-ryan/leadership/doug-deason/ (viewed on July 10, 2018)

[127] Emily Holden and Anthony Adragna, "Major Trump donor helped Pruitt pick EPA science advisors," *Politico* (June 8, 2018), https://www.politico.com/story/2018/06/08/doug-deason-trump-donor-helped-pruitt-pick-epa-science-advisers-603450

[128] Genna Reed, "Who Not to Pick for the EPA's Science Advisory Board," Union of Concerned Scientists (Sept. 26, 2017), https://blog.ucsusa.org/genna-reed/who-not-to-pick-for-the-epas-science-advisory-board

[129] *Id.*

[130] Emily Holden and Anthony Adragna, "Major Trump donor helped Pruitt pick EPA science advisors," *Politico* (June 8, 2018), https://www.politico.com/story/2018/06/08/doug-deason-trump-donor-helped-pruitt-pick-epa-science-advisers-603450

[131] Scott Waldman, "Gas group pushed for science advisory board member," *E&E News* (July 19, 2018), https://www.eenews.net/climatewire/2018/07/19/stories/1060089605

[132] "Multiple Industry-Funded Nominations to EPA's Clean Air Advisory Committee," DeSmogBlog (Sept. 1, 2017), https://www.desmogblog.com/2017/09/01/multiple-industry-funded-nominations-epa-clean-air-advisory-committee

[133] *See*, Appendix XII

ED_013012_00003932-00020

Other fossil fuel industry-linked appointments to the SAB include Larry Monroe, a retired executive at Southern Company,[134] Anne Smith, an analyst at NERA Economic Consulting,[135] and Stanley Young, a scientist affiliated with the notorious Heartland Institute.[136] NERA Economic Consulting is frequently employed by the fossil fuel industry to write reports opposing rules limiting air pollution.[137] The Heartland Institute receives much of its money from the oil industry.[138] One of Heartland's many low points was to compare climate scientists to the Unabomber.

Two of Pruitt's picks for the SAB, the aforementioned Young as well as Richard Smith, received money from API for a study claiming that there isn't a clear link between air pollution and increased mortality.[139] This study was then used by the Auto Alliance to support its arguments for weakening the standards.[140]

4. NHTSA and DOT Leaders Have Deep Political Ties to the Auto and Oil Industries

When it was announced that Elaine Chao was Trump's pick to be Secretary of Transportation, the aforementioned Mike McKenna, a former Trump transition team member and advisor to Marathon Petroleum, wasted no time in declaring to the press that her selection meant that "the war on the internal combustion engine will, mercifully, be over."[141] Chao herself is tied to the oil industry and the Koch network, having worked at the Heritage Foundation.[142] In April 2018, Chao spoke at an ALEC conference funded by Marathon Petroleum where her remarks focused on her desire to weaken the standards and to repeal California's waiver under the Clean Air Act.[143]

---

[134] Sean Riley and Kevin Bogardus, "Boards add industry and state officials, drop scientists," *E&E News* (Nov. 3, 2017), https://www.eenews.net/greenwire/2017/11/03/stories/1060065619

[135] Emily Atkin, "Scott Pruitt Declares War on Air Pollution Science," *The New Republic* (Oct. 31, 2017), https://newrepublic.com/article/145582/scott-pruitt-declares-war-air-pollution-science

[136] Emily Atkin, "Scott Pruitt Declares War on Air Pollution Science," *The New Republic* (Oct. 31, 2017), https://newrepublic.com/article/145582/scott-pruitt-declares-war-air-pollution-science

[137] National Economic Research Associates, SourceWatch, https://www.sourcewatch.org/index.php?title=National_Economic_Research_Associates (viewed on July 11, 2018)

[138] Heartland Institute, SourceWatch, https://www.sourcewatch.org/index.php/Heartland_Institute#Funding (viewed on July 11, 2018)

[139] Scott Waldman, "EPA advisors got oil funding for studies against car rule," *E&E News* (April 11, 2018), https://www.eenews.net/stories/1060078707

[140] *Id.*

[141] Michael Bastasch, "Here's What Trump's Latest Cabinet Pick Means for Federal Fuel Mandates," *The Daily Caller* (Nov. 30, 2016), http://dailycaller.com/2016/11/30/heres-what-trumps-latest-cabinet-pick-means-federal-fuel-mandates

[142] Elaine Chao, The Heritage Foundation, https://www.heritage.org/staff/elaine-chao

[143] ALEC in disarray, PRWatch (Aug. 13, 2018), https://www.prwatch.org/news/2018/08/13381/alec-disarray

ED_013012_00003932-00021

Jeffrey Rosen, the Deputy Secretary of Transportation, has a long history as a lawyer representing both the U.S. Chamber of Commerce,[144] which is closely tied to the oil industry, as well as several automakers including General Motors and Hyundai.[145] Rosen also served at DOT and OMB during the George W. Bush administration; during this time, he frequently opposed efforts to regulate greenhouse gas emissions.[146] It has been reported that Rosen is one of the driving forces behind the administration's drive to weaken the standards.[147]

Jonathon Morrison, chief counsel for NHTSA, is a former lobbyist for the auto industry. He was president of Auto Advisory Services, which provides consulting services to dealerships on state and federal compliance issues. Morrison previously worked for eight years as director of legal and regulatory affairs for the California New Car Dealers, where he lobbied the state government.[148]

III. Argument[149]

The proposed rule is illegal because it is arbitrary and capricious. It is not the product of reasoned decision-making, but instead a little-changed adoption of the auto and oil industries' wish list. Separately, the proposed rule is illegal because it is the result of an effective delegation of rulemaking authority to private interests. Regulatory capture of agencies by powerful regulated interests raises due process and other legal and constitutional concerns. The "arbitrary and capricious" standard and the "unlawful delegation" rule are sentinels for these governance concerns.

A. The Proposed Rule is Arbitrary and Capricious

The Administrative Procedure Act[150] permits courts to set aside agency actions found to be "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law."[151] In determining whether an agency action was "arbitrary and capricious, the courts look to several factors, whether: "(1) the agency 'relied on factors which Congress has not intended it to

---

[144] Trump nominates pro-polluter lobbyist for Transportation Department deputy, National Resources Defense Council (May 15, 2017), https://www.nrdc.org/trump-watch/trump-nominates-pro-polluter-lobbyist-transportation-department-deputy

[145] Jeffrey Adam Rosen, *ProPublica*, https://projects.propublica.org/trump-town/staffers/jeffrey-adam-rosen

[146] Maxine Joselow, "2 officials drive the push against Obama's car rules," *E&E News* (July 31, 2018), https://www.eenews.net/stories/1060091731/

[147] *Id.*

[148] Jonathon Morrison, LinkedIn, https://www.linkedin.com/in/jonathan-morrison-45b1181/

[149] This comment does not purport to make all of the arguments against the proposed rule. It limits itself to arguments related to the industry capture of the regulators seeking to freeze the standards and eliminate California's ability under the Clean Air Act to set its own standards.

[150] 5 USC §500 *et seq.*

[151] 5 USC §706(2)(a)

ED_013012_00003932-00022

consider,' (2) the agency 'failed to consider an important aspect of the problem,' (3) the agency explained its decision in a way 'that runs counter to the evidence,' or (4) the action 'is so implausible that it could not be ascribed to a difference in view or the product of agency expertise.'"[152]

Courts have also held that a rule is arbitrary and capricious if the promulgating agency did not "genuinely engage in reasoned decision making"[153] or if it did not "articulate a satisfactory explanation for its action including a 'rational connection between the facts found and the choice made.'"[154]

While judicial review of agency actions is usually "exceedingly deferential,"[155] when, given the totality of the circumstances, the agency appears not to have engaged in reasoned decision-making, a rule should be invalidated.

> "The scope of review under the "arbitrary and capricious" standard is narrow and a court is not to substitute its judgment for that of the agency. Nevertheless, the agency must examine the relevant data and articulate a satisfactory explanation for its action including a "rational connection between the facts found and the choice made." In reviewing that explanation, we must "consider whether the decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment."[156]

This heightened level of scrutiny calls on a court to "intervene not merely in case of procedural inadequacies, or bypassing of the mandate in the legislative charter, but more broadly if the court becomes aware, especially from a combination of danger signals, that the agency has not really taken a 'hard look' at the salient problems, and has not genuinely engaged in reasoned decision-making."[157] These concerns are epidemic for the proposed rule.

---

[152] *Mendoza v. Secretary, Department of Homeland Security*, 851 F.3d 1348, 1353 (11th Cir. 2017) (quoting *Miccosukee Tribe of Indians of Fla. v. United States*, 566 F.3d 1257, 1264 (11th Cir. 2009))

[153] *Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 851 (D.C. Cir. 1970)

[154] *Motor Vehicle Manufacturers Association v. State Farm Mutual Automobile Insurance Co.*, 463 US 29, 43 (1983), quoting *Burlington Truck Lines, Inc. v. United States*, 371 U. S. 156, 168 (1962)

[155] *See, e.g., Fund for Animals v. Rice*, 85 F.3d 535, 541 (11th Cir. 1996)

[156] *Motor Vehicle Manufacturers Association v. State Farm Mutual Automobile Insurance Co.*, 463 US 29, 43 (1983), quoting *Burlington Truck Lines, Inc. v. United States*, 371 U. S. 156, 168 (1962) and *Bowman Transportation, Inc. v. Arkansas-Best Freight System, Inc., supra*, at 419 U. S. 285. *See also, Massachusetts v. EPA* (constraining EPA's discretion and subjecting the agency's deferral of a decision to hard look review)

[157] *Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 844-5 (D.C. Cir. 1970). In Greater Boston Television Corp., the biggest "danger signal" that caused the court to give an agency's actions a "hard look" was the fact that the chair of the Federal Communications Commission (FCC) had had potentially improper contacts with an executive at one of companies competing for a broadcast license to be attributed by the agency. Other "danger signals" that courts have held to trigger heightened scrutiny of agency actions include "abrupt shifts in policy" and "where the agency has demonstrated undue bias towards particular private interests."

ED_013012_00003932-00023

A full review of the technical deficiencies of the proposed rule is beyond the scope of this comment.[158] But even a basic review shows that in an effort to achieve a result sought by the oil, and to a lesser extent, the auto industry, EPA and NHTSA engaged in a sham decision-making process lacking any rational connection between the facts and the choices made. EPA and NHTSA's main rationale for freezing the standards[159] is their claim that doing so would result in approximately 12,700 fewer traffic fatalities through model year 2029.[160] However, EPA's own technical experts disputed this claim, telling OMB that the calculations in the proposed rule related to traffic fatalities were flawed. EPA's technical experts concluded that the "proposed standards are detrimental to safety, rather than beneficial."[161]

What's more, the proposed rule ignores the considerable benefits of the greenhouse gas emissions reductions that would be generated by the standards. While the proposed rule admits that freezing the standards in 2020 would lead to almost 900 million tons of additional carbon emissions by 2029,[162] it doesn't quantify that benefit. Instead, in an environmental impact statement accompanying the proposed rule, NHTSA wrote that since the earth is likely to warm by approximately 3.7 to 4.2 degrees Celsius by 2100 due to the world's presumed failure to rein in carbon emissions, the emissions reductions generated by the standards are too small to matter.[163] Rather than take predictions of catastrophic warming as an argument to redouble efforts to reduce emissions, NHTSA takes these predictions as proof that action is futile and it's therefore not worth considering the benefits of the considerable emissions reductions generated by the standards.

EPA's and NHTSA's own analysis also admits several other important flaws in the proposed rule. President Trump originally claimed that the standards were job killing, saying, "If the standards threaten auto jobs, then common sense changes could have – and should have – been

---

[158] For a more complete list of the many analytical flaws in the proposed rule, *see*, Oct. 16, 2018 letter from U.S. Senator Tom Carper to Secretary of Transportation Elaine Chao and Acting EPA Administrator Andrew Wheeler, https://www.carper.senate.gov/public/index.cfm/pressreleases?id=35ECC5AB-359C-43CA-89AA-B23D8FICAB9D

[159] It is important to note that the proposed rule would freeze the standards at model year 2020 levels. It thus exceeds the scope of the midterm review, which was only intended to examine the standards for model years 2022 – 2025.

[160] The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks, Federal Register Vol. 83, No. 165 (Aug. 24, 2018), pg. 42986, https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf

[161] Ellen Knickmeyer, "EPA challenged safety of administration mileage freeze," *AP* (Aug. 14, 2018), https://www.apnews.com/1a7551fca3294ec49029b93e994cd7f9

[162] The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks, Federal Register Vol. 83, No. 165 (Aug. 24, 2018), pg. 43329, https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf

[163] The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks Draft Environmental Impact Statement, NHTSA (July 2018), https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/ld_cafe_my2021-26_deis_0.pdf

ED_013012_00003932-00024

made."[164] However the proposed rule projects that a freeze of the standards would result in 56,000 fewer auto industry jobs by 2030.[165] The proposed rule also concedes that a freeze of the standards would result in more than $150 million[166] of increased fuel costs to consumers and less mobility as a result of these increased fuel costs.[167]

The reasonable, and obvious, conclusion is that EPA and NHTSA did not care about the facts as it developed the rule. It cared about the results that the auto and oil industries wanted. This comment details the sort of "danger signals" the courts have found to warrant "hard look" review. Potentially improper contacts between regulators and regulated industries,[168] "abrupt shifts in policy,"[169] and "undue bias towards particular private interests"[170] are all present in this tawdry tale of industry capture. Based on this record, no court could plausibly conclude that EPA and NHTSA "genuinely engaged in reasoned decision making"[171] nor conclude that EPA and NHTSA could "articulate a satisfactory explanation for its action including a 'rational connection between the facts found and the choice made.'"[172] The proposed rule is therefore arbitrary and capricious and should be withdrawn.

B. The Proposed Rule is an Illegal Delegation of Agency Rulemaking Authority to the Industries they Regulates

Just as an agency rulemaking will be set aside if a court determines that it was arbitrary and capricious, an agency rulemaking should be invalidated if a court finds that the agency delegated its rulemaking authority to one or more private interests, because Congress "cannot delegate regulatory authority to a private entity."[173] "Although objections to delegations are "typically presented in the context of a transfer of legislative authority from the Congress to agencies, [...]

---

[164] Brent Snavely and Clive Woodyard, "Trump orders review of fuel economy rules," *USA Today* (March 15, 2017), https://www.usatoday.com/story/money/cars/2017/03/15/trump-call-review-fuel-economy-rules/99194860/

[165] The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks, Federal Register Vol. 83, No. 165 (Aug. 24, 2018), pg. 43437, https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf

[166] Note that the original analysis of the standards estimated that savings to consumers would be far greater over the life of the program - $1.7 trillion.

[167] The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks, Federal Register Vol. 83, No. 165 (Aug. 24, 2018), pg. 43062, https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf

[168] *Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 844-5 (D.C. Cir. 1970)

[169] *United Church of Christ v. FCC*, 707 F.2d 1413, 1425 (D.C. Cir. 1983)

[170] *NRDC v. SEC*, 606 F.2d 1031, 1050 (D.C. Cir. 1979)

[171] *Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 851 (D.C. Cir. 1970)

[172] *Motor Vehicle Manufacturers Association v. State Farm Mutual Automobile Insurance Co.*, 463 US 29, 43 (1983), quoting *Burlington Truck Lines, Inc. v. United States*, 371 U. S. 156, 168 (1962)

[173] *Ass'n of American Railroads v. USDOT*, 721 F.3d 666, 670 (D.C. Cir. 2013) rev'd on other grounds

ED_013012_00003932-00025

the difficulties sparked by such allocations are even more prevalent in the context of agency delegations to private individuals."[174]

While it is clear that an agency may not *explicitly* delegate its rulemaking authority to private interests, an agency that *implicitly* delegates its rulemaking authority to private interests raises the same concerns. An agency is effectively captured by the private interests it regulates when its "'regulation is . . . directed away from the public interest and toward the interest of the regulated industry' by 'intent and action' of industries and their allies."[175]

As described above, the proposed rule was the product of a process that was effectively delegated to industry, with EPA and NHTSA serving as little more than a rubber stamp on a proposal that while initially intended to be responsive to auto industry concerns, eventually morphed into a total freeze of the standards and a revocation of California's ability under the Clean Air Act to determine its own standards championed by the oil industry and its allies.

EPA and NHTSA initially acquiesced to the auto industry's demands to withdraw the January 2017 final determination that the standards were appropriate and then issue a new final determination that the standards were not appropriate. Indeed, Pruitt announced the new final determination flanked by leaders of the auto industry. It was at this point, however, that the auto industry appeared to lose control of the process as the oil industry and its front groups stepped in and began the aggressive lobbying campaign detailed above to weaken the standards even further and to revoke California's ability to set its own standards under the Clean Air Act. The evidence is overwhelming that the impetus to revisit the standards was provided by the auto industry and that the oil industry then effectively hijacked the process in order to obtain a broader rollback that would protect its future revenues.

Both the auto and oil industries had open access to EPA, NHTSA, and the Trump administration. Moreover, senior officials at both agencies were closely tied to these industries and had a long history of hostility towards rules designed to reduce greenhouse gas emissions, particularly on behalf of industry clients they represented as lawyers or lobbyists prior to joining the Trump administration.

---

[174] *Id.*, quoting *Nat'l Ass'n of Regulatory Util. Comm'rs v. FCC*, 737 F.2d 1095, 1143 (DC Cir. 1984).

[175] Lindsey Dillon, *et al.*, "The Environmental Protection Agency in the Early Trump Administration: Prelude to Regulatory Capture," *American Journal of Public Health* (April 2018), https://ajph.aphapublications.org/doi/10.2105/AJPH.2018.304360, quoting, Daniel Carpenter, editor, *Preventing Regulatory Capture: Special Interest Influence and How to Limit It*, pg. 73, Cambridge University Press (2014)

ED_013012_00003932-00026

Tellingly, the oil industry narrative about the need to conserve oil no longer being relevant due to increased domestic oil production was repeatedly incorporated into the proposed rule,[176] demonstrating that EPA and NHTSA were all too willing to embrace industry arguments.

What's more, the fact that the auto industry got more than it apparently asked for is in and of itself evidence of agency capture. What could possibly explain an industry getting more than it asked for from its regulators? Only if another, even more powerful industry – in this case the oil industry with its deep ties to the Trump administration – stepped in and demanded more.

We are not the only ones to conclude that the Trump EPA has been captured by industry. A recently published article in the *American Journal of Public Health* finds that EPA is exhibiting many signs of regulatory capture.[177] The authors of this article examined EPA actions from December 2016 through June 2017 and they interviewed 45 current and retired EPA employees. Among their findings pointing to regulatory capture:

- "Appointees have deep ties with industries."
- "Significant policy changes at the EPA favor businesses and industry, while probably incurring considerable health and environmental consequences."
- "Pruitt has regularly championed the interests of regulated industries, while rarely affirming environmental and health protections."
- "Pruitt dismissed many members of the EPA's Science Advisory Board and its Board of Scientific Counselors, created a new rule preventing EPA-funded scientists from serving on those boards, and—for the first time in agency history—allowed lobbyists on scientific advisory boards."
- "Pruitt's own meetings and schedule… are almost exclusively with company and trade organizations and rarely with environmental, public health, or citizen groups."[178]

The extreme and well-documented regulatory capture of the Trump EPA is evidence that it has effectively delegated its authority to the industries that have captured it. While regulatory capture has been less well-studied at NHTSA and DOT, it is clear that the leadership in these agencies is also beholden to industry. There is no substantive difference between an agency explicitly telling a company or industry to write a rule for it, and an agency telling a company or industry that it will write whatever rule the company or industry wants. Like Scott Pruitt's

---

[176] The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021 – 2026 Passenger Cars and Light Trucks, Federal Register Vol. 83, No. 165 (Aug. 24, 2018), pgs. 43211 - 43215, https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf

[177] Lindsey Dillon, *et al.*, "The Environmental Protection Agency in the Early Trump Administration: Prelude to Regulatory Capture," *American Journal of Public Health* (April 2018)

[178] *Id.*

ED_013012_00003932-00027

Devon Energy letter, the substance is all industry, whatever the letterhead, and the public interest is ignored. That is not lawful under well-established principles of administrative law.

For the foregoing reasons, we, the undersigned United States Senators, respectfully urge EPA and NHTSA to withdraw this proposed rule.

Sheldon Whitehouse
United States Senator

Brian Schatz
United States Senator

Jeffrey A. Merkley
United States Senator

ED_013012_00003932-00028

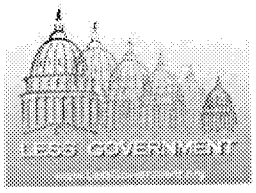
Appendix I

March 28, 2018

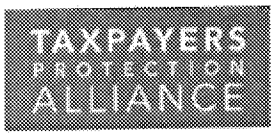
Scott Pruitt
Administrator, U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 1101A
Washington, D.C. 20460

Dear Administrator Pruitt:

Our organizations write today to call for the revocation of California's waiver from the Clean Air Act, which allows the state to decouple from Federal policy and impose strict emission standards on automobiles. California's stated goal is to remove all gasoline-powered vehicles from the roads and replace them with their electric counterparts, and the state uses the Clean Air Act waiver to achieve this goal.

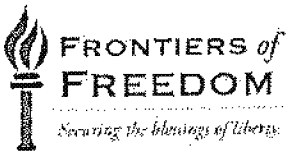


The EPA has a responsibility to American citizens, but not one to promote solutions that require expensive taxpayer-funded infrastructure spending and subsidies, particularly at questionable environmental gains. With California battling a borderline failing Infrastructure Report Card and 50% of its roads in poor condition, instead of spending $2.5 billion on charging stations, that taxpayer spending could be better used elsewhere.



Electric vehicles cost between 40% and 60% more than their conventional counterparts, and their purchases are supported by taxpayer subsidies that provide the most help to those buying the most expensive electric vehicles. Essentially, the wealthier you are, the bigger the subsidy. In fact, one study found that six dollars out of every $10 of electric vehicle subsidies went to households earning over $200,000 per year, while one dollar out of every $10 went to households earning less than $75,000 per year. In California, 83% of rebates go to recipients with incomes over $100,000. It's welfare for the rich.

For all of the cost to taxpayers and consumers, studies have shown these vehicles often produce higher levels of toxicity and emissions, compared to gas-fueled vehicles. In addition, because the Energy Policy and Conservation Act forbids any state from adopting a law related to fuel economy standards, California's greenhouse gas emission standards (AB 1493) should be regarded as preempted by Federal statute.



Mr. Pruitt, it is time for the EPA to act. Our coalition calls for the repeal of the Clean Air Act waiver in California, while encouraging market solutions over wasteful taxpayer funding. The American people deserve better, and, if you do not act fast, come April 1, people across the state of California will be facing unrealistic and costly mandates which threaten their basic right to choose.

Respectfully yours,

Steve Pociask
President
American Consumer Institute

Seton Motley
President
Less Government

David Williams
President
Taxpayers Protection Alliance

Matthew Kandrach
President
Consumer Action for a Strong Economy

Phil Kerpen
President
American Commitment

Wayne T. Brough
Chief Economist, VP of Research
FreedomWorks

Marlo Lewis, Ph.D.
Senior Fellow in Energy and Environmental Policy
Competitive Enterprise Institute

Grover Norquist
President
Americans for Tax Reform

James L. Martin
Founder & Chairman
60 Plus Association

George Landrith
President
Frontiers of Freedom

Andrew F. Quinlan
President
Center for Freedom and Prosperity

cc: Samantha Dravis
Mike Flynn
Ryan Jackson

Appendix II

AEA AMERICAN ENERGY ALLIANCE

HERITAGE ACTION FOR AMERICA

AMERICANCOMMITMENT

The JAMES MADISON INSTITUTE

The Honorable Elaine Chao
Secretary, U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Scott Pruitt
Administrator, U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Secretary Chao and Administrator Pruitt:

We are writing to thank you for your principled leadership on numerous issues, but most especially on federal fuel mandates, including the Corporate Average Fuel Economy (CAFE) standards program.

As you know, the CAFE program is riven with problems. While we believe repealing the entire program is appropriate and warranted, we are pleased that the Department of Transportation (DOT) and the Environmental Protection Agency (EPA), under your leadership, are taking meaningful steps to reduce the burden and irrationality of this outdated and unnecessarily complicated mandate.

As your agencies examine the mandate and its next steps, we encourage you and your team to remain focused on the fundamental problems with the program.

- *Cost to consumers*. According to the National Auto Dealers Association, the existing mandates would cause the price of an average vehicle to increase by $3,000 in 2025. Research from The Heritage Foundation concluded that repealing the CAFE mandate would save 2025 car buyers at least $7,200 per vehicle. Additionally, we understand that the DOT may have modeling that indicates that drivers may never recover the costs imposed by the next sequence of mandates. These significant increases in the average price of a vehicle are a hidden regressive tax on American families, pricing millions of consumers entirely out of the new car market, especially the poor.

- *Consumer choice*. Automakers are now being forced to design vehicles not for what consumers want but for what regulators want. The fundamental question associated with this mandate is clear: who should decide what cars and trucks consumers should buy, consumers themselves or unelected bureaucrats in Sacramento?

Appendix III

May 10, 2018

The Honorable Donald J. Trump
President
The White House
Washington, DC

Dear Mr. President:

As members of your presidential transition team, we write to thank you for the tremendous progress that America has made under your leadership. As a continuation of that progress, we encourage you to stay the course on needed and essential reforms to the federal automobile mandate, more commonly known as the Corporate Average Fuel Economy (CAFE) program.

We understand that some in the automaker community have expressed concerns about your current plans to reform the program. But it is worth noting that early in your presidency, these same automakers urged your administration to "reconsider imposing such a far-reaching mandate on an entire industry" and were greatly concerned that the existing mandate, which you are attempting to reform, "could cause up to 1.1 million Americans to lose jobs due to lost vehicle sales."

Their main concern is the expected legal battle with California. Led by Governor Jerry Brown and Attorney General Xavier Becerra, the state intends to sue your administration over the necessary changes to the existing mandate – a mandate they not only support, but also seek to extend even further through 2030. In fact, what many liberal California politicians really want to do is ban gasoline-powered cars altogether, as evidenced by a bill before the California legislature to ban all gas- and diesel-powered cars by 2040.

You should dismiss this concern. We agree that in an ideal world, California would negotiate with you in good faith, but we all know that is not a reality in this current political climate.

Your efforts to reform this mandate are about cost, consumer choice, and whether or not your administration or the State of California gets to set a national policy.

The existing mandate makes cars more expensive. To meet the mandate, automakers often have to sell smaller, less desirable cars at a discount, while increasing prices on larger, more popular cars, crossovers, SUVs, and trucks. This will get worse over time as the mandate becomes even more severe. In short, because of the mandate, those consumers who prefer trucks, SUVs, or crossovers pay more to subsidize those who buy smaller vehicles.

According to the National Auto Dealers Association, the existing mandates under the mandate would cause the price of an average vehicle to increase by $3,000 in 2025. The Heritage Foundation concluded that repealing the mandate would save car buyers in 2025 at least $7,200 per vehicle.

These significant increases in the average price of a car or truck are a very real regressive tax on American families that make consumers poorer and the economy weaker.

The existing mandate minimizes consumer choice. Consumer demand for the types of cars required under the current California preferred mandate is low, and these cars cost more – in many cases, significantly more – than other vehicles. Because automakers must sell increasing numbers of these cars to consumers nationwide despite the higher costs and low demand, and because fuel economy standards apply not to individual vehicles but to fleets nationwide, the additional costs of these vehicles are borne by all consumers – including consumers in States that choose not to adopt California's regulations.

The existing mandate gives California a disproportionate say. Under the Obama Administration, California was given the ability to set the mandate for the entire nation. The automakers agreed to this because they wanted to avoid having to potentially comply with two different mandates and because they had just been given a hefty bailout by the Obama Administration.

If there is to be one national standard, it makes more sense for that standard to be set by the federal government and not by one state government. But that is what is likely to happen if you change direction now.

Mr. President, the fundamental question associated with the CAFE is mandate is clear: Who should decide which cars and trucks consumers should buy – consumers and their families, or unelected bureaucrats in Sacramento? The current mandate, which you rightly seek to reform, compels automakers to design vehicles and fleets to meet the preferences of regulators – not consumers.

Thank you again for your leadership on this important issue. We stand ready to help you in all of your efforts.

Sincerely,

Thomas Pyle
Leader of Trump Transition DOE Agency Action Team
President, Institute for Energy Research

Myron Ebell
Leader of Trump Transition EPA Agency Action Team
Director, Center for Energy and Environment
Competitive Enterprise Institute

Shirley Ybarra
Leader of Trump Transition DOT Agency Action Team
Former Virginia Secretary of Transportation

Appendix IV

Date, XX, 2018

Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Deputy Administrator King:

We write in support of the National Highway Traffic Safety Administration's (NHTSA) recent announcement of the issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards [for passenger cars and light duty trucks]. This undertaking by the NHTSA reflects its dedication to achieving the highest standards of excellence in motor vehicle safety and its dedication to the integrity of agency policies and programs.[1] The CAFE standards program, as originally enacted by Congress, selected one regulator, NHTSA, to carry out the program. By this action, NHTSA takes a meaningful step towards reducing the complexity of the CAFE program while providing consumers and stakeholders with transparency, balance, and fairness in agency policy and rulemaking activities.[2] This process permits all stakeholders to have a voice in the CAFE program, a program that has a great impact on the consumer and the economy. For example, auto manufacturing contributes over $900 billion to our economy as well as provides over 7 million jobs in the United States.[3]

Enacted in the 1970s, in a time of resource scarcity, the CAFE program sought to reduce the importation of foreign oil and conserve energy through increasing the efficiency of motor vehicles (fuel economy). Fast forward, and today the current iteration of the CAFE program, as constructed by the previous Administration, appears outdated and overly complicated, unable to keep up with the rapid changes in the marketplace. The undersigned believe the NPRM is an important step forward for the examination of MY2022-2025 CAFE standards. With oil scarcity no longer a concern, historically low gas prices, and increasingly ambitious CAFE requirements, it is important that NHTSA and EPA review the mandate to ensure that the U.S. is protecting consumers from higher costs and still allowing for choice in vehicles that best fit their needs.

We applaud the NHTSA for this productive step forward to establish a transparent and inclusive process for review of the CAFE program. According to the National Auto Dealers Association, CAFE as it currently stands could increase the price of an average vehicle by $3,000 in 2025.[4] We hope that as you review and take comment from various stakeholders, including the driving public, that the NHTSA will examine the technological feasibility of attaining any standards set, protect drivers from high costs in

---

[1] NHTSA, *NHTSA's Core Values* available at https://www.nhtsa.gov/about-nhtsa/nhtsas-core-values (last visited April 19, 2018).
[2] *Id.*
[3] Auto Alliance economic statistics available at https://autoalliance.org/economy/ (last visited April 19, 2018).
[4] National Automobile Dealers Association: https://www.nada.org/CustomTemplates/GeneralPage.aspx?id=21474838142, April 2016

recognition of economic realities, ensure vehicle choice, and take note of the interaction of the CAFE program with other motor vehicle fuel standards .

Thank you for your leadership on this important issue and we look forward to continuing to support the NHTSA process going forward.

Sincerely,

cc: The Honorable Elaine Chao, Secretary, United States Department of Transportation

DRAFT

Info

20180423 NHTSA NPRM for CAFE Letter DRAFT v2 (003)

E-mail attachment: C:\Users\dd86294\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\XO5LUN3S\20180423 NHTSA NPRM for CAFE Letter DRAFT v2 (003).docx

Save As

Read-Only Document

This document has been opened in read-only mode. Changes cannot be made to the original document. To save changes, create a new copy of the document.

Protect Document

Protect Document

Control what types of changes people can make to this document.

Check for Issues

Inspect Document

Before publishing this file, be aware that it contains:

- Document properties and related dates
- Headers
- Custom XML data
- Content that people with disabilities find difficult to read

Manage Document

Manage Document

Check in, check out, and recover unsaved changes.

There are no unsaved changes.

Properties

Size	14.6KB
Pages	2
Words	498
Total Editing Time	0 Minutes
Title	Add a title
Tags	Add a tag
Comments	Add comments

Related Dates

Last Modified	6/11/2018 12:39 PM
Created	6/11/2018 12:39 PM
Last Printed	1/1/1900 12:00 AM

Related People

Author	Add an author
Last Modified By	Birsic, Michael J. (MPC)

Show All Properties

Appendix I

ED_013012_00003932-00036

Appendix VI

Pennsylvania:

As members of the Pennsylvania Congressional Delegation, we are writing regarding the National Highway Traffic Safety Administration's (NHTSA) recently announced issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards *(for* passenger cars and light duty trucks). We applaud NHTSA for this productive step forward to establish a transparent and inclusive process for review of the CAFE program.

NHTSA's undertaking reflects its dedication to achieving the highest standards of excellence in motor vehicle safety and its dedication to the integrity of agency policies and programs, as outlined by NHTSA's Core Values. This action is a meaningful step towards reducing the complexity of the CAFE program while providing consumers and stakeholders with transparency, balance, and fairness in agency policy and rulemaking activities. This process permits all stakeholders to have a voice in the CAFE program, a program that has a great impact on the consumer and the economy. According to the Auto Alliance, auto manufacturing contributes over $900 billion to our economy as well as *providing* over 7 million jobs in the United States. Moreover, Pennsylvania auto dealerships could be impacted, hurting jobs and sales in the process. The National Automobile Dealers Association states that, in 2016 alone, Pennsylvania's 867 dealerships created 105,004 total jobs and paid $827 million in state and federal income taxes. If left unchanged, the current CAFE standards could disrupt the good these dealerships have contributed to the Pennsylvania economy.

Enacted in the 1970s, in a time of resource scarcity, the CAFE program sought to reduce the importation of foreign oil and conserve energy through increasing the efficiency of motor vehicles (fuel economy). Today, however, the current iteration of the CAFE program, as constructed by the *Obama* Administration, appears outdated and overly complicated. It is unable to keep up with the rapid changes in the marketplace.

With oil scarcity no longer a concern, and increasingly ambitious CAFE requirements, it is important that NHTSA and EPA review the mandate to ensure that the *U.S* is protecting consumers from higher costs and still allowing for choice in vehicles that best *fits* their needs. According to the National Auto Dealers Association, CAFE as it currently stands could increase the price of an average vehicle by $3,000 in 2025.

It is our hope that NHTSA's review and comment *period* from various stakeholders, including the *driving public*, will examine the technological feasibility of attaining any standards set, protect drivers from high costs in recognition of economic realities, ensure vehicle choice, and take note of the interaction of the CAFE program with other motor vehicle fuel *standards. We* thank *NHTSA* for *their* leadership on this important issue and we look forward to continuing to support the NHTSA process going forward.

West Virginia:

As members of the West Virginia Congressional delegation, we are writing to applaud National Highway Traffic Safety Administration's (NHTSA) recently announced issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards *(for* passenger cars and light duty trucks). NHTSA's undertaking reflects its dedication to achieving the highest standards of excellence in motor vehicle safety and its dedication to the integrity of agency policies and programs. This action is a meaningful step towards reducing the complexity of the CAFE program while permitting all stakeholders to have a voice in the program.

This administration's actions are in stark relief to the Obama Administration, which worked in secret to set standards behind closed doors. This overreach resulted in an expansion in government by duplicating NHTSA's responsibility under the EPA. Congress authorized one regulator, NHTSA, to carry out the program. Today, three different regulators - NHTSA, EPA, and the California Air Resources Board (CARB) - are responsible for implementing the federal mandate under three different laws using three different standards. This overreach meant more costs for West Virginia families.

According to the West Virginia Auto Dealers Association, auto dealers in West Virginia provide over 12,500 jobs and $4.8 billion in sales. This generates over $84 million in state and federal taxes.

Enacted in the 1970s, in a time of resource scarcity, the CAFE program started as a mandate to reduce foreign imports of oil and was changed by a previous Administration to an environmental mandate through increasing the efficiency of motor vehicles (fuel economy). These mandates compel automakers to design vehicles and fleet mix for regulators rather than consumer preferences. The current iteration of the CAFE program, as constructed by the *Obama* Administration, appears outdated and overly complicated. It is unable to keep up with the rapid changes in the marketplace.

With oil scarcity no longer a concern, we welcome NHTSA's review of this program and encourage this process to solicit significant stakeholder feedback to ensure updated standards benefit consumers to the maximum extent feasible. We request that as you review and solicit feedback from various stakeholders, including West Virginia, that NHTSA examine the technological feasibility of attaining efficiency standards, insulate drivers from onerous costs, safeguard vehicle choice, and ensure the implementation of a CAFE program that takes into account West Virginia families and manufacturers alike.

Thank you for your leadership on this issue and we look forward to working with you as this open and transparent process moves forward.

Indiana:

We write in support of the National Highway Traffic Safety *Administration's* (NHTSA) announcement of the issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards. We applaud NHTSA for taking this meaningful step towards reducing the complexity of the CAFE program while providing Hoosier families and manufacturers alike with a transparent and balanced rulemaking process. The automotive sector is vital to the Crossroads of America, employing in excess of 420,000 Hoosiers across 1,200 facilities statewide. This review must permit all stakeholders to take part in deliberating the next phase of the CAFE program, which has a significant impact on Hoosier consumers and Indiana's manufacturing economy.

Upon enactment in the 1970s, the CAFE program *initially* sought to reduce the importation of foreign oil and conserve energy *by* increasing the *fuel* efficiency of motor vehicles. However, the CAFE program, as modified by the previous administration, resulted in a burdensome and complex regulatory regime for Hoosier stakeholders that is unable to keep up with the fluctuations in the *marketplace. We* believe the NPRM is an important step forward for the examination ofMY2022-2025 CAFE standards. Given the abundance of oil, stable gas prices, and increasingly lofty efficiency requirements, it is vital that NHTSA and the Environmental Protection Agency promptly review the mandate to ensure that the U.S. is not imposing prohibitively high costs on consumers and continues to provide a marketplace for meaningful consumer choice for American families.

We welcome NHTSA's review of this program and encourage this process to solicit significant stakeholder feedback to ensure updated standards benefit consumers to the maximum extent feasible. According to the National Auto Dealers Association, CAFE as it currently *functions* could increase the price of an average vehicle by up to $3,000 in 2025, or 6% of the median Hoosier household income. We request that as you review and solicit feedback from various stakeholders, including Hoosier drivers, that NHTSA examine the technological feasibility of attaining efficiency standards, insulate drivers from onerous costs, safeguard vehicle choice, and ensure the implementation of a CAFE program that takes into account Hoosier families and manufacturers alike.

Thank you for your leadership on an issue of utmost importance to the Crossroads of America. We look forward to continuing to work with NHTSA as this process moves forward.

Appendix VII

Congress of the United States
Washington, DC 20510

June 7, 2018

Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Deputy Administrator King:

We write in support of the National Highway Traffic Safety Administration's (NHTSA) announcement of the issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards. We applaud NHTSA for taking this meaningful step towards reducing the complexity of the CAFE program while providing Hoosier families and manufacturers alike with a transparent and balanced rulemaking process. The automotive sector is vital to the Crossroads of America, employing in excess of 420,000 Hoosiers across 1,200 facilities statewide. This review must permit all stakeholders to take part in deliberating the next phase of the CAFE program, which has a significant impact on Hoosier consumers and Indiana's manufacturing economy.

Upon enactment in the 1970s, the CAFE program initially sought to reduce the importation of foreign oil and conserve energy by increasing the fuel efficiency of motor vehicles. However, the CAFE program, as modified by the previous administration, resulted in a burdensome and complex regulatory regime for Hoosier stakeholders that is unable to keep up with the fluctuations in the marketplace. We believe the NPRM is an important step forward for the examination of MY2022-2025 CAFE standards. Given the abundance of oil, stable gas prices, and increasingly lofty efficiency requirements, it is vital that NHTSA and the Environmental Protection Agency promptly review the mandate to ensure that the U.S. is not imposing prohibitively high costs on consumers and continues to provide a marketplace for meaningful consumer choice for American families.

We welcome NHTSA's review of this program and encourage this process to solicit significant stakeholder feedback to ensure updated standards benefit consumers to the maximum extent feasible. According to the National Auto Dealers Association, CAFE as it currently functions could increase the price of an average vehicle by up to $3,000 in 2025, or 6% of the median Hoosier household income. We request that as you review and solicit feedback from various stakeholders, including Hoosier drivers, that NHTSA examine the technological feasibility of attaining efficiency standards, insulate drivers from onerous costs, safeguard vehicle choice, and

ensure for the implementation of a CAFE program that takes into account Hoosier families and manufacturers alike.

Thank you for your leadership on an issue of utmost importance to the Crossroads of America. We look forward to continuing to work with NHTSA as this process moves forward.

Sincerely,

Todd Young
United States Senator

Jackie Walorski
Member of Congress

Jim Banks
Member of Congress

Todd Rokita
Member of Congress

Susan W. Brooks
Member of Congress

Luke Messer
Member of Congress

Larry Bucshon, M.D.
Member of Congress

Trey Hollingsworth
Member of Congress

Appendix VIII

Congress of the United States
Washington, DC 20515

July 10, 2018

Ms. Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Deputy Administrator King,

As members of the West Virginia Congressional delegation, we are writing to applaud National Highway Traffic Safety Administration's (NHTSA) recently announced issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards (for passenger cars and light duty trucks). NHTSA's undertaking reflects its dedication to achieving the highest standards of excellence in motor vehicle safety and its dedication to the integrity of agency policies and programs. This action is a meaningful step towards reducing the complexity of the CAFE program while permitting all stakeholders to have a voice in the program.

This administration's actions are in stark relief to the Obama Administration, which worked in secret to set standards behind closed doors. This overreach resulted in an expansion in government by duplicating NHTSA's responsibility under the EPA. Congress authorized one regulator, NHTSA, to carry out the program. Today, three different regulators — NHTSA, EPA, and the California Air Resources Board (CARB) — are responsible for implementing the federal mandate under three different laws using three different standards. This overreach meant more costs for West Virginia families.

According to the West Virginia Auto Dealers Association, auto dealers in West Virginia provide over 12, 500 jobs and $4.8 billion in sales. This generates over $84 million in state and federal taxes.

Enacted in the 1970s, in a time of resource scarcity, the CAFE program started as a mandate to reduce foreign imports of oil and was changed by a previous Administration to an environmental mandate through increasing the efficiency of motor vehicles (fuel economy). These mandates compel automakers to design vehicles and fleet mix for regulators rather than consumer preferences. The current iteration of the CAFE program, as constructed by the Obama Administration, appears outdated and overly complicated. It is unable to keep up with the rapid changes in the marketplace.

With oil scarcity no longer a concern, we welcome NHTSA's review of this program and encourage this process to solicit significant stakeholder feedback to ensure updated standards benefit consumers to the maximum extent feasible. We request that as you review and solicit feedback from various stakeholders, including West Virginia, that NHTSA examine the

PRINTED ON RECYCLED PAPER

technological feasibility of attaining efficiency standards, insulate drivers from onerous costs, safeguard vehicle choice, and ensure for the implementation of a CAFE program that takes into account West Virginia families and manufacturers alike.

Thank you for your leadership on this issue and we look forward to working with you as this open and transparent process moves forward.

Sincerely,

David B. McKinley, P.E.
Member of Congress

Alex X. Mooney
Member of Congress

Evan H. Jenkins
Member of Congress

cc: The Honorable Elaine Chao, Secretary, United States Department of Transportation

Appendix IX

LLOYD SMUCKER
16TH DISTRICT, PENNSYLVANIA

COMMITTEES
BUDGET
EDUCATION AND THE WORKFORCE
TRANSPORTATION AND INFRASTRUCTURE

Congress of the United States
House of Representatives
Washington, DC 20515–3816

WASHINGTON OFFICE
516 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2411

LANCASTER OFFICE
51 SOUTH DUKE STREET, SUITE 201
LANCASTER, PA 17602
(717) 393-0667

July 18, 2018

Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Deputy Administrator King,

As members of the Pennsylvania Congressional Delegation, we are writing regarding the National Highway Traffic Safety Administration's (NHTSA) recently announced issuance of a notice of proposed rulemaking (NPRM) for the model year (MY) 2022-2025 Corporate Average Fuel Economy (CAFE) standards (for passenger cars and light duty trucks). We applaud NHTSA for this productive step forward to establish a transparent and inclusive process for review of the CAFE program.

NHTSA's undertaking reflects its dedication to achieving the highest standards of excellence in motor vehicle safety and its dedication to the integrity of agency policies and programs, as outlined by *NHTSA's Core Values*. This action is a meaningful step towards reducing the complexity of the CAFE program while providing consumers and stakeholders with transparency, balance, and fairness in agency policy and rulemaking activities. This process permits all stakeholders to have a voice in the CAFE program, a program that has a great impact on the consumer and the economy. According to the Auto Alliance, auto manufacturing contributes over $900 billion to our economy as well as providing over 7 million jobs in the United States. Moreover, Pennsylvania auto dealerships could be impacted, hurting jobs and sales in the process. The National Automobile Dealers Association states that, in 2016 alone, Pennsylvania's 867 dealerships created 105,004 total jobs and paid $827 million in state and federal income taxes. If left unchanged, the current CAFE standards could disrupt the good these dealerships have contributed to the Pennsylvania economy.

Enacted in the 1970s, in a time of resource scarcity, the CAFE program sought to reduce the importation of foreign oil and conserve energy through increasing the efficiency of motor vehicles (fuel economy). Today, however, the current iteration of the CAFE program, as constructed by the Obama Administration, appears outdated and overly complicated. It is unable to keep up with the rapid changes in the marketplace.

With oil scarcity no longer a concern, and increasingly ambitious CAFE requirements, it is important that NHTSA and EPA review the mandate to ensure that the U.S is protecting consumers from higher costs and still allowing for choice in vehicles that best fits their needs. According to the National Auto Dealers Association, CAFE as it currently stands could increase the price of an average vehicle by $3,000 in 2025.

PRINTED ON RECYCLED PAPER

It is our hope that NHTSA's review and comment period from various stakeholders, including the driving public, will examine the technological feasibility of attaining any standards set, protect drivers from high costs in recognition of economic realities, ensure vehicle choice, and take note of the interaction of the CAFE program with other motor vehicle fuel standards. We thank NHTSA for their leadership on this important issue and we look forward to continuing to support the NHTSA process going forward.

Sincerely,

Lloyd Smucker
Member of Congress

Lou Barletta
Member of Congress

Mike Kelly
Member of Congress

Tom Marino
Member of Congress

Scott Perry
Member of Congress

Keith Rothfus
Member of Congress

Bill Shuster
Member of Congress

Glenn "GT" Thompson
Member of Congress

Appendix I

Congress of the United States
Washington, DC 20515

July 23, 2018

Deputy Administrator Heidi King
National Highway Traffic Safety Administration
1200 New Jersey Ave., SE
Washington, DC 20590

Dear Deputy Administrator Heidi King:

First, we would like to thank you and the National Highway Traffic Safety Administration (NHTSA) for all of your hard work in providing the motoring public with the highest level of vehicle safety.

We write to you to express our support for NHTSA's commitment to an open and transparent process for the current review of the Corporate Average Fuel Economy (CAFE) standards for the model year (MY) 2022-2025.

As you are well aware, the CAFE standard originated in 1970 during a time of severe oil scarcity, in an effort to help increase the efficiency of motor vehicles and preserve needed resources. However, much has changed since 2012 when NHTSA finalized the second phase of CAFE standards for (MY) 2017-2025 vehicles, which is why it's critical that NHTSA takes its time with the midterm review process to ensure any new rules or regulations complement current market demands.

Furthermore, we hope during your due diligence you will take the time to examine ways in which the latest technological innovations can be leveraged to help American consumers, as well as take into account ways in which the current program can be made less complex.

Again, we appreciate NTHSA's commitment to protecting the public, as well the Administration's continued commitment to an open process.

Very respectfully,

Pete Olson (TX-22)
Member of Congress

John Cornyn
United States Senator

Roger Williams (TX-25)
Member of Congress

Ted Cruz
United States Senator

PRINTED ON RECYCLED PAPER

Pete Sessions (TX-32)
Member of Congress

Brian Babin D.D.S (TX-36)
Member of Congress

Lamar Smith (TX-21)
Member of Congress

Randy Weber (TX-14)
Member of Congress

John Culberson (TX-07)
Member of Congress

Kenny Marchant (TX-24)
Member of Congress

Bill Flores (TX-17)
Member of Congress

Ted Poe (TX-02)
Member of Congress

Michael T. McCaul (TX-10)
Member of Congress

Will Hurd (TX-23)
Member of Congress

Joe Barton (TX-06)
Member of Congress

Jeb Hensarling (TX-05)
Member of Congress

John Carter (TX-31)
Member of Congress

Kevin Brady (TX-08)
Member of Congress

Louie Gohmert (TX-01)
Member of Congress

John Ratcliffe (TX-04)
Member of Congress

Michael C. Burgess, M.D. (TX-26)
Member of Congress

Jodey Arrington (TX-19)
Member of Congress

Mike Conaway (TX-11)
Member of Congress

Sam Johnson (TX-03)
Member of Congress

Mac Thornberry (TX-13)
Member of Congress

Kay Granger (TX-12)
Member of Congress

Michael Cloud (TX-27)
Member of Congress

Appendix XI

MEMORANDUM

SUBJECT: Recusal Statement

FROM: William L. Wehrum
Assistant Administrator

9-17-18

TO: Andrew R. Wheeler
Acting Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Hunton & Williams LLP** (now Hunton Andrews Kurth LLP), or any former client to whom I provided legal services during the past two years, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties.

RECUSAL LIST In effect until November 12, 2019	
FORMER EMPLOYER: Hunton & Williams LLP (now Hunton Andrews Kurth LLP)	
FORMER CLIENTS:[1] Agrium Inc.; Agrium U.S. Inc.; Nu-West Industries, Inc. American Forest & Paper Association American Fuel & Petrochemical Manufacturers American Petroleum Institute B10 Litigation Coalition Brick Industry Association CEMEX USA, Inc. Champion Power Equipment, Inc. Chemical Safety Advocacy Group (CSAG) Chevron Corporation Diageo Dominion Resources Services, Inc. Duke Energy Corporation Enbridge, Inc. Evonik Corporation[2] ExxonMobil Corporation Flint Hills Resources, LP GPA Midstream Association (formally known as Gas Processors Association)	General Electric Company Georgia-Pacific LLC Kinder Morgan, Inc. Koch Companies Public Sector, LLC Koch Industries, Inc. Lehigh Hanson, Inc. Lowe's Companies, Inc. National Stone, Sand and Gravel Association Pfizer Inc. Phillips 66 Company Portland Cement Association Prinoth Ltd. Salt River Project Spectra Energy Corp. Sunflower Electric Power Corporation, Inc. Tile Council of North America Utility Air Regulatory Group Utility Water Act Group Whitaker Greer Company

[1] Two confidential clients are not listed. Both clients have a written confidentiality agreement expressly prohibiting disclosure.
[2] Includes but not limited to an ongoing settlement negotiation.

ED_013012_00003932-00050

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Attached is a list of cases I am recused from given my participation at Hunton Andrews Kurth LLP.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or matters identified in the Attachment, I will instruct Josh Lewis, Chief of Staff, and Mandy Gunasekara, Principal Deputy Assistant Administrator, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities or matters on my recusal list should be directed to Josh and Mandy without my knowledge or involvement until after my recusal period ends.

If Josh or Mandy determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to OGC/Ethics.

Attachment

cc: Matthew Z. Leopold, General Counsel
Ryan Jackson, Chief of Staff
Mandy Gunesakara, Deputy Assistant Administrator
Clint Woods, Deputy Assistant Administrator
Elizabeth Shaw, Deputy Assistant Administrator
David Harlow, Senior Counsel
Josh Lewis, Chief of Staff
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

ED_013012_00003932-00051

William L. Wehrum RECUSAL LIST – ATTORNEY BAR OBLIGATIONS	
CASE NAME:	CITATION:
American Petroleum Institute v. EPA	No. 08-1277 (D.C. Cir.)
Environmental Integrity Project v. EPA	No. 08-1281 (D.C. Cir.) (consolidated with No. 08-1277)
Kinder Morgan CO2 Co., LP v. EPA	No. 09-1332 (D.C. Cir.)
Gas Processors Association v. EPA	No. 11-1023 (D.C. Cir.)
American Petroleum Institute, *et al.* v. EPA	No. 11-1309 (D.C. Cir.)
National Rural Electric Coop. v. EPA	No. 12-1208 (D.C. Cir.) (consolidated with No. 12-1163)
National Rural Electric Coop. v. EPA	No. 12-1352 (D.C. Cir.) (consolidated with No. 12-1346)
American Petroleum Institute v. EPA	No. 12-1405 (D.C. Cir.)
Gas Processors Association v. EPA	No. 12-1406 (D.C. Cir.) (consolidated with No. 12-1405)
American Petroleum Institute, *et al.* v. EPA	No. 12-1442 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 13-1063 (D.C. Cir.) (consolidated with No. 11-1309)
American Petroleum Institute v. EPA	No. 13-1108 (D.C. Cir.)
Conservation Law Foundation, *et al.* v. EPA	No. 13-1233 (D.C. Cir.)
Sierra Club, *et al.* v. EPA	No. 13-1256 (D.C. Cir.) (consolidated with No. 16-1021)
American Petroleum Institute v. EPA	No. 13-1289 (D.C. Cir.) (consolidated with No. 13-1108)
PSEG Power LLC, *et al.* v. EPA	No. 14-1199 (D.C. Cir.) (consolidated with No. 13-1233)
Georgia-Pacific LLC v. EPA	No. 14-1267 (D.C. Cir.)
Gas Processors Association v. EPA	No. 15-1021 (D.C. Cir.) (consolidated with No. 15-1020)
American Petroleum Institute v. EPA	No. 15-1044 (D.C. Cir.) (consolidated with No. 13-1108)
American Petroleum Institute v. EPA	No. 15-1197 (D.C. Cir.)
Gas Processors Association v. EPA	No. 15-1473 (D.C. Cir.)
Sierra Club, *et al.* v. EPA, *et al.*	No. 15-1487 (D.C. Cir.)
Brick Industry Association v. EPA	No. 15-1492 (D.C. Cir.) (consolidated with No. 15-1487)
Sierra Club, *et al.* v. EPA, *et al.*	No. 16-1021 (D.C. Cir.)
American Fuel & Petrochemical, *et al.* v. EPA	No. 16-1033 (D.C. Cir.)
Air Alliance Houston, *et al.* v. EPA, *et al.*	No. 16-1035 (D.C. Cir.) (consolidated with No. 16-1033)
Brick Industry Association v. EPA	No. 16-1179 (D.C. Cir.) (consolidated with No. 15-1487)

ED_013012_00003932-00052

American Petroleum Institute v. EPA	No. 16-1270 (D.C. Cir.) (consolidated with No. 13-1108)
American Petroleum Institute v. EPA	No. 16-1271 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 16-1345 (D.C. Cir.) (consolidated with No. 16-1344)
Natural Resources Defense Council v. EPA	No. 16-1425 (D.C. Cir.)
Utility Air Regulatory Group v. EPA	No. 17-1088 (D.C. Cir.) (consolidated with No. 17-1085)

ED_013012_00003932-00053

Appendix XI

Executive Briefing Summary

Topic: Clean Air Scientific Advisory Committee (CASAC) Annual Membership
Date: September 14, 2017
Contacts: Aaron Yeow and Christopher Zarba

PURPOSE: Brief Dr. Richard Yamada on preliminary recommendations for CASAC membership and to ensure planned briefings for Agency leadership on CASAC membership are focused, responsive and effective.

ISSUE: The nomination period for the CASAC closed on July 27, 2017. The SAB Staff Office identified candidates that have confirmed interest to serve and have submitted biosketches and CVs. The List of Candidates was posted on the CASAC website (August 28, 2017) for a 21-day public comment period that ends on September 18, 2017.

On September 30, 2017, the second term is ending for the Chair of the CASAC, Dr. Ana Diez Roux, who also fulfills the statutory roles of physician and NAS member.

BACKGROUND:

- The CASAC is a statutory scientific and technical committee whose members are independent experts that do not represent the views of any organization or entity.
- The Clean Air Act specifies that CASAC consist of 7 members, including at least one member of the National Academy of Sciences (NAS), one physician, and one person representing State air pollution control agencies.
- 42 Candidates are on the List of Candidates (George Allen withdrew on 9/6/17).
    - 9 candidates are both physicians and members of the National Academies
    - 14 candidates are only physicians
    - 3 candidates are only members of the National Academies
    - 16 candidates that are neither physicians nor members of the National Academies and cannot fulfill the statutory requirements for CASAC membership.

NEXT STEPS:

- Review the detailed options and preliminary recommendations in the attached pages.
- After the public comment period closes, another briefing will be conducted to review the public comments and for the Administrator's decision on appointment(s).
- The SAB Staff Office will work with OGC and FACMD for the balance review and OES on invitation and thank you letters.
- After acceptance letters are received, the CASAC website will be updated with the new membership and the remaining candidates will be notified of the Administrator's decision.

OPTIONS: There are a number of options and sub options that can be considered. Three broad options are presented to help focus discussion and target preferred options. The three options are:

1) Extend current CASAC Chair
2) Appoint one new CASAC member
3) Appoint two new CASAC members

ED_013012_00003932-00054

Option 1 - Extend Current CASAC Chair for One Year

- The 2-term, six-year CASAC membership limit is not codified and is at the discretion of the Administrator. In the past, SAB and CASAC members have been extended past the six-year limit.
- Pros:
  - Fulfillment of statutory membership roles are maintained
  - Does not require terminating a CASAC member's term early
  - Provides continuity of CASAC review work
  - Easy to defend decision
  - Allows greater flexibility to split the statutory roles next year, when more member terms expire
  - Dr. Diez Roux is an excellent CASAC Chair with direct experience and expertise in health effects of air criteria pollutants, epidemiology, environmental health, and public health
- Cons:
  - No new perspectives are added
  - One CASAC member would continue to fulfill two statutory roles. This can be mitigated next year, when more member terms expire.
  - May present an issue with staggering of terms - on September 30, 2018, 6 out of the 7 CASAC members would have first or second terms expiring. Can be somewhat mitigated by the use of 2-year and 3-year term appointments next year.

ED_013012_00003932-00055

Option 2 – Appoint One New CASAC Member

Appointment of One New CASAC Member

- New member would need to fulfill the statutory roles of physician and member of National Academies
- Pros:
  - No deviation from past selection and appointment process
  - No early termination of existing CASAC member
  - Adds fresh perspectives to CASAC
- Cons:
  - A single member will continue to fulfill two statutory roles, but this can be mitigated by appointing an additional physician or member of the National Academies next year, when more member terms expire.

- Candidates were evaluated based on experience and expertise in health effects of air pollution, health effects of air criteria pollutants, epidemiology, environmental health, public health, national scientific peer review experience, and national scientific committee experience.

Recommendations

The most qualified candidates are:

Name	Organization	State	Expertise Required	Nominator	Academy
Boat,Thomas F.	Cincinnati Children's Hospital Medical Center	OH	Physician; Member of the National Academy of Sciences	DFO	NAM
Colditz,Graham A.	Washington University School of Medicine	MO	Physician; Member of the National Academy of Sciences	DFO	NAM
Lichtveld,Maureen	Tulane University	LA	Physician; Member of the National Academy of Sciences	DFO	NAM
Pollak,Martin R.	Harvard University Medical School	MA	Physician; Member of the National Academy of Sciences	DFO	NAS
Reingold,Arthur L.	University of California, Berkeley	CA	Physician; Member of the National Academy of Sciences	Dr. Jonathan Samet, University of Southern California	NAM

Appointment of CASAC Chair

- Option 1 – Appoint an existing CASAC member as CASAC Chair
  - Pros:
    - There would be little to no learning curve, allowing CASAC to operate with minimal disruption

ED_013012_00003932-00056

        - Experience with FACA rules, how CASAC operates, and portfolio of ongoing CASAC work
    - **Recommendation:** Dr. Elizabeth (Lianne) Sheppard, University of Washington
        - Dr. Sheppard is an excellent, productive member, with demonstrated leadership and facilitation skills in chairing CASAC panels.
    - **Alternate:** Dr. Ivan Fernandez, University of Maine
        - Dr. Fernandez has experience serving on SAB panels and chairing the CASAC Secondary NAAQS Review Panel for Oxides of Nitrogen and Sulfur.
    - Length of Chair appointment is typically 2 years, but is at the discretion of the Administrator.
    - Both Dr. Sheppard and Dr. Fernandez have their first 3-year terms ending on September 30, 2018.

- Option 2 – Appoint the new CASAC member (selected above) to serve as CASAC Chair
    - Cons: There may be a learning curve and it will take time to become familiar with FACA rules, how CASAC operates, and ongoing CASAC work.

ED_013012_00003932-00057

Option 3 - Appoint Two New CASAC Members

Appointment of Two New CASAC Members

- Appoint one physician and appoint one member of the National Academies
- CASAC is limited to 7 members and only one member's term is expiring. Appointing 2 new members would require terminating an existing CASAC member's term early.
- Pros:
  - Would separate the statutorily-required roles of physician and member of the National Academies into two CASAC members
- Cons:
  - Negative reaction from the media and public could be severe. Ending a CASAC member's term early could be perceived as firing that member.
  - Deviates from usual process. This option is different from not renewing a member for a second three-year term.

- Candidates were evaluated based on experience and expertise in health effects of air pollution, health effects of air criteria pollutants, epidemiology, environmental health, public health, national scientific peer review experience, and national scientific committee experience.

Recommendations

The most qualified candidates are:

Physicians with direct experience in health effects of criteria pollutants				
Name	**Organization**	**State**	**Expertise Required**	**Nominator**
Balmes,John R.	University of California, San Francisco	CA	Physician	Gary Ewart, American Thoracic Society; Dr. Joel Kaufman, University of Washington
Bascom,Rebecca	Pennsylvania State University	PA	Physician	Gary Ewart, American Thoracic Society
Frampton,Mark	University of Rochester	NY	Physician	Dr. Richard Yamada, USEPA
Garshick,Eric	Veterans Administration Boston Health Care System	MA	Physician	Dr. Michael McGinnis, National Academy of Medicine
Kipen,Howard	Rutgers University School of Public Health	NJ	Physician	Gary Ewart, American Thoracic Society
McConnell,Rob	University of Southern California	CA	Physician	Dr. Joel Kaufman, University of Washington

ED_013012_00003932-00058

Option 4 – Appoint All New Members to CASAC

- The Administrator has the option of appointing all new members to CASAC.
- This would require ending 6 CASAC members' terms early.
- There may be severe negative reaction from the media and public. Ending a CASAC member's term early could be perceived as firing that member.
- Appointing all new members would provide no continuity in service, lost productivity in training new members, getting new members familiar with FACA rules, how CASAC operates, and ongoing CASAC work. This would create significant delays in CASAC review work with the potential for the agency to miss court-ordered deadlines.
- This option would require a new solicitation for nominations in the Federal Register Notice because the FRN published on June 27, 2017, solicited only for physicians and members of the National Academy of Sciences.
    - The new FRN would need to solicit for all three required statutory roles – physician, member of the National Academy of Sciences, and a person representing state air pollution control agencies.
    - The new FRN would also need to solicit for all of the scientific disciplines needed for CASAC to create a sufficient pool of qualified experts to fully constitute CASAC.
- A new FRN would delay the appointment process by 4 months.
    - This would lead to a delay in finalizing the CASAC Sulfur Oxides review which in turn may delay the agency's Sulfur Oxides Primary NAAQS review, which is under a lawsuit and proposed consent decree.
- Not publishing a new FRN may generate media and public backlash for not conducting an open public solicitation for all statutory roles and scientific disciplines needed for CASAC.

ED_013012_00003932-00059

Executive Briefing Summary

Topic: Clean Air Scientific Advisory Committee (CASAC) Annual Membership
Date: September 20, 2017
Contacts: Aaron Yeow and Christopher Zarba

PURPOSE: Brief Dr. Richard Yamada on further information pertaining to Options 3 and 4 from the September 14, 2017 revised briefing.

ISSUE: On September 30, 2017, the second term is ending for the Chair of the CASAC, Dr. Ana Diez Roux, who also fulfills the statutory roles of physician and NAS member. The nomination period for the CASAC closed on July 27, 2017. The List of Candidates was posted on the CASAC website (August 28, 2017) for a 21-day public comment period that ended on September 18, 2017.

BACKGROUND:

- The CASAC is a statutory scientific and technical committee whose members are independent experts that do not represent the views of any organization or entity.
- The Clean Air Act specifies that CASAC consist of 7 members, including at least one member of the National Academy of Sciences (NAS), one physician, and one person representing State air pollution control agencies.
- During and subsequent to the September 14, 2017 briefing, four options were identified: 1) Extend current CASAC Chair; 2) Appoint one new CASAC member (including SABSO recommendations of highly qualified candidates); 3) Appoint two new CASAC members (including SABSO recommendations of highly qualified candidates); and 4) Appoint all new CASAC members.
- On September 18, 2017, Dr. Yamada provided the following candidates for options 3 and 4 and requested further information:
    - Option 3 – Appoint 2 new CASAC members
        - Dr. Larry Wolk (physician) / Dr. Mark Frampton (physician)
        - Dr. Tony Cox (NAE)
    - Option 4 – Appoint all new CASAC members
        - Dr. James Boylan (Georgia Department of Natural Resources)
        - Dr. Tonx Cox (NAE)
        - Dr. Sabine Lange (Texas Commission of Environmental Quality)
        - Dr. Steven Packham (Utah Department of Environmental Quality)
        - Dr. Larry Wolk (physician and Colorado Department of Public Health and Environment)
        - Dr. Robert Phalen
        - Dr. Mark Frampton (physician) / Dr. Stanley Young / Dr. Jeffrey Lewis

ED_013012_00003932-00060

Summary of Public Comments

- Public Comment period ended September 18, 2017
- Received 46 public comments
  - Majority were letter/emails supporting individual candidates
- Possible financial conflicts of interest:
  - Drs. Cox, Waldman, Young may have COI (2 University of Utah professors)
  - Dr. Lewis may have COI (Environmental Protection Network)
  - Drs. Balmes, Diez Roux, Frampton, McConnell, Ritz, Russell, Thurston, Zeger, Mr. Allen and Mr. Croes may have COI due to EPA grants (junkscience mass comments)
- Possible appearance of a lack of impartiality:
  - Drs. Cox, Hayworth, Henry, Lewis, Waldman, Young (Environmental Integrity Project)
- Lack of scientific expertise:
  - Drs. Cox, Waldman, Young lack key scientific credentials (2 University of Utah professor)
  - Drs. Waldman and Young do not have deep expertise for CASAC – do not have the breadth and depth of expertise compared to the other candidates (Environmental Protection Network)
- List of Candidates include candidates who are not physicians and NAS members, contrary to FRN solicitation:
  - Creates confusion for public, makes it hard to provide comments on qualifications not stated in the FRN [Northeast States for Coordinated Air Use Management (NESCAUM)]
  - If appointments of candidates not meeting qualifications in FRN are made, membership process will be arbitrary and deeply flawed. Process should be transparent and align with announced requirements. (NESCAUM)
  - FRN is clear on soliciting physicians and NAS members. If other candidates are desired, new FRN should be published. (Chris Frey, NCSU)
  - Not a public comment, but asked whether the qualifications in FRN were absolute requirements (American Chemistry Society)
  - Not a public comment, but the American Petroleum Institute (API) called to ask why there were candidates on the List of Candidates who were not physicians and NAS members.
- CASAC should have expertise to provide advice on any adverse economic or energy effects related to NAAQS implementation
  - NAAQS Implementation Coalition
  - State air agency experts have the expertise to provide this kind of advice [Association of Air Pollution Control Agencies (AAPCA)]
- More state representation and geographic diversity
  - Supports appointment of state air agency experts on List of Candidates (AAPCA)

ED_013012_00003932-00061

Option 3 - Appoint Two New CASAC Members

Appointment of Two New CASAC Members

- Appointment of one physician and one member of the National Academies would fit within the scope of the FRN solicitation.
- Physician:
  - Dr. Mark Frampton / Dr. Larry Wolk
    - **Dr. Mark Frampton (University of Rochester)**
      - Expertise and experience in respiratory medicine, inhalation toxicology, health effects of air pollution and air criteria pollutants
      - Experience serving on national committees including HEI, NIH, EPA
    - Dr. Larry Wolk (Colorado Department of Public Health and Environment)
      - Experience in pediatrics, adolescent medicine
      - No direct experience in health effects of air pollution, epidemiology, toxicology
      - No direct experience serving on national scientific committees
- Member of the National Academies:
  - Dr. Tony Cox (National Academy of Engineering)
    - Expertise and experience in quantitative risk assessment, statistical analysis of epidemiological data
    - Experience serving on national scientific committees, including NAS, NRC, IOM, EPA SAB panels
    - Possible issue with conflict of issue or appearance of a lack of impartiality:
      - Consulting clients have included: American Chemistry Council, American Petroleum Institute, ExxonMobil, National Mining Association
      - Congressional testimony on health effects of air pollutants; health effects of ozone
      - Public comments made on ozone and PM NAAQS on behalf of Engine Manufacturer's Association
- Between the two physicians suggested above, Dr. Frampton has more direct experience addressing the issues that CASAC will provide advice on.
- Both Dr. Wolk and Dr. Cox are from the state of Colorado. Appointment of two members from the same state would decrease geographic diversity.

Appointment of CASAC Chair

- From the suggested candidates above, Dr. Mark Frampton would be better suited to serve as CASAC Chair based on breadth of air pollution expertise and experience and current membership on the CASAC PM panel.

Termination of Existing CASAC Member

- Selection of 2 new CASAC members would require termination of an existing CASAC member. CASAC members with 2nd terms ending September 30, 2018:
  - Dr. Jack Harkema, Michigan State University
  - Dr. Ronald Wyzga, Electric Power Research Institute

ED_013012_00003932-00062

Option 4 – Appoint All New Members to CASAC

Appointment of all New CASAC Members from the List of Candidates

- Not publishing a new FRN may generate media and public backlash for not conducting an open public solicitation for all statutory roles and scientific disciplines needed for CASAC.
- Suggested candidates as proposed may not reflect a balance of scientific disciplines (several overlapping disciplines and lack of ecology/welfare expertise needed for secondary NAAQS)
- Both Dr. Wolk and Dr. Cox are from the state of Colorado. Appointment of two members from the same state would decrease geographic diversity.
    - Dr. James Boylan (Georgia Department of Natural Resources)
        - Expertise and experience in air quality modeling and monitoring, particularly criteria pollutants
        - Experience serving on national peer review committees including NACAA, EPA, and CASAC SOx panel.
    - Dr. Tony Cox (National Academy of Engineering)
        - Expertise and experience in quantitative risk assessment, statistical analysis of epidemiological data
        - Experience serving on national scientific committees, including NAS, NRC, IOM, EPA SAB panels
        - Possible issue with conflict of issue or appearance of a lack of impartiality:
            - Consulting clients have included: American Chemistry Council, American Petroleum Institute, ExxonMobil, National Mining Association
            - Congressional testimony on health effects of air pollutants; health effects of ozone
            - Public comments made on ozone and PM NAAQS on behalf of Engine Manufacturer's Association
    - Dr. Sabine Lange (Texas Commission on Environmental Quality)
        - Experience and expertise in toxicology
        - No direct experience serving on national scientific committees
        - Possible issue with an appearance of a lack of impartiality
            - Publications and presentations on NAAQS for criteria pollutants
            - TCEQ has well-established views and positions on various NAAQS and has presented public comments at CASAC meetings
    - Dr. Steven Packham (Utah Department of Environmental Quality)
        - Experience and expertise in toxicology
        - Experience on national scientific committees
    - Dr. Larry Wolk (physician and Colorado Department of Public Health and Environment)
        - Experience in pediatrics, adolescent medicine

ED_013012_00003932-00063

Message

From: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Sent: 2/12/2021 8:35:34 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Haman, Patricia [Haman.Patricia@epa.gov]
Subject: RE: EPA Action on ACE

Thank you! We are in the thick of markup, but appreciate the email.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, February 12, 2021 3:34 PM
To: Cohen, Jacqueline <jackie.cohen@mail.house.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>
Subject: EPA Action on ACE

Hi Jackie,

I hope all is well. Pat and I wanted to make sure you and your boss are aware of action we just took, detailed in the memo attached. In addition to this letter we are filing a motion with the DC Circuit in relation to this.

Can you please let us know if you have any questions? Joe Goffman, our Acting Assistant Administration for Air is happy to connect with you if you have any questions.

Thanks in advance,
Radha

Message

From: UnruhCohen, Ana [Ana.UnruhCohen@mail.house.gov]
Sent: 2/12/2021 8:42:03 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: hi!

Radha – I saw your email address on something Pat sent out. Just thought I'd say hi.
Hope you are doing well and getting settled in over at EPA!

Take care, Ana

Ana Unruh Cohen, PhD
Staff Director
Select Committee on the Climate Crisis
Ana.UnruhCohen@mail.house.gov
202.674.2892 - mobile

Message

From: Roberts, Martha (Bennet) [Martha_Roberts@bennet.senate.gov]
Sent: 2/12/2021 9:30:01 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: D CO delegation letter in support of KC Becker for Region 8 administrator
Attachments: 21.02.08 KC Becker Support Letter EPA Reg. Admin - CO Delegation Signed.pdf

Radha congratulations on your new position! Looking forward to working with you.

I wanted to share the attached letter from the Democratic members of Colorado's congressional delegation in support of KC Becker for Region 8 administrator. My colleague has also reached out on her behalf to our liaison in WH leg affairs.

Could you kindly connect me with the White House Liaison's office so that I can introduce KC to them to see if there's a time when she could interview and share her interest in working for the Biden Administration? Thanks so much for your help,

Martha

Congress of the United States
Washington, D.C. 20510

February 8, 2021

Dear Biden Transition Team:

We write to recommend Colorado's Speaker of the House, KC Becker, for the position of Regional Administrator for the U.S. Environmental Protection Agency's (EPA) Region 8.

Speaker Becker has served with distinction for four terms in the Colorado legislature, including two years as the House Majority Leader and two years as Speaker of the House. She led a historic term in the legislature, passing landmark oil and gas reform, climate change legislation, and helping to create the first-in-the-nation Office of Just Transition. Throughout the past tumultuous year, Speaker Becker steered the legislature through the COVID-19 pandemic by cutting billions out of the state budget, passing COVID relief legislation, and assisting with major police brutality legislation, which has since been replicated by states across the country.

Her leadership alone in state government is enough to demonstrate her stellar qualifications for the position as Regional Administrator for Region 8. Speaker Becker also has experience in local and federal government. After she moved to Colorado, she served four years on the Boulder City Council. Prior to that, she studied environmental and natural resources law and worked as an attorney-advisor for seven years at the U.S. Department of the Interior.

Speaker Becker would be an asset to the EPA and to Region 8. We are confident she will work with diligence and enthusiasm to uphold the EPA's mission to protect human health and the environment.

We cannot recommend anyone more highly than Speaker KC Becker. We hope you give her every consideration for the role as Regional Administrator for the U.S. Environmental Protection Agency's Region 8.

Sincerely,

Michael Bennet
United States Senator

John Hickenlooper
United States Senator

Diana DeGette
Member of Congress

Joe Neguse
Member of Congress

Jason Crow
Member of Congress

Ed Perlmutter
Member of Congress

Message

From: Williams, Morgan (Coons) [Morgan_Williams@coons.senate.gov]
Sent: 2/16/2021 2:16:02 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]; Moser, Chelsea (Coons) [Chelsea_Moser@coons.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Meeting with Senator Coons

Great, thank you so much! The link will remain the same. If you have any issue with the link, my direct line is Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP)

Thank you again!

Morgan

Morgan Williams
State Scheduler
U.S. Senator Chris Coons
1105 N. Market St.
Wilmington, DE 19801
Phone: 302-573-6345

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 9:13 AM
To: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>; Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting with Senator Coons

Hi Morgan,

5:00pm today for the video-call works great. Will the link remain the same?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Sent: Tuesday, February 16, 2021 8:55 AM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting with Senator Coons

Hi Kathleen,

Senator Coons' schedule has shifted and I was wondering if it would be possible to do this meeting at 5:00PM today instead? If that time does not work, I am happy to send some additional options.

Thank you again!

Morgan

Morgan Williams
State Scheduler
U.S. Senator Chris Coons
1105 N. Market St.
Wilmington, DE 19801
Phone: 302-573-6345

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, February 12, 2021 11:09 AM
To: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>; Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting with Senator Coons

Confirmed, thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Sent: Friday, February 12, 2021 10:11 AM
To: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting with Senator Coons

Hi Kathleen,

Below is the zoom link for the meeting on 2/16 at 4:00PM. If you have any issues with the link, please do not hesitate to reach out.

Join Zoom Meeting

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode Ex. 6 Personal Privacy (PP)
One tap mobile

Ex. 6 Personal Privacy (PP)

Dial by your location

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number: Ex. 6 Personal Privacy (PP)

Thank you again!

Morgan

Morgan Williams
State Scheduler
U.S. Senator Chris Coons
1105 N. Market St.
Wilmington, DE 19801
Phone: 302-573-6345

From: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Sent: Thursday, February 11, 2021 5:42 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Great! Morgan will send the zoom link along tomorrow.

Thank you,
Chelsea

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Thursday, February 11, 2021 5:38 PM
To: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

4:00pm on Tuesday, 2/16 works great. Would you be able to share a video-link or call-in number?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Sent: Thursday, February 11, 2021 5:32 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Actually – will 4:00PM work instead?

So sorry for the change!

From: Moser, Chelsea (Coons)
Sent: Thursday, February 11, 2021 5:23 PM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Williams, Morgan (Coons) <Morgan_Williams@coons.senate.gov>
Subject: RE: Meeting with Senator Coons

Hi!

Will 2:45PM on 2/16 work?

Thank you,
Chelsea

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 10, 2021 2:48 PM
To: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Meeting with Senator Coons

Hi Chelsea,

Thank you for the message! I am happy to work with you to connect Senator Coons and Nominee Regan.

We have good availability Monday and Tuesday of next week. Are there times that work best for you?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Moser, Chelsea (Coons) <Chelsea_Moser@coons.senate.gov>
Sent: Wednesday, February 10, 2021 1:14 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: Meeting with Senator Coons

Hi Kathleen!

Senator Coons was hoping to set up a virtual meeting with EPA Nominee Michael Regan in the next week or so. Are there any windows on your end that may work?

Thank you,

Chelsea Moser
Director of Scheduling
U.S. Senator Chris Coons

202-224-5042

Appointment

From: Kothari, Yogin (HSGAC) [Yogin_Kothari@hsgac.senate.gov]
Sent: 2/16/2021 3:47:23 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Accepted: EPA/HSGAC touchbase
Location: Radha calls Yogin

Start: 2/17/2021 3:00:00 PM
End: 2/17/2021 3:30:00 PM
Show Time As: Busy

Recurrence: (none)

Message

From: Lee, Andrea [Andrea.Lee@mail.house.gov]
Sent: 2/16/2021 5:45:53 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Automatic reply: Office of Congressman Bennie G. Thompson (MS-02)

Thank you for your email. I am out of the office until Monday, February 22nd. If you require **immediate assistance,** please call our office at 202.225.5876 or contact Claytrice Henderson at Claytrice.Henderson@mail.house.gov. Otherwise, I will follow up with you upon my return.
For scheduling, please email Earvin Miers at Earvin.Miers@mail.house.gov.
Thank you!

Andrea S. Lee

Message

From: McCracken, Jonathan (Brown) [Jonathan_McCracken@brown.senate.gov]
Sent: 2/16/2021 6:05:55 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Hello!

Also, Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Feb 16, 2021, at 12:51 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Ex. 6 Personal Privacy (PP)
DID YOU HAVE A BABY! Ex. 6 Personal Privacy (PP) send photosssss!!!

From: McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Sent: Tuesday, February 16, 2021 12:50 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Hello!

What's best number? Hopefully nap time will start by 315...

Sent from my iPhone

On Feb 16, 2021, at 12:24 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

You bet, ok to do like 3:20- I have a meeting at 3:30 but ok to join late!

From: McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Sent: Tuesday, February 16, 2021 12:19 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Hello!

Hey there!

Would around 330 work?

Sent from my iPhone

On Feb 16, 2021, at 10:33 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey Jonathan!

I hope all is well with you and your family during these challenging times. If you have a second, do you mind if I give you a ring?

Thanks in advance,
Radha

Message

From: McCracken, Jonathan (Brown) [Jonathan_McCracken@brown.senate.gov]
Sent: 2/16/2021 6:04:41 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Hello!

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Feb 16, 2021, at 12:51 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Ex. 6 Personal Privacy (PP)

DID YOU HAVE A BABY! Ex. 6 Personal Privacy (PP) send photossssss!!!

From: McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
Sent: Tuesday, February 16, 2021 12:50 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Hello!

What's best number? Hopefully nap time will start by 315...

Sent from my iPhone

> On Feb 16, 2021, at 12:24 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>
> You bet, ok to do like 3:20- I have a meeting at 3:30 but ok to join late!
>
> ---
>
> **From:** McCracken, Jonathan (Brown) <Jonathan_McCracken@brown.senate.gov>
> **Sent:** Tuesday, February 16, 2021 12:19 PM
> **To:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Subject:** Re: Hello!
>
> Hey there!
>
> Would around 330 work?
>
> Sent from my iPhone
>
>> On Feb 16, 2021, at 10:33 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:
>>
>> Hey Jonathan!
>>
>> I hope all is well with you and your family during these challenging times. If you have a second, do you mind if I give you a ring?
>>
>> Thanks in advance,
>> Radha

Message

From: Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Sent: 2/16/2021 7:56:08 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Bermudez, Navis [Navis.Bermudez@mail.house.gov]
Subject: RE: Knock Knock

Totally fine, and thank you!

And we should have our draft background memo to share shortly!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 2:42 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Hey guys, I hope you don't mind that for our Thursday call its just going to be me and Radhika. Thought for this initial conversation it would be better to keep small so we can talk openly! Also, do you mind sharing any background you can for the hearing y'all noticed for next week?

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 10, 2021 4:50 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Do you want to say 1:30 p.m. to start and see how that works for us all?

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 10, 2021 4:35 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

That would work great on my end- just let me know what time is best- I'm free any time after 1:15- and I'll set it up. And I'll be on the look out!

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 10, 2021 4:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Radha:

Thanks for reaching out, that sounds like a good idea. Monday's could be best for us….but probably in the early afternoon.

BTW, I think that Chair Napolitano is going to reach out for a meet and greet with Radhika and Barry (OLEM) in the near future, so be on the look out.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 10, 2021 4:24 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: Knock Knock

Hey guys!

I hope all is well. I know you both are incredibly busy, so feel free to waive me off, but I was wondering if it would be possible to set up a 10 minute weekly chat to make sure we are staying coordinated on issues and how we can work together- especially in these early days as we get the agency up and running. I know Radhika would love to chat now and again!

Do you mind letting me know your thoughts? We have set up similar calls with E&C and EPW.

Looking forward to hearing from you,
Radha

Message

From: Rhodeside, Benjamin (Duckworth) [Benjamin_Rhodeside@duckworth.senate.gov]
Sent: 2/16/2021 8:03:05 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Subject: RE: Do you mind sending over the senate calendar?
Attachments: 2021 Senate Schedule.pdf

2021

January

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Message

From: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Sent: 2/16/2021 9:12:09 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Contact at White House?

Yes. Thanks so much!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 3:52 PM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: RE: Contact at White House?

Hey Joe! Can you please email these folks:

Jurinka, Elizabeth M. EOP/WHO <Ex. 6 Personal Privacy (PP)
Black, Jonathan Y. EOP/WHO <Ex. 6 Personal Privacy (PP)

From: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Sent: Tuesday, February 16, 2021 11:15 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Contact at White House?

Thanks!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 10:45 AM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Subject: RE: Contact at White House?

Hey Joe! Good to hear from you. Will circle back!

From: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Sent: Tuesday, February 16, 2021 10:43 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Contact at White House?

Hi Radha –

Senator Grassley would like to send a letter today to the White House Climate Czar, Gina McCarthy.

I'm curious if you have a contact for someone in that office or if you have someone you could connect me with? Thanks in advance!

Joe

Joseph Gilson
Legislative Assistant | Senator Chuck Grassley
135 Hart Senate Office Building | Washington, DC 20510
202-224-4120

joseph_gilson@grassley.senate.gov

Message

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 2/16/2021 9:47:45 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling E&C/EPA Weekly Call

Thanks! Please accept the invite from me, not the one from Rick. Sometimes having access to Rick's calendar gets me into trouble, especially when I send out invites on his behalf!

On our end, here is who will be on the call:

Rick Kessler (Staff Director, Energy (ENG) and Environment and Climate Change (ECC) Subcommittees)
Jackie Cohen (Chief Counsel, ECC)
Dustin Maghamfar (Counsel, ECC)
Caitlin Haberman (Professional Staff Member, ECC)
Anthony Gutierrez (Professional Staff Member, ECC)
Adam Fischer (Professional Staff, ECC)
Brendan Larkin (Policy Coordinator for ECC Sub Chairman Tonko)
Tuley Wright (Counsel, ENG)
Jon Monger (Counsel, Oversight and Investigations Subcommittee)
Judy Harvey (Counsel, Oversight and Investigations Subcommittee)
Joe Banez (Professional Staff Member, Health Subcommittee)
Mike Dulin (Fellow, Health Subcommittee)

I know this is a large group, but E&C likes to show up strong for meetings 😊

-Beckty

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 4:34 PM
To: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Subject: RE: Scheduling E&C/EPA Weekly Call

No ma'am, just me.

From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:23 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling E&C/EPA Weekly Call

I'm happy to set it up. In addition to yourself, is there anyone else from EPA that I should include?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 4:16 PM
To: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Subject: RE: Scheduling E&C/EPA Weekly Call

Thanks Becky, either way works for me.

From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:08 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling E&C/EPA Weekly Call

Perfect! Do you want to send out the Teams meeting invite or should I? I'm fine either way. If you would like to circulate it, I can send you a list of everyone's emails.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 4:05 PM
To: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Subject: RE: Scheduling E&C/EPA Weekly Call

Thank you Becky! 1:30 works great.

From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Scheduling E&C/EPA Weekly Call

Hi Radha,

I hope you had a lovely long weekend! I am sorry to be getting back to you so late about setting up this call, things were pretty hectic last week with our markup. Would 1pm or 1:30pm on Mondays work for you and your team for our weekly call?

Best,
Becky

Rebecca Tomilchik
Policy Analyst
Environment and Climate Change
Committee on Energy & Commerce
U.S. House of Representatives
(202) 225-2927

Message

From: Robayo, Maria [Maria.Robayo@mail.house.gov]
Sent: 2/16/2021 10:00:46 PM
To: Hopkins, Lara [Lara.Hopkins@mail.house.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Congresswoman Castor
Attachments: ATT00001.txt

Kathleen,

It is nice to e-meet you, Congresswoman Castor can meet with Mr. Regan this week on Thursday between 4:00 PM and 5:00 PM EST, or Friday between 2:00 and 3:30 PM EST. I am happy to coordinate something else if those times do not work for him.

Best,

Maria Robayo
Scheduler/Legislative Aide
Office of Congresswoman Kathy Castor (FL-14)
2052 Rayburn House Office Building
Phone: (202) 225-3376
Fax: (202) 225-5652

From: Hopkins, Lara <Lara.Hopkins@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:46 PM
To: Lance.Kathleen@epa.gov; Robayo, Maria <Maria.Robayo@mail.house.gov>
Cc: Adhar.Radha@epa.gov
Subject: Re: Michael Regan, EPA Administrator and Congresswoman Castor

Hi Kathleen,
We'd be happy to set this up. I'm copying Maria in our office who can work with you to find a good time.

Thanks,
Lara

Lara Hopkins
Chief of Staff
U.S. Rep. Kathy Castor (FL14)
Cell: 352-246-5272

Sent from my iPhone

On Feb 16, 2021, at 4:06 PM, Phillips, Clay <Clay.Phillips@mail.house.gov> wrote:

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 4:05 PM
To: Phillips, Clay <Clay.Phillips@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Congresswoman Castor

Good afternoon Clay,

I am reaching out to set up an introductory meeting via video-call or phone call between Congresswoman Castor and Michael Regan, nominee for EPA Administrator. Please let me know if Congresswoman Castor has availability this week or next.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Robayo, Maria [Maria.Robayo@mail.house.gov]
Sent: 2/16/2021 10:11:04 PM
To: Hopkins, Lara [Lara.Hopkins@mail.house.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Congresswoman Castor
Attachments: ATT00001.txt

Kathleen,

I apologize, but it looks like I missed a couple events in her calendar. Would it be possible to schedule something for next week instead?

Would 11:00 am on Monday work? At the moment, her schedule that day is pretty flexible, so we can find a better time if needed.

Sorry if it caused an inconvenience,

Maria Robayo
Scheduler/Legislative Aide
Office of Congresswoman Kathy Castor (FL-14)
2052 Rayburn House Office Building
Phone: (202) 225-3376
Fax: (202) 225-5652

From: Hopkins, Lara <Lara.Hopkins@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:46 PM
To: Lance.Kathleen@epa.gov; Robayo, Maria <Maria.Robayo@mail.house.gov>
Cc: Adhar.Radha@epa.gov
Subject: Re: Michael Regan, EPA Administrator and Congresswoman Castor

Hi Kathleen,
We'd be happy to set this up. I'm copying Maria in our office who can work with you to find a good time.

Thanks,
Lara

Lara Hopkins
Chief of Staff
U.S. Rep. Kathy Castor (FL14)
Cell: 352-246-5272

Sent from my iPhone

On Feb 16, 2021, at 4:06 PM, Phillips, Clay <Clay.Phillips@mail.house.gov> wrote:

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 4:05 PM
To: Phillips, Clay <Clay.Phillips@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Congresswoman Castor

Good afternoon Clay,

I am reaching out to set up an introductory meeting via video-call or phone call between Congresswoman Castor and Michael Regan, nominee for EPA Administrator. Please let me know if Congresswoman Castor has availability this week or next.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Silverthorn, Mary (Cramer) [Mary_Silverthorn@cramer.senate.gov]
Sent: 2/16/2021 10:42:33 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu
Subject: RE: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thanks for reaching out. Senator Cramer would be available for a call at 3:30pm ET on Wednesday, February 24th. Would that work on your end?

Thanks!
Mary Silverthorn
Deputy Scheduler
Senator Kevin Cramer | North Dakota
SR-400 | 202-224-2043

Email Website vCard

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:20 PM
To: Buening, Rachel (Cramer) <Rachel_Buening@cramer.senate.gov>; Silverthorn, Mary (Cramer) <Mary_Silverthorn@cramer.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cramer - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Rachel & Mary,

I hope you are doing well. I'm reaching out to find time on Senator Cramer's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Roberts, Martha (Bennet) [Martha_Roberts@bennet.senate.gov]
Sent: 2/17/2021 1:30:29 PM
To: Harris, Sincere [Harris.Sincere@epa.gov]; Mercado Violand, Fernando [MercadoViland.Fernando@epa.gov]; KC Becker [Ex. 6 Personal Privacy (PP)]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: CO delegation letter in support of KC Becker for Region 8 administrator
Attachments: 21.02.08 KC Becker Support Letter EPA Reg. Admin - CO Delegation Signed.pdf

Dear Sinceré and Fernando,

I wanted to share the attached letter from the Democratic members of Colorado's congressional delegation in support of KC Becker for Region 8 administrator and also put you in touch with KC directly. My colleague has also reached out on her behalf to our liaison in WH leg affairs.

I know you all are deluged getting started—congratulations on your new positions!—but it would be terrific if one of you can find time to chat with KC about her interest in serving as part of the Biden Administration. KC has a long history of making progress on important climate, environment, and equity priorities during her long record of service in local, state, and federal positions.

Thanks so much!

Martha
Senior Advisor to Sen. Michael Bennet on Climate and Energy

Message

From: Roberts, Martha (Bennet) [Martha_Roberts@bennet.senate.gov]
Sent: 2/17/2021 2:06:46 PM
To: Harris, Sincere [Harris.Sincere@epa.gov]; Mercado Violand, Fernando [MercadoViland.Fernando@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: CO delegation letter in support of KC Becker for Region 8 administrator

Wonderful, thanks so much and congratulations again!

From: Harris, Sincere <Harris.Sincere@epa.gov>
Sent: Wednesday, February 17, 2021 9:05 AM
To: Roberts, Martha (Bennet) <Martha_Roberts@bennet.senate.gov>; Mercado Violand, Fernando <MercadoViland.Fernando@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: CO delegation letter in support of KC Becker for Region 8 administrator

Thank you, Martha – both for your kinds words of congratulations and for sharing the recommendation letter for KC with us.

As you can imagine, there is much to juggle with getting the agency staffed up and running, and bringing on a new Administrator (senate-confirmation willing!). We will be sure to reach out her regarding her interest in the Regional Administrator position.

Sinceré A. Harris
White House Liaison, EPA
202-570-5675
@EPA

From: Roberts, Martha (Bennet) <Martha_Roberts@bennet.senate.gov>
Sent: Wednesday, February 17, 2021 8:30 AM
To: Harris, Sincere <Harris.Sincere@epa.gov>; Mercado Violand, Fernando <MercadoViland.Fernando@epa.gov>; KC Becker < Ex. 6 Personal Privacy (PP) >
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: CO delegation letter in support of KC Becker for Region 8 administrator

Dear Sinceré and Fernando,

I wanted to share the attached letter from the Democratic members of Colorado's congressional delegation in support of KC Becker for Region 8 administrator and also put you in touch with KC directly. My colleague has also reached out on her behalf to our liaison in WH leg affairs.

I know you all are deluged getting started—congratulations on your new positions!—but it would be terrific if one of you can find time to chat with KC about her interest in serving as part of the Biden Administration. KC has a long history of making progress on important climate, environment, and equity priorities during her long record of service in local, state, and federal positions.

Thanks so much!

Martha
Senior Advisor to Sen. Michael Bennet on Climate and Energy

Message

From: Atkins, Abby (Wicker) [Abby_Atkins@wicker.senate.gov]
Sent: 2/17/2021 2:36:39 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Jett, Jen (Wicker) [Jen_Jett@wicker.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: RE: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thank you for sending this over! I'd be glad to take a look at the Senator's schedule and get back to you with his availability. I appreciate your patience in the meantime.

Kind regards,
Abby

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:07 PM
To: Jett, Jen (Wicker) <Jen_Jett@wicker.senate.gov>; Atkins, Abby (Wicker) <Abby_Atkins@wicker.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Wicker - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Jen & Abby,

I hope you are doing well. I'm reaching out to find time on Senator Wicker's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Klein, Courtney (Ernst) [Courtney_Klein@ernst.senate.gov]
Sent: 2/17/2021 3:42:51 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Would either of the options below work on your end for a phone call?

Wednesday, Feb. 24 12:30pm ET
Thursday, Feb. 25 8:30am ET

Wednesday is our preference but could also make Thursday work.

Best,
Courtney

From: Klein, Courtney (Ernst)
Sent: Wednesday, February 17, 2021 9:32 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thanks for reaching out. I will take a look at Senator Ernst's availability and circle back. In the meantime, please let me know if you have any questions.

Best,
Courtney

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Courtney,

I hope you are doing well. I'm reaching out to find time on Senator Ernst's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs

U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Price, Wendi (Inhofe) [Wendi_Price@inhofe.senate.gov]
Sent: 2/17/2021 3:50:32 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu
Subject: RE: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen – Things are well! Senator Inhofe would like to meet with Janet. Please let me know if one of the following times will work.

Tuesday, February 23

- 12:30pm
- 4:30pm
- 5:30pm

Wednesday, February 25

- 5:30pm

We would prefer to do this in-person but understand if it needs to be by phone.

Have a good day!

Wendi

Wendi Price
Executive Assistant
U.S. Senator James M. Inhofe - OK
205 Russell Senate Building
Washington, DC 20510
202-224-4721
202-228-1007 fax

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:13 PM
To: Price, Wendi (Inhofe) <Wendi_Price@inhofe.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Inhofe - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Wendi,

I hope you are doing well. I'm reaching out to find time on Senator Inhofe's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Inhofe's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Baron, Diana (Brown) [Diana_Baron@brown.senate.gov]
Sent: 2/17/2021 4:26:35 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Automatic reply: Regan Meeting

Thank you for your email. I will be out of the office until Thursday, Feb. 18th. I will be checking emails on a limited basis and will respond when I can. All future scheduling matters will be handled upon my return.

--Diana Baron
Director of Scheduling/Executive Assistant
U.S. Senator Sherrod Brown
503 Hart Senate Office Building
Washington, DC 20510
(202) 224-2315
fax (202) 228-6703
Visit our website at http://brown.senate.gov

Message

From: Yamada, Debbie (Cardin) [Debbie_Yamada@cardin.senate.gov]
Sent: 2/17/2021 4:34:20 PM
To: Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Times below don't work on Senator Cardin's schedule. What about 2/25 at 4pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 10:19 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Debbie – Here a few windows I have cleared on Janet's calendar for these meetings.

- 2/22 1pm-2pm
- 2/23 3pm-4pm
- 2/24 3pm

Hopefully, one of those windows will work for Senator Cardin.

Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:24 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Debbie – Thank you for your message. I'm looping in Amy Carlile who can chime in with Janet's exact availability for next week.

Karen.

From: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Sent: Tuesday, February 16, 2021 6:14 PM

To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen:

Senator Cardin would like a virtual meeting w/Ms. McCabe. What is her availability next week?

Debbie Yamada
Administrative Director/Scheduler
Office of Senator Ben Cardin
(202) 224-4524 – office
(202) 228-0610 – fax

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>; Lee, Renae (Cardin) <Renae_Lee@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Debbie and Renae,

I hope you are doing well. I'm reaching out to find time on Senator Cardin's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Yamada, Debbie (Cardin) [Debbie_Yamada@cardin.senate.gov]
Sent: 2/17/2021 4:48:26 PM
To: Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

What about 12pm on 2/5?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 11:43 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet has a meeting then that is very difficult to move. Are there any other openings on his schedule next week?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:34 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Times below don't work on Senator Cardin's schedule. What about 2/25 at 4pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 10:19 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Debbie – Here a few windows I have cleared on Janet's calendar for these meetings.

- 2/22 1pm-2pm
- 2/23 3pm-4pm
- 2/24 3pm

Hopefully, one of those windows will work for Senator Cardin.

Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:24 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Debbie – Thank you for your message. I'm looping in Amy Carlile who can chime in with Janet's exact availability for next week.

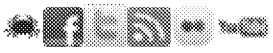
Karen.

From: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Sent: Tuesday, February 16, 2021 6:14 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen:

Senator Cardin would like a virtual meeting w/Ms. McCabe. What is her availability next week?

Debbie Yamada
Administrative Director/Scheduler
Office of Senator Ben Cardin
(202) 224-4524 – office
(202) 228-0610 – fax



From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>; Lee, Renae (Cardin) <Renae_Lee@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Debbie and Renae,

I hope you are doing well. I'm reaching out to find time on Senator Cardin's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Voyles, Travis (EPW) [Travis_Voyles@epw.senate.gov]
Sent: 2/17/2021 5:52:03 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Skane, Elizabeth [Skane.Elizabeth@epa.gov]; Klasen, Matthew [Klasen.Matthew@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Horner, Elizabeth (EPW) [Elizabeth_Horner@epw.senate.gov]; Jenkins, Tyler (EPW) [Tyler_Jenkins@epw.senate.gov]
Subject: Letter from Sen. Captio - PFOS-PFOA Regulatory Determination
Attachments: 2021-02-17 Capito-Klain (PFOS-PFOA Regulatory Determination).pdf

Hi All—

Attached please find a letter from Senator Capito to White House Chief of Staff Ron Klain on the status of the regulatory determination for PFOS and PFOA. Passing along to you since Acting Administrator Nishida is cc'ed.

Hope all is well. Let me know if you have any questions, and we look forward to your reply.

Thanks,

Travis

--

Travis Voyles
Senate Committee on Environment and Public Works
travis_voyles@epw.senate.gov
O: (202) 224-9360
C: (202) 603-6152

United States Senate

WASHINGTON, DC 20510

February 17, 2021

Ronald Klain
Assistant to the President and Chief of Staff
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20500

Dear Mr. Klain:

On January 20, 2021, you issued a memorandum titled "Regulatory Freeze Pending Review" (Klain Memo), which directs that any new or pending rules be immediately frozen from publication in the *Federal Register* until the Biden Administration reviews and approves of them. Caught—I hope unintentionally—in this review process are significant actions to address per- and polyfluoroalkyl substances (PFAS).

I have long taken a lead role in bipartisan efforts to address PFAS, and of significant importance to me is the timely action of EPA to promulgate a National Primary Drinking Water Regulation under the Safe Drinking Water Act (SDWA). On January 15, 2021, EPA signed the "Final Regulatory Determinations for the Fourth Drinking Water Contaminant Candidate List," in which EPA finalized its determination to regulate both perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) under SDWA. This final regulatory determination was a vital step toward ensuring the protection of public health across the nation, as well as to my constituents specifically. It has still not been published in the *Federal Register*.

This scientifically-based and publicly-reviewed regulatory determination is a vital step necessary for EPA to regulate these chemicals in drinking water, and is focused entirely on the protection of public health.

It is important that this regulatory determination be promptly published in the *Federal Register* so that EPA can resume development of a drinking water regulation. Thank you for your consideration of this important public health and environmental policy request.

Sincerely,

Shelley Moore Capito

Shelley Moore Capito
United States Senator
Ranking Member
Committee on Environment and Public Works

cc: Jane Nishida, Acting Administrator, U.S. Environmental Protection Agency

Message

From: Butler, Sarah (Markey) [Sarah_Butler@markey.senate.gov]
Sent: 2/17/2021 6:03:21 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Harrington, Ashley (Markey) [Ashley_Harrington@markey.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,

Senator Markey has a window to meet virtually with Ms. McCabe at 4pm on Tuesday March 2nd. Does this time work on your end? If so, do you need us to provide a zoom link?

Best,

Sarah

Sarah E. Butler
Deputy Chief of Staff for Operations
Office of Senator Ed Markey
255 Dirksen Senate Building
Washington, DC 20510

e: sarah_butler@markey.senate.gov
p: 202-224-2742

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah & Ashley,

I hope you are doing well. I'm reaching out to find time on Senator Markey's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Markey's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Spain, Emily (Carper) [Emily_Spain@carper.senate.gov]
Sent: 2/17/2021 6:30:34 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]
Subject: NAFO Regan Congratulations Letter 02.17.2021.pdf
Attachments: NAFO Regan Congratulations Letter 02.17.2021.pdf

FYI

Emily Spain
Chief of Staff
Senator Tom Carper (Delaware)

NAFO
National Alliance of Forest Owners

February 17, 2021

Mr. Michael Regan
Nominee to be Administrator
U.S. Environmental Protection Agency
Office of the Presidential Transition
1401 Constitution Ave NW
Washington, D.C. 20230

Dear Mr. Regan,

On behalf of the National Alliance of Forest Owners (NAFO), I would like to congratulate you on your nomination to serve as Administrator of the Environmental Protection Agency. As the stewards of more than 46 million acres of sustainably managed working forests, we are responsible for the clean air, clean water, and wildlife habitat they provide. We look forward to working with you as you take on the responsibility of ensuring Americans have access to clean air, land and water. Our Board, comprised of the leading private forestry CEOs in the country, welcomes the opportunity to meet with you to become better acquainted and to introduce you to our sector and the policy solutions we bring to the table**. I invite you to meet with our Board as soon as we can schedule a virtual meeting.**

NAFO is a national advocacy organization committed to advancing federal policies that ensure privately owned working forests provide clean air, clean water, wildlife habitat and jobs through sustainable practices and strong markets. Our 50 member companies own and manage more than 46 million acres of private working forests – an area larger than the entire state of Washington. NAFO's membership also includes state and national associations representing tens of millions of additional acres. Privately owned working forests represent 70% of total U.S. working forests. All NAFO members commit to the sustainable management of private working forests as a condition of membership.

Our forests are sustainably managed to supply a steady, renewable supply of wood for lumber, energy, paper and packaging, and more than 5,000 items that consumers use every day. Building innovations such as "mass timber" are also reducing the carbon footprint of the built environment while supporting rural America. Privately owned working forests support 2.5 million jobs, mostly in rural communities. Research shows that strong markets for wood products keep private working forests and the economic and environmental benefits they provide intact and prevents their conversion to other land uses. Keeping forests intact means keeping forests' economic and environmental benefits intact, too.

Working forests are a critical nature-based solution to climate change. By providing a continuing cycle of growing, harvesting, and replanting, active forest management maximizes a forest's ability to sequester and store carbon and improves forest resilience. U.S. forests and forest products offset 15% of U.S. industrial carbon emissions every year. The power of our nation's forest carbon sink to curb the effects of climate change is unmatched by any other sector.

122 C Street NW, Suite 630, Washington, DC 20001 | (202) 747-0759 | www.nafoalliance.org

Privately owned forests supply nearly 30 percent of the water we drink. The water supplies for rural and urban communities around the country come through forested watersheds, where forests act as a natural filtration system protected by the implementation of state-approved best management practices. The quality of water from some forested watersheds is so high that it does not need to be filtered at all. In many major cities, forested watersheds "upstream" are widely recognized as valuable natural infrastructure, reducing the need for expensive manmade filtration systems.

In a follow-up to your Senate hearing, you noted about yourself and Secretary of Agriculture nominee Tom Vilsack: "We're going to work together with farmers and foresters to make sure that they have the tools and information that they need to continue to be stewards of the land as we tackle climate and other agricultural and environmental issues." In that spirit, we look forward to working with you on these and other important endeavors that will strengthen the economic and environmental benefits of our privately owned forests while sustaining the millions of Americans who own, invest and work throughout the forestry supply chain.

Sincerely,

David P. Tenny
President & CEO

CC:

The Honorable Tom Carper
The Honorable Shelley Moore Capito
The Honorable John Boozman
The Honorable Jeff Merkley
The Honorable Roger Wicker

122 C Street NW, Suite 630, Washington, DC 20001 | (202) 747-0759 | www.nafoalliance.org

ED_013012_00004066-00002

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 2/17/2021 6:49:44 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]
Subject: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Hi Radha,

I hope all is well!

It has come to our attention that EPA has opened an investigation into the approval of city permits by the Illinois EPA for the Reserve Management Group's (RMG) Southside Recycling project located at 11600 S. Burley Ave, Chicago, IL 60617. These allegations are serious and we support EPA's investigations.

We would like an opportunity to understand what EPA will be reviewing and have a better understanding of a road map and expected time to accomplish a thorough investigation. We would like to schedule a time to have this discussion with EPA regarding the scope of this investigation and timeline. Let us know if you have time on your schedule for this, either this week or early next. We are trying to move quickly on this.

We very much appreciate your assistance and time on this critical Illinois concern. Talk soon.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

Message

From: Shaffer Gabel, Caleigh (Daines) [Caleigh_Gabel@daines.senate.gov]
Sent: 2/17/2021 6:53:29 PM
To: Affolter, Caitlin (Daines) [Caitlin_Affolter@daines.senate.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Join ZoomGov Meeting
Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Dial by your location
Ex. 6 Personal Privacy (PP)
Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Thanks everyone!
Caleigh

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 1:49 PM
To: 'Lance, Kathleen' <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Shaffer Gabel, Caleigh (Daines) <Caleigh_Gabel@daines.senate.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Certainly! We are in three different hearings Tuesday morning, unfortunately, I don't see any flexibility earlier.

Senator Daines prefers video and we are happy to coordinate the zoom. Caleigh, can you please send to Kathleen.

Regards,

Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:46 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Thank you, Caitlin. 2:30pmEST, Tuesday, Feb. 23 works great. If a window of availability opens sooner, would you please let me know?

Also, would Senator Daines prefer a video-call? I am happy to setup a Microsoft Teams link, or if you could share a zoom link that would be great!

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency

Cell: (202) 941-1109

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 1:43 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

The Senator will be traveling to DC on Monday and unfortunately does not arrive until 5pm EST right before the vote. How about 2:30pm EST on Tuesday, February 23rd?

Regards,
Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Wednesday, February 17, 2021 1:38 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Caitlin,

Of course! Could you please share Senator Daines' availability for Monday?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Sent: Wednesday, February 17, 2021 12:35 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Senator Daines

Hi Kathleen,

Would it be possible to look to early next week instead?

Thanks,
Caitlin

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 7:08 PM
To: Affolter, Caitlin (Daines) <Caitlin_Affolter@daines.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Senator Daines

Good evening Caitlin,

I am reaching out to set up an introductory meeting via video-call or phone call between Senator Daines and Michael Regan, nominee for EPA Administrator. Please let me know if Senator Daines has availability this Thursday or Friday.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Seigle, Leah (Whitehouse) [Leah_Seigle@whitehouse.senate.gov]
Sent: 2/17/2021 7:26:57 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Garcia, Casey (Whitehouse) [Casey_Garcia@whitehouse.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu
Subject: RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Thanks for reaching out. Senator Whitehouse looks forward to meeting (virtually) with Janet McCabe.
Here are some times that work for the Senator:

Thurs 2/25
9:30am

Fri 2/26
10am
1pm
3pm

Thanks,
Leah

Leah Seigle
Director of Scheduling
Office of Senator Sheldon Whitehouse
530 Hart Senate Office Building
Washington, DC 20510
Direct: (202) 228-6661
Fax: (202) 228-6459

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Seigle, Leah (Whitehouse) <Leah_Seigle@whitehouse.senate.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Leah & Casey,

I hope you are doing well. I'm reaching out to find time on Senator Whitehouse's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency

(202) 564.1142

Message

From: Seigle, Leah (Whitehouse) [Leah_Seigle@whitehouse.senate.gov]
Sent: 2/17/2021 7:52:48 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Garcia, Casey (Whitehouse) [Casey_Garcia@whitehouse.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Subject: RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Perfect, thanks so much. confirmed for 2/25 at 9:30am ET. Do you have a Zoom link that you like to use, or do you want me to provide one?
My colleague Dan Dudis, copied, will staff on our end – will there be anyone joining Janet in the meeting?

Thanks again,
Leah

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 2:38 PM
To: Seigle, Leah (Whitehouse) <Leah_Seigle@whitehouse.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Leah. 2/25 @9:30 will work for Janet.

Take care,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Seigle, Leah (Whitehouse) [mailto:Leah_Seigle@whitehouse.senate.gov]
Sent: Wednesday, February 17, 2021 2:27 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen,
Thanks for reaching out. Senator Whitehouse looks forward to meeting (virtually) with Janet McCabe.
Here are some times that work for the Senator:

Thurs 2/25
9:30am

Fri 2/26
10am
1pm
3pm

Thanks,
Leah

Leah Seigle
Director of Scheduling
Office of Senator Sheldon Whitehouse
530 Hart Senate Office Building
Washington, DC 20510
Direct: (202) 228-6661
Fax: (202) 228-6459

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Seigle, Leah (Whitehouse) <Leah_Seigle@whitehouse.senate.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Leah & Casey,

I hope you are doing well. I'm reaching out to find time on Senator Whitehouse's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Seigle, Leah (Whitehouse) [Leah_Seigle@whitehouse.senate.gov]
Sent: 2/17/2021 7:53:47 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Carlile, Amy L [acarlile@iu.edu]; Garcia, Casey (Whitehouse) [Casey_Garcia@whitehouse.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Dudis, Dan (Whitehouse) [Dan_Dudis@whitehouse.senate.gov]
Subject: RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,
Our emails just crossed. We'll plan to use this dial-in info that you provided, thanks!

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 2:52 PM
To: Carlile, Amy L <acarlile@iu.edu>; Seigle, Leah (Whitehouse) <Leah_Seigle@whitehouse.senate.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Leah and Amy – thank you for confirming that 2/25 at 9:30 ET will work for both Senator Whitehouse and Janet McCabe.

Let's plan to use this conference call info:
Phone number: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

Would you please let me know who will join Senator Whitehouse? Janet McCabe will be joined by Radha Adhar and myself.

All best,

Karen.
202 564 1142

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 2:38 PM
To: Seigle, Leah (Whitehouse) <Leah_Seigle@whitehouse.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Leah. 2/25 @9:30 will work for Janet.

Take care,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541

acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Seigle, Leah (Whitehouse) [mailto:Leah_Seigle@whitehouse.senate.gov]
Sent: Wednesday, February 17, 2021 2:27 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen,
Thanks for reaching out. Senator Whitehouse looks forward to meeting (virtually) with Janet McCabe.
Here are some times that work for the Senator:

Thurs 2/25
9:30am

Fri 2/26
10am
1pm
3pm

Thanks,
Leah

Leah Seigle
Director of Scheduling
Office of Senator Sheldon Whitehouse
530 Hart Senate Office Building
Washington, DC 20510
Direct: (202) 228-6661
Fax: (202) 228-6459

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Seigle, Leah (Whitehouse) <Leah_Seigle@whitehouse.senate.gov>; Garcia, Casey (Whitehouse) <Casey_Garcia@whitehouse.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Whitehouse - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Leah & Casey,

I hope you are doing well. I'm reaching out to find time on Senator Whitehouse's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Klein, Courtney (Ernst) [Courtney_Klein@ernst.senate.gov]
Sent: 2/17/2021 7:59:16 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great, thank you! Please let me know if you have any questions prior to Wednesday, Feb. 24th.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 2:58 PM
To: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Perfect. Thank you, Courtney.
Yes, the number in my sig (202 564 1142) will be the best way to reach out if there's any emergency. I appreciate you asking.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>
Sent: Wednesday, February 17, 2021 2:46 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great, thank you! Michael Farr and Meris Baha will be joining Senator Ernst on the call. Is the number in your email signature the best way to reach you in case of emergency?

Best,
Courtney

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 12:20 PM
To: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>; 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Courtney – Following up on Amy's message, thank you!

Let's use this conference line:
Phone: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

On the call, we'll have Radha Adhar and myself (Karen Thundiyil) on the line. Would you please share who will join the Senator Ernst on the call?

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>
Sent: Wednesday, February 17, 2021 11:00 AM
To: 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! Is there a conference line you'd like to use? Otherwise, I'm happy to provide one if that's helpful. Also, will anyone be joining her on the call?

Best,
Courtney

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 10:57 AM
To: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Courtney! Janet is available on 2/24 @12:30 ET to meet with Senator Ernst.

Best,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Klein, Courtney (Ernst) [mailto:Courtney_Klein@ernst.senate.gov]
Sent: Wednesday, February 17, 2021 10:43 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: 'Adhar, Radha' <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Karen,

Would either of the options below work on your end for a phone call?

Wednesday, Feb. 24 12:30pm ET
Thursday, Feb. 25 8:30am ET

Wednesday is our preference but could also make Thursday work.

Best,
Courtney

From: Klein, Courtney (Ernst)
Sent: Wednesday, February 17, 2021 9:32 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: RE: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Karen,

Thanks for reaching out. I will take a look at Senator Ernst's availability and circle back. In the meantime, please let me know if you have any questions.

Best,
Courtney

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Klein, Courtney (Ernst) <Courtney_Klein@ernst.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Ernst - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Courtney,

I hope you are doing well. I'm reaching out to find time on Senator Ernst's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Youngen, Angie (Portman) [Angie_Youngen@portman.senate.gov]
Sent: 2/17/2021 8:49:33 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: RE: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks Karen- we currently have a full week but appreciate the outreach and will be in touch

---

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:29 PM
To: Youngen, Angie (Portman) <Angie_Youngen@portman.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Portman - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Angie,

I hope you are doing well. I'm reaching out to find time on Senator Portman's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Repko, Mary Frances (EPW) [MaryFrances_Repko@epw.senate.gov]
Sent: 2/17/2021 9:43:37 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Subject: RE: Janet's paperwork

That is fine.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 17, 2021 4:38 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Janet's paperwork

Hey MFR, do you mind sharing if tomorrow is ok for this?

From: Adhar, Radha
Sent: Wednesday, February 17, 2021 3:19 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Janet's paperwork

Thanks MFR. Will get this to you asap.

From: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Sent: Wednesday, February 17, 2021 2:58 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Janet's paperwork

Hi Radha,

We need a scan of the signed and notarized copy.

-Mary Frances

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 17, 2021 11:41 AM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: RE: Janet's paperwork

Hey y'all,

Attached, please find Janet's questionnaire here.

Thanks always,
Radha

From: Adhar, Radha
Sent: Friday, February 12, 2021 10:36 PM
To: Repko, Mary Frances (EPW) <MaryFrances_Repko@epw.senate.gov>
Cc: Eiler, Brian (EPW) <Brian_Eiler@epw.senate.gov>
Subject: Janet's paperwork

Hi MF,

Thanks for your call today. I just sent Janet's questionnaire to Dan for his review, and I hope to have it to you this weekend or early next week.

I am attaching here Janet's SF-86 supplemental questions. She submitted her SF-86 online; can you please let me know if y'all need a copy as well and if there is any other paperwork I should be tracking?

Thanks in advance, and have a wonderful weekend,
Radha

Message

From: Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]
Sent: 2/18/2021 12:35:01 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Can you call me when you get a chance?

Sorry to bother you.
Ex. 6 Personal Privacy (PP)
Sent from my iPhone

Message

From: Allen, Lauren (Capito) [Lauren_Allen@capito.senate.gov]
Sent: 2/18/2021 1:11:51 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: Re: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Would 9:45 or 10 am work?

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 **F**: 202-224-7665

On Feb 17, 2021, at 5:06 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Lauren,

I appreciate your help! Janet has some availability this Friday (Feb 19th). Are there any specific times on Friday that work for Senator Capito?

Take care,

Karen.

From: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>
Sent: Wednesday, February 17, 2021 3:21 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,
Thanks for reaching out. I am happy to facilitate this call. Does she have any availability this Friday?
Sincerely,
Lauren

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 **F**: 202-224-7665

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 1:07 PM
To: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>; McQuitty, Karly (Capito) <Karly_McQuitty@capito.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lauren and Karly,

I hope you are doing well. I'm reaching out to find time on Senator Capito's calendar to meet and talk with Janet McCabe, the nominee for the post of Deputy Administrator of EPA. Would you please share some possible time slots that could work for Senator Capito? We would welcome the opportunity for a meeting this week or next week.

If you have any questions, please reach out. Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Yamada, Debbie (Cardin) [Debbie_Yamada@cardin.senate.gov]
Sent: 2/18/2021 2:06:46 PM
To: Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Checking back to see if you are able to confirm 2/25 at 12pm?

From: Yamada, Debbie (Cardin)
Sent: Wednesday, February 17, 2021 2:07 PM
To: 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Sorry I meant 2/25 at 12pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 1:57 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Just to confirm, I'm assuming you mean 3/5. I believe the EPA needs to meet sooner that that anyway. For the week of February 22nd, is there another opening in his schedule other than 2/25 @4pm?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:48 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

What about 12pm on 2/5?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 11:43 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet has a meeting then that is very difficult to move. Are there any other openings on his schedule next week?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:34 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Times below don't work on Senator Cardin's schedule. What about 2/25 at 4pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 10:19 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Debbie – Here a few windows I have cleared on Janet's calendar for these meetings.

- 2/22 1pm-2pm
- 2/23 3pm-4pm
- 2/24 3pm

Hopefully, one of those windows will work for Senator Cardin.

Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:24 PM

To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Debbie – Thank you for your message. I'm looping in Amy Carlile who can chime in with Janet's exact availability for next week.

Karen.

From: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Sent: Tuesday, February 16, 2021 6:14 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen:

Senator Cardin would like a virtual meeting w/Ms. McCabe. What is her availability next week?

Debbie Yamada
Administrative Director/Scheduler
Office of Senator Ben Cardin
(202) 224-4524 – office
(202) 228-0610 – fax

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>; Lee, Renae (Cardin) <Renae_Lee@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Debbie and Renae,

I hope you are doing well. I'm reaching out to find time on Senator Cardin's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Yamada, Debbie (Cardin) [Debbie_Yamada@cardin.senate.gov]
Sent: 2/18/2021 2:18:06 PM
To: Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Eureka. Will you set up the webinar and send the link?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 9:15 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Debbie,

Thank you for the follow-up note. I just heard back from Janet and 2/25 @12pm will work for Janet.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Thursday, February 18, 2021 9:07 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Checking back to see if you are able to confirm 2/25 at 12pm?

From: Yamada, Debbie (Cardin)
Sent: Wednesday, February 17, 2021 2:07 PM
To: 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Sorry I meant 2/25 at 12pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 1:57 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Just to confirm, I'm assuming you mean 3/5. I believe the EPA needs to meet sooner that that anyway. For the week of February 22nd, is there another opening in his schedule other than 2/25 @4pm?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:48 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

What about 12pm on 2/5?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 11:43 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet has a meeting then that is very difficult to move. Are there any other openings on his schedule next week?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:34 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Times below don't work on Senator Cardin's schedule. What about 2/25 at 4pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 10:19 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Debbie – Here a few windows I have cleared on Janet's calendar for these meetings.

- 2/22 1pm-2pm
- 2/23 3pm-4pm
- 2/24 3pm

Hopefully, one of those windows will work for Senator Cardin.

Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:24 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Debbie – Thank you for your message. I'm looping in Amy Carlile who can chime in with Janet's exact availability for next week.

Karen.

From: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Sent: Tuesday, February 16, 2021 6:14 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen:

Senator Cardin would like a virtual meeting w/Ms. McCabe. What is her availability next week?

Debbie Yamada
Administrative Director/Scheduler

Office of Senator Ben Cardin
(202) 224-4524 – office
(202) 228-0610 – fax

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>; Lee, Renae (Cardin) <Renae_Lee@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Debbie and Renae,

I hope you are doing well. I'm reaching out to find time on Senator Cardin's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Robayo, Maria [Maria.Robayo@mail.house.gov]
Sent: 2/18/2021 2:24:31 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Hopkins, Lara [Lara.Hopkins@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; UnruhCohen, Ana [Ana.UnruhCohen@mail.house.gov]
Subject: Re: Michael Regan, EPA Administrator and Congresswoman Castor

Kathleen,

Yes, a video call using Teams will work well for us. Thank you.

Best,
Maria

On Feb 17, 2021, at 4:39 PM, Lance, Kathleen <Lance.Kathleen@epa.gov> wrote:

Wonderful, thank you. Would the Congresswoman prefer a video-call? If so, I am happy to setup a Microsoft Teams Link. If you would prefer the zoom platform, could you please share the link?

Thank you!

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Robayo, Maria <Maria.Robayo@mail.house.gov>
Sent: Wednesday, February 17, 2021 3:20 PM
To: Lance, Kathleen <Lance.Kathleen@epa.gov>; Hopkins, Lara <Lara.Hopkins@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; UnruhCohen, Ana <Ana.UnruhCohen@mail.house.gov>
Subject: RE: Michael Regan, EPA Administrator and Congresswoman Castor

Kathleen,

Monday at 11:30 works, thank you.

Maria

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 5:53 PM
To: Robayo, Maria <Maria.Robayo@mail.house.gov>; Hopkins, Lara <Lara.Hopkins@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Congresswoman Castor

Hi Maria! Could we connect them at 11:30amEST Monday the 22nd?

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Robayo, Maria <Maria.Robayo@mail.house.gov>
Sent: Tuesday, February 16, 2021 5:11 PM
To: Hopkins, Lara <Lara.Hopkins@mail.house.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Michael Regan, EPA Administrator and Congresswoman Castor

Kathleen,

I apologize, but it looks like I missed a couple events in her calendar. Would it be possible to schedule something for next week instead?

Would 11:00 am on Monday work? At the moment, her schedule that day is pretty flexible, so we can find a better time if needed.

Sorry if it caused an inconvenience,

Maria Robayo
Scheduler/Legislative Aide
Office of Congresswoman Kathy Castor (FL-14)
2052 Rayburn House Office Building
Phone: (202) 225-3376
Fax: (202) 225-5652

<image001.png>

<image002.jpg>

<image003.png>

From: Hopkins, Lara <Lara.Hopkins@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:46 PM
To: Lance.Kathleen@epa.gov; Robayo, Maria <Maria.Robayo@mail.house.gov>
Cc: Adhar.Radha@epa.gov
Subject: Re: Michael Regan, EPA Administrator and Congresswoman Castor

Hi Kathleen,
We'd be happy to set this up. I'm copying Maria in our office who can work with you to find a good time.

Thanks,
Lara

Lara Hopkins
Chief of Staff
U.S. Rep. Kathy Castor (FL14)
Cell: 352-246-5272

Sent from my iPhone

On Feb 16, 2021, at 4:06 PM, Phillips, Clay <Clay.Phillips@mail.house.gov> wrote:

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Tuesday, February 16, 2021 4:05 PM
To: Phillips, Clay <Clay.Phillips@mail.house.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Michael Regan, EPA Administrator and Congresswoman Castor

Good afternoon Clay,

I am reaching out to set up an introductory meeting via video-call or phone call between Congresswoman Castor and Michael Regan, nominee for EPA Administrator. Please let me know if Congresswoman Castor has availability this week or next.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

Message

From: Yamada, Debbie (Cardin) [Debbie_Yamada@cardin.senate.gov]
Sent: 2/18/2021 2:34:19 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Chris Lynch-Chief of Staff and Shannon Frede-Environmental Policy Counsel

---

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 9:30 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>; Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Debbie – Eureka, indeed! Yes, I'll send a Teams link. Will that work for you?

Would you please share who will join Senator Cardin? Radha Adhar and I will join Janet McCabe.

Karen.

From: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Sent: Thursday, February 18, 2021 9:18 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Eureka. Will you set up the webinar and send the link?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 9:15 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Debbie,

Thank you for the follow-up note. I just heard back from Janet and 2/25 @12pm will work for Janet.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Thursday, February 18, 2021 9:07 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Checking back to see if you are able to confirm 2/25 at 12pm?

From: Yamada, Debbie (Cardin)
Sent: Wednesday, February 17, 2021 2:07 PM
To: 'Carlile, Amy L' <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Sorry I meant 2/25 at 12pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 1:57 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Just to confirm, I'm assuming you mean 3/5. I believe the EPA needs to meet sooner that that anyway. For the week of February 22nd, is there another opening in his schedule other than 2/25 @4pm?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:48 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

What about 12pm on 2/5?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 11:43 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Janet has a meeting then that is very difficult to move. Are there any other openings on his schedule next week?

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Yamada, Debbie (Cardin) [mailto:Debbie_Yamada@cardin.senate.gov]
Sent: Wednesday, February 17, 2021 11:34 AM
To: Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Times below don't work on Senator Cardin's schedule. What about 2/25 at 4pm?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Wednesday, February 17, 2021 10:19 AM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Debbie – Here a few windows I have cleared on Janet's calendar for these meetings.

- 2/22 1pm-2pm
- 2/23 3pm-4pm
- 2/24 3pm

Hopefully, one of those windows will work for Senator Cardin.

Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 6:24 PM

To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Hi Debbie – Thank you for your message. I'm looping in Amy Carlile who can chime in with Janet's exact availability for next week.

Karen.

From: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>
Sent: Tuesday, February 16, 2021 6:14 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen:

Senator Cardin would like a virtual meeting w/Ms. McCabe. What is her availability next week?

Debbie Yamada
Administrative Director/Scheduler
Office of Senator Ben Cardin
(202) 224-4524 – office
(202) 228-0610 – fax

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 2:14 PM
To: Yamada, Debbie (Cardin) <Debbie_Yamada@cardin.senate.gov>; Lee, Renae (Cardin) <Renae_Lee@cardin.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Cardin - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Debbie and Renae,

I hope you are doing well. I'm reaching out to find time on Senator Cardin's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Would you please share some possible time slots that could work for your boss? Could a meeting this week or next week fit his schedule?

Thank you for your time,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Sent: 2/18/2021 3:17:21 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Meeting Request: Dicamba Issue

Sure thing. Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 9:59 AM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Cc: hhstine@stineseed.com
Subject: RE: Meeting Request: Dicamba Issue

Hey Joe!

Thanks for your note and I apologize for having not responded earlier. I hope to be in touch soon on this. In the meantime, Joe, do you mind sharing your cell with me? I'd like touch base with you on something if you have a sec.

Best,
Radha

From: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Sent: Wednesday, February 17, 2021 4:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: hhstine@stineseed.com
Subject: Meeting Request: Dicamba Issue

Hi Radha –

I hope you are doing well and settling in at EPA.

Mr. Stine of Stine Seeds who is copied reached out to our office to see if we could facilitate a meeting with the appropriate officials at EPA regarding the registration of dicamba. As I'm sure you know, this is a complex issue and conversations have largely left out seed companies. Mr. Stine relayed that he was opposed to the October decision made by the previous administration on the registration of dicamba. https://www.epa.gov/newsreleases/epa-announces-2020-dicamba-registration-decision

Would it be possible to set up a teleconference with Mr. Stine and the appropriate officials at EPA?

Please forgive me if you are not the right person to contact on this issue. If someone else handles, please feel free to connect us. Thank you in advance for any assistance you can provide!
Joe

Joseph Gilson
Legislative Assistant | Senator Chuck Grassley
135 Hart Senate Office Building | Washington, DC 20510
202-224-4120
joseph_gilson@grassley.senate.gov

Message

From: Pickens, Joycelyn (Casey) [Joycelyn_Pickens@casey.senate.gov]
Sent: 2/18/2021 3:20:51 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Knock knock

Hey Radha! Congrats on the new gig! EPA is lucky to have you.

I'm happy to connect. Feel free to give me a ring Ex. 6 Personal Privacy (PP). My schedule is quite open before 4pm today.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, February 18, 2021 9:52 AM
To: Pickens, Joycelyn (Casey) <Joycelyn_Pickens@casey.senate.gov>
Subject: Knock knock

Hi Joycelyn!

Hope all is well. Do you have a second to chat? Would love to touch base if you have a second.

Looking forward to it,
Radha

Message

From: Allen, Lauren (Capito) [Lauren_Allen@capito.senate.gov]
Sent: 2/18/2021 3:29:24 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Horner, Elizabeth (EPW) [Elizabeth_Horner@epw.senate.gov]; Tomlinson, Adam (EPW) [Adam_Tomlinson@epw.senate.gov]; Cone, Travis (EPW) [Travis_Cone@epw.senate.gov]
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Apologies, he will also have Elizabeth Horner and Travis Cone from our EPW staff joining as well.

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 F: 202-224-7665

From: Allen, Lauren (Capito)
Sent: Thursday, February 18, 2021 10:11 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Tomlinson, Adam (Adam_Tomlinson@EPW.senate.gov) <Adam_Tomlinson@EPW.senate.gov>
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks Karen. This is set on our end. I've included the Senator's staff director, who will be joining from our end.
Sincerely,
Lauren

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 F: 202-224-7665

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Thursday, February 18, 2021 9:49 AM
To: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>; Carlile, Amy L <acarlile@iu.edu>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you, Lauren & Amy!

Let's plan to use this call-in tomorrow morning:
Phone number: Ex. 6 Personal Privacy (PP)
Conference ID: Ex. 6 Personal Privacy (PP)

Would you please share who will join the Senator on the call? Radha Adhar & I will join Janet McCabe.

Take care,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>
Sent: Thursday, February 18, 2021 9:44 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great, is there a number that is best for the Senator to call?
Thanks,
Lauren

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 F: 202-224-7665

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 9:37 AM
To: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thanks Lauren – 9:45am looks good

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Allen, Lauren (Capito) [mailto:Lauren_Allen@capito.senate.gov]
Sent: Thursday, February 18, 2021 8:12 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] Re: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Would 9:45 or 10 am work?

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 **F**: 202-224-7665

On Feb 17, 2021, at 5:06 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Lauren,

I appreciate your help! Janet has some availability this Friday (Feb 19th). Are there any specific times on Friday that work for Senator Capito?

Take care,

Karen.

From: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>
Sent: Wednesday, February 17, 2021 3:21 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Subject: RE: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Karen,
Thanks for reaching out. I am happy to facilitate this call. Does she have any availability this Friday?
Sincerely,
Lauren

Lauren Allen
Office of U.S. Senator Shelley Moore Capito
172 Russell Senate Office Building
Washington D.C. 20510
P: 202-224-6472 **F**: 202-224-7665

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 1:07 PM
To: Allen, Lauren (Capito) <Lauren_Allen@capito.senate.gov>; McQuitty, Karly (Capito) <Karly_McQuitty@capito.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Capito - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Lauren and Karly,

I hope you are doing well. I'm reaching out to find time on Senator Capito's calendar to meet and talk with Janet McCabe, the nominee for the post of Deputy Administrator of EPA. Would you please share some possible time slots that could work for Senator Capito? We would welcome the opportunity for a meeting this week or next week.

If you have any questions, please reach out. Thank you for your time,

Karen.

Karen Thundiyil

Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Gilson, Joseph (Grassley) [Joseph_Gilson@grassley.senate.gov]
Sent: 2/18/2021 3:42:44 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Sen. Grassley Meeting Request: Dicamba Issue

Hi Sven-Erik –

Feel free to set the phone call up through EPA and update our office as appropriate. Thanks so much for your attention to this matter!

Joe

Joseph Gilson
Legislative Assistant | Senator Chuck Grassley
135 Hart Senate Office Building | Washington, DC 20510
202-224-4120
joseph_gilson@grassley.senate.gov

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, February 18, 2021 10:21 AM
To: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Sen. Grassley Meeting Request: Dicamba Issue

Joe- thanks for the request from Sen. Grassley on behalf of Stine seeds regarding dicamba. I'll be glad to followup- do you want the call set up through your office or prefer EPA contact Mr. Stine directly and update you along the way. Please let me know if any questions. Best,
Sven

Sven-Erik Kaiser

Office of Congressional and Intergovernmental Relations

U.S. Environmental Protection Agency

202-566-2753

kaiser.sven-erik@epa.gov

From: Gilson, Joseph (Grassley) <Joseph_Gilson@grassley.senate.gov>
Sent: Wednesday, February 17, 2021 4:00 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: hhstine@stineseed.com
Subject: Meeting Request: Dicamba Issue

Hi Radha –

I hope you are doing well and settling in at EPA.

Mr. Stine of Stine Seeds who is copied reached out to our office to see if we could facilitate a meeting with the appropriate officials at EPA regarding the registration of dicamba. As I'm sure you know, this is a complex issue and conversations have largely left out seed companies. Mr. Stine relayed that he was opposed to the October decision made by the previous administration on the registration of dicamba. https://www.epa.gov/newsreleases/epa-announces-2020-dicamba-registration-decision

Would it be possible to set up a teleconference with Mr. Stine and the appropriate officials at EPA?

Please forgive me if you are not the right person to contact on this issue. If someone else handles, please feel free to connect us. Thank you in advance for any assistance you can provide!

Joe

Joseph Gilson

Legislative Assistant | Senator Chuck Grassley

135 Hart Senate Office Building | Washington, DC 20510

202-224-4120

joseph_gilson@grassley.senate.gov

Message

From: Daimler-Nothdurft, Kristen (Murkowski) [Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: 2/18/2021 3:43:29 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Carlile, Amy L [acarlile@iu.edu]
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

2/24 at 11:00 am EST for a virtual meeting? (I may have to reschedule if they book a hearing during that time but its currently open)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:33 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Kristen,

I hope you are doing well. I'm reaching out to find time on Senator Murkowski's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: McPherson, Chloe [Chloe.McPherson@mail.house.gov]
Sent: 2/18/2021 3:59:15 PM
To: Kaiser, Sven-Erik [Kaiser.Sven-Erik@epa.gov]
CC: Miller, Kurtis [Kurtis.Miller@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Charney, Alyssa (Casey) [Alyssa_Charney@casey.senate.gov]
Subject: RE: Rep. Houlahan Inquiry on Thiabendazole

Dear Sven,

We appreciate EPA's response to our inquiry. Both our office and Sen. Casey's office (cc'd here) work closely with the American Mushroom Institute (AMI), so this information is helpful, thank you.

AMI shared with our offices that the USDA had similar questions relating to the label change timeline. I believe that AMI has requested a joint meeting with Syngenta, USDA, and EPA to clarify any confusion. I don't know if you had any update on their requested meeting?

Best,
Chloe

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Thursday, February 11, 2021 5:36 PM
To: McPherson, Chloe <Chloe.McPherson@mail.house.gov>; Miller, Kurtis <Kurtis.Miller@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Rep. Houlahan Inquiry on Thiabendazole

Chloe – this responds to Rep. Houlahan's questions regarding the interim decision for thiabendazole.

EPA is required to review each registered pesticide at least every 15 years to determine whether it continues to meet the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) standard for registration. EPA must complete registration review by October 1, 2022, for all pesticides registered as of October 1, 2007. The agency's planned final work plans, draft risk assessments, and decision documents are reflected in the Registration Review Schedules. Additional information about EPA's registration review process can be found on our website here.

The docket for the registration review of thiabendazole is EPA-HQ-OPP-2014-0175 at www.regulations.gov. In this docket you will find documents that support this registration review decision. The timeline for the registration review of thiabendazole and salts is located on pages 5-6 of the attached interim registration review decision.

Following issuance of the thiabendazole interim decision in September 2020, the registrants had 60 days to submit amended labels, which includes label changes described in the interim decision, and requests for amendment of registrations to the agency. The agency will then conduct its label review and approval process before new labels can be implemented and available for thiabendazole users.

We received comments on the importance of thiabendazole for mushroom growers, and the impact of the spent mushroom compost (SMC) prohibition, but there weren't data available to resolve the agency's concerns for potential residues in SMC at the time of the issuance of the interim decision. The registrant, in coordination with the mushroom industry, is working to provide that data, and the agency will review and consider any information submitted.

Please let me k now if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-566-2753
kaiser.sven-erik@epa.gov

From: McPherson, Chloe <Chloe.McPherson@mail.house.gov>
Sent: Thursday, February 04, 2021 9:53 AM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Washam, Todd <Washam.Todd@epa.gov>; Kolb, John (JohnMark) <kolb.john@epa.gov>
Cc: Miller, Kurtis <Kurtis.Miller@mail.house.gov>
Subject: RE: Rep. Houlahan Inquiry on Thiabendazole

Sven,

I hope that you and everyone at EPA are staying safe, healthy and warm during this time. I just wanted to send a quick follow-up inquiry about the questions that our office had on the Thiabendazole interim rule.

All the best,
Chloe

Message

From: Butler, Sarah (Markey) [Sarah_Butler@markey.senate.gov]
Sent: 2/18/2021 4:23:38 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Harrington, Ashley (Markey) [Ashley_Harrington@markey.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Understood! Would 5:30pm on Wednesday March 3rd work instead?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:19 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah,

I just talked with Janet and that is the day she will be traveling from Indianapolis. She will likely drive due to COVID-19. Does Senator Markey have anything at all next week? I will make her available any time....

Thank you for your help with this.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Wednesday, February 17, 2021 1:03 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

Senator Markey has a window to meet virtually with Ms. McCabe at 4pm on Tuesday March 2nd. Does this time work on your end? If so, do you need us to provide a zoom link?

Best,

Sarah

Sarah E. Butler
Deputy Chief of Staff for Operations
Office of Senator Ed Markey
255 Dirksen Senate Building
Washington, DC 20510

e: sarah_butler@markey.senate.gov
p: 202-224-2742

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah & Ashley,

I hope you are doing well. I'm reaching out to find time on Senator Markey's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Markey's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Butler, Sarah (Markey) [Sarah_Butler@markey.senate.gov]
Sent: 2/18/2021 4:45:59 PM
To: Carlile, Amy L [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Harrington, Ashley (Markey) [Ashley_Harrington@markey.senate.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Oh sorry I think we would want to meet prior to the meeting. Would 12:30pm on Monday March 1st work?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:28 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

That is the day of her confirmation hearing and we have not received a time for that as yet as far as I know. Perhaps Karen or Radha can let us know if 5:30 would be workable on the same day as the hearing.

Thank you,

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Thursday, February 18, 2021 11:24 AM
To: Carlile, Amy L <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Understood! Would 5:30pm on Wednesday March 3rd work instead?

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 11:19 AM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah,

I just talked with Janet and that is the day she will be traveling from Indianapolis. She will likely drive due to COVID-19. Does Senator Markey have anything at all next week? I will make her available any time....

Thank you for your help with this.

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Butler, Sarah (Markey) [mailto:Sarah_Butler@markey.senate.gov]
Sent: Wednesday, February 17, 2021 1:03 PM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Subject: [External] RE: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

Karen,

Senator Markey has a window to meet virtually with Ms. McCabe at 4pm on Tuesday March 2nd. Does this time work on your end? If so, do you need us to provide a zoom link?

Best,

Sarah

Sarah E. Butler
Deputy Chief of Staff for Operations
Office of Senator Ed Markey
255 Dirksen Senate Building
Washington, DC 20510

e: sarah_butler@markey.senate.gov
p: 202-224-2742

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Tuesday, February 16, 2021 5:09 PM
To: Butler, Sarah (Markey) <Sarah_Butler@markey.senate.gov>; Harrington, Ashley (Markey) <Ashley_Harrington@markey.senate.gov>

Cc: Adhar, Radha <Adhar.Radha@epa.gov>; acarlile@iu.edu
Subject: Scheduling Senator Markey - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Sarah & Ashley,

I hope you are doing well. I'm reaching out to find time on Senator Markey's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting this week or next week fit his schedule? Would you please share some possible time slots that could work for your boss? We're happy to work around Senator Markey's schedule.

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Message

From: Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]
Sent: 2/18/2021 5:22:07 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Following up

Works better for me! **Ex. 6 Personal Privacy (PP)**

Gina Mazzuca
Office of Senator Richard J. Durbin
Hart 711 Office Building

On Feb 18, 2021, at 12:19 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Hey lady do you mind if I harass you next week? I am getting pulled in to something!

Sent from my iPhone

On Feb 16, 2021, at 3:45 PM, Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov> wrote:

Helllo! Hope all is well on your end too!
Yes that sounds good. Would Thursday at 1p work?

Gina Mazzuca | *Legislative Assistant*
Tel: 202.224.2152

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, February 16, 2021 2:10 PM
To: Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>
Subject: Following up

Hi Gina!

I hope all is well! I wanted to follow up with you re: our boss's meeting that happened a few weeks ago now. I believe Senator Durbin shared he wanted to touch base with us on some policy issues- do you mind letting me know if we can chat this week?

Thanks in advance, and looking forward to it,
Radha

Message

From: Tomlinson, Adam (EPW) [Adam_Tomlinson@epw.senate.gov]
Sent: 2/18/2021 5:06:13 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: Introductory Meeting

I tried giving you a call. My number is Ex. 6 Personal Privacy (PP) if you can give me a call back.

Thanks.

Sent from my iPhone

On Feb 18, 2021, at 9:11 AM, Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov> wrote:

Thanks.

Sent from my iPhone

On Feb 18, 2021, at 9:09 AM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

Absolutely, a call is great and I'm looking forward to it. Stay warm!

Radha

From: Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov>
Sent: Thursday, February 18, 2021 8:37 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: Introductory Meeting

Hi Radha -

I just wanted to check and see if a call is ok for our talk at noon today? Given the weather and possibility of more ice, I am likely going to avoid the office and work from home today. If a call is ok, then I will dial you at noon at the number you provided

Thanks

Adam

Sent from my iPhone

On Feb 10, 2021, at 6:49 PM, Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov> wrote:

Thanks for the quick reply.

I am free between 2 and 4 on Wednesday; between 11:00 and 1:15 on Thursday; or before 11:00 on Friday next week. Do any of those times work for you?

Adam

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 10, 2021 5:17 PM
To: Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov>
Subject: RE: Introductory Meeting

Adam,

So nice to be connected and I'm looking forward to working with you and your team. I would love to come to the Senate and introduce myself- do you mind sharing if you have time Wednesday, Thursday or Friday next week?

Looking forward to it,
Radha

From: Tomlinson, Adam (EPW) <Adam_Tomlinson@epw.senate.gov>
Sent: Wednesday, February 10, 2021 5:13 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Introductory Meeting

Hi Radha –

I wanted to introduce myself as the new Republican Staff Director for Senator Capito at the EPW Committee. I was hoping to schedule a time in the next week or two to meet with you. I believe that you worked for Sen. Duckworth until your move to EPA, but I don't believe that we have previously met.

I am sure we will be working together a lot in the days to come and I would appreciate the chance to have a conversation early on without an ask.

If you will be on the Hill any time soon, it would be nice to meet in person. But I am also happy to talk by phone or Webex if you prefer.

Thanks for considering.

Adam

Adam Tomlinson
Republican Staff Director
Committee on Environment and Public Works
202-228-1391

Message

From: Seiger, Ryan [Ryan.Seiger@mail.house.gov]
Sent: 2/18/2021 5:22:59 PM
To: Bermudez, Navis [Navis.Bermudez@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: Knock Knock

Ditto, and mine is Ex. 6 Personal Privacy (PP)

From: Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Sent: Thursday, February 18, 2021 12:16 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Subject: Re: Knock Knock

Radha-
Great seeing you – and your adorable babies!
My cell (personal) is Ex. 6 Personal Privacy (PP) I don't use my work phone as an actual phone. 😊

From: "Adhar, Radha" <Adhar.Radha@epa.gov>
Date: Tuesday, February 16, 2021 at 2:42 PM
To: "Seiger, Ryan" <Ryan.Seiger@mail.house.gov>, Navis Bermudez <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Hey guys, I hope you don't mind that for our Thursday call its just going to be me and Radhika. Thought for this initial conversation it would be better to keep small so we can talk openly! Also, do you mind sharing any background you can for the hearing y'all noticed for next week?

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 10, 2021 4:50 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Do you want to say 1:30 p.m. to start and see how that works for us all?

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 10, 2021 4:35 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

That would work great on my end- just let me know what time is best- I'm free any time after 1:15- and I'll set it up. And I'll be on the look out!

From: Seiger, Ryan <Ryan.Seiger@mail.house.gov>
Sent: Wednesday, February 10, 2021 4:31 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: RE: Knock Knock

Radha:

Thanks for reaching out, that sounds like a good idea. Monday's could be best for us….but probably in the early afternoon.

BTW, I think that Chair Napolitano is going to reach out for a meet and greet with Radhika and Barry (OLEM) in the near future, so be on the look out.

Ryan C. Seiger
Staff Director/Senior Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
585 Ford House Office Building
Washington, D.C. 20515
(202) 225-0060

This email and any related documents generated or received by the Members or staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives ("Committee") are congressional records and remain subject to the Committee's control, even if forwarded to an agency in connection with legislative or oversight activities. Any documents created or compiled by an agency in relation to any response to this email or to any related congressional communications are also congressional records and remain subject to Congressional control. Accordingly, the aforementioned documents are not "agency records" for purposes of the Freedom of Information Act, and should be segregated from agency records.

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 10, 2021 4:24 PM
To: Seiger, Ryan <Ryan.Seiger@mail.house.gov>; Bermudez, Navis <Navis.Bermudez@mail.house.gov>
Subject: Knock Knock

Hey guys!

I hope all is well. I know you both are incredibly busy, so feel free to waive me off, but I was wondering if it would be possible to set up a 10 minute weekly chat to make sure we are staying coordinated on issues and how we can work together- especially in these early days as we get the agency up and running. I know Radhika would love to chat now and again!

Do you mind letting me know your thoughts? We have set up similar calls with E&C and EPW.

Looking forward to hearing from you,

Radha

Message

From: Daimler-Nothdurft, Kristen (Murkowski) [Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: 2/18/2021 5:38:27 PM
To: Thundiyil, Karen [Thundiyil.Karen@epa.gov]
CC: Carlile, Amy L [acarlile@iu.edu]; Adhar, Radha [Adhar.Radha@epa.gov]; Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]; Lesofski, Emy (Appropriations) [Emy_Lesofski@appro.senate.gov]; Robertson, Ann (Murkowski) [Ann_Robertson@murkowski.senate.gov]
Subject: Re: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Yes

Sent from my iPhone

On Feb 18, 2021, at 12:31 PM, Thundiyil, Karen <Thundiyil.Karen@epa.gov> wrote:

Hi Kristen – Thank you for sharing the conf call info. We will use your line. I'll take that Annie Hoefler, Emy Lesofski and Ann Robertson will join Senator Murkowski – is that the case?
Radha Adhar and I will join Janet McCabe.

And, thanks for flagging the possible need to reschedule due to a hearing.

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

From: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Sent: Thursday, February 18, 2021 11:07 AM
To: 'Carlile, Amy L' <acarlile@iu.edu>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Hoefler, Annie (Murkowski) <Annie_Hoefler@murkowski.senate.gov>; Lesofski, Emy (Appropriations) <Emy_Lesofski@appro.senate.gov>; Robertson, Ann (Murkowski) <Ann_Robertson@murkowski.senate.gov>
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Great! Ex. 6 Personal Privacy (PP) CONF ID Ex. 6 Personal Privacy (PP)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Carlile, Amy L <acarlile@iu.edu>
Sent: Thursday, February 18, 2021 10:48 AM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>; 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Thank you Kristen, Janet is available @11am on 2/24. Thank you!

Amy

Amy Carlile
Indiana University Robert H. McKinney School of Law
530 West New York Street
Indianapolis, IN 46202
317.278-7541
acarlile@iu.edu
www.mckinneylaw.iu.edu

From: Daimler-Nothdurft, Kristen (Murkowski) [mailto:Kristen_Daimler-Nothdurft@murkowski.senate.gov]
Sent: Thursday, February 18, 2021 10:43 AM
To: 'Thundiyil, Karen' <Thundiyil.Karen@epa.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: [External] RE: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

This message was sent from a non-IU address. Please exercise caution when clicking links or opening attachments from external sources.

2/24 at 11:00 am EST for a virtual meeting? (I may have to reschedule if they book a hearing during that time but its currently open)

Kristen Daimler Nothdurft
Executive Assistant/Scheduler
Office of Senator Lisa Murkowski
Hart Senate Office Building, room 522
202-224-6665 phone
202-224-4349 scheduling fax

Please note: the Senate Hart Building is currently closed to the public. Any meetings scheduled are virtual.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Wednesday, February 17, 2021 3:33 PM
To: Daimler-Nothdurft, Kristen (Murkowski) <Kristen_Daimler-Nothdurft@murkowski.senate.gov>
Cc: Adhar, Radha <Adhar.Radha@epa.gov>; Carlile, Amy L <acarlile@iu.edu>
Subject: Scheduling Senator Murkowski - Janet McCabe (nominee for EPA Deputy Administrator) meeting

Hi Kristen,

I hope you are doing well. I'm reaching out to find time on Senator Murkowski's calendar to meet and talk with Janet McCabe, nominee for the post of EPA Deputy Administrator. Could a meeting later this week or next week fit her schedule? Would you please share some possible time slots that could work for your boss?

Thank you for considering,

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 1/14/2022 8:52:33 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 1/17/2022 6:30:00 PM
End: 1/17/2022 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 1/14/2022 8:52:56 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 2/22/2021 6:30:00 PM
End: 2/22/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Message

From: Laverdiere, Maria [Laverdiere.Maria@epa.gov]
Sent: 9/13/2021 5:23:32 PM
To: Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]
CC: Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]
Subject: RE: E&C/EPA Weekly Meeting

Absolutely makes sense. Good luck to all of you!

From: Maghamfar, Dustin <Dustin.Maghamfar@mail.house.gov>
Sent: Monday, September 13, 2021 1:18 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>
Cc: Kessler, Rick <Rick.Kessler@mail.house.gov>; Cohen, Jacqueline <jackie.cohen@mail.house.gov>; Haberman, Caitlin <Caitlin.Haberman@mail.house.gov>; Gutierrez, Anthony <Anthony.Gutierrez@mail.house.gov>; Fischer, Adam <Adam.Fischer@mail.house.gov>; Larkin, Brendan <Brendan.Larkin@mail.house.gov>; Wright, Tuley <Tuley.Wright@mail.house.gov>; Banez, Joe <Joe.Banez@mail.house.gov>; Dulin, Michael <Michael.Dulin@mail.house.gov>; Mullon, Meghan <Meghan.Mullon@mail.house.gov>
Subject: RE: E&C/EPA Weekly Meeting

E&C is in markup today so we won't be able to join (Becky is out so she can't send a cancellation)

-----Original Appointment-----
From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:47 PM
To: Tomilchik, Rebecca; Adhar, Radha; Kessler, Rick; Cohen, Jacqueline; Maghamfar, Dustin; Haberman, Caitlin; Gutierrez, Anthony; Fischer, Adam; Larkin, Brendan; Wright, Tuley; Banez, Joe; Dulin, Michael; Mullon, Meghan; Laverdiere, Maria; Monger, Jon
Subject: E&C/EPA Weekly Meeting
When: Monday, September 13, 2021 1:30 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 10/7/2021 8:40:15 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 10/11/2021 5:30:00 PM
End: 10/11/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Due to the holiday, we will **not be having** Monday's E&C/EPA weekly meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Message

From: Sahgal, Rishi (Feinstein) [Rishi_Sahgal@feinstein.senate.gov]
Sent: 8/27/2021 9:09:24 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Boylan, Thomas [boylan.thomas@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]; Haman, Patricia [Haman.Patricia@epa.gov]
CC: Hawver Pachter, Freda (Feinstein) [Freda_Pachter@feinstein.senate.gov]
Subject: RE: RFS path forward

Just tried calling—let me know when is good. I'm at Ex. 6 Personal Privacy (PP)

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Friday, August 27, 2021 4:25 PM
To: Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>; Boylan, Thomas <boylan.thomas@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Cc: Hawver Pachter, Freda (Feinstein) <Freda_Pachter@feinstein.senate.gov>
Subject: RE: RFS path forward

Hey Rishi,

Sorry to have missed this yesterday. Do you mind sharing if you have time to chat? Please feel free to try me at Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP)

Thanks,
Radha

From: Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>
Sent: Thursday, August 26, 2021 6:13 PM
To: Boylan, Thomas <boylan.thomas@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>
Cc: Hawver Pachter, Freda (Feinstein) <Freda_Pachter@feinstein.senate.gov>
Subject: RE: RFS path forward

Hi there,
I saw the proposal is now at OMB—anything you're willing to share on retroactively re-opening the 2020 volumes?

Many thanks.

Regards,
Rishi

From: Sahgal, Rishi (Feinstein)
Sent: Tuesday, July 20, 2021 11:57 AM
To: Boylan, Thomas <boylan.thomas@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: RFS path forward

FYI Attached re Feinstein/ Toomey/ Menendez/ Collins bill to repeal ethanol mandate

---

From: Boylan, Thomas <boylan.thomas@epa.gov>
Sent: Tuesday, February 23, 2021 11:27 AM

To: Katims, Casey <Katims.Casey@epa.gov>; Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: RFS path forward

Hi Rishi,

Thank you for the heads up on this. We'd be very appreciative if you flagged for us if/when you start moving on this bill.

Thanks,
Thomas

Thomas Boylan
Office of Congressional Affairs
U.S. Environmental Protection Agency
C: 202-597-1574
boylan.thomas@epa.gov

From: Katims, Casey <Katims.Casey@epa.gov>
Sent: Monday, February 22, 2021 8:33 PM
To: Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>; Boylan, Thomas <boylan.thomas@epa.gov>
Subject: RE: RFS path forward

Rishi:

Thanks for the outreach. I am adding a couple colleagues, Pat Haman and Thomas Boylan, who can follow up on this legislation.

All the best,

Casey

Casey Katims
Deputy Associate Administrator for Intergovernmental Affairs
U.S. Environmental Protection Agency
(202) 494-4609
Pronouns: he/him/his

From: Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>
Sent: Monday, February 22, 2021 6:08 PM
To: Katims, Casey <Katims.Casey@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Subject: RFS path forward

Thanks for the briefing today, Casey and Joe. Over the years we have co-led an ethanol repeal bill with Sen. Toomey (link and Coburn before this) and have discussed doing so again this year. Wanted to give you the heads up and also be in touch as we get more in the weeds about LCFS and etc.

Let us know if it'd be helpful to have a call to discuss.

Warm regards,
Rishi

Message

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 8/30/2021 5:32:04 PM
To: Laverdiere, Maria [Laverdiere.Maria@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: RE: E&C/EPA Weekly Meeting

Maria,

Flagging that we are meeting today. Let me know if you have any issues getting onto the Teams meeting!

Best,
Becky

From: Laverdiere, Maria <Laverdiere.Maria@epa.gov>
Sent: Monday, August 23, 2021 12:54 PM
To: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: E&C/EPA Weekly Meeting

Thanks Becky! Excited to keep working with you and the whole E&C team 😊

Look forward to talking on the 30th.

From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Monday, August 23, 2021 12:29 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>
Subject: RE: E&C/EPA Weekly Meeting

Hi Radha,

I was out last week, but I'd be happy to add Maria to the weekly E&C/EPA meetings.

Maria – I'm glad to still be working with you in your new role 😊 We aren't meeting today, but I believe we will meet next Monday (8/30).

Best,
Becky

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, August 18, 2021 3:21 PM
To: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Cc: Laverdiere, Maria <Laverdiere.Maria@epa.gov>
Subject: RE: E&C/EPA Weekly Meeting

Hey Becky! Can you please add Maria to these meetings? She will be taking over!!!

-----Original Appointment-----
From: Tomilchik, Rebecca <Rebecca.Tomilchik@mail.house.gov>
Sent: Tuesday, February 16, 2021 4:47 PM
To: Tomilchik, Rebecca; Adhar, Radha; Kessler, Rick; Cohen, Jacqueline; Maghamfar, Dustin; Haberman, Caitlin;

Gutierrez, Anthony; Fischer, Adam; Larkin, Brendan; Wright, Tuley; Banez, Joe; Dulin, Michael; Monger, Jon; Mullon, Meghan
Subject: E&C/EPA Weekly Meeting
When: Monday, August 30, 2021 1:30 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Message

From: Savage, Susannah (Warren) [Susannah_Savage@warren.senate.gov]
Sent: 6/21/2021 12:46:00 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Yep! Could we plan on 2pm? And what's the best number?

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Monday, June 21, 2021 8:42:24 AM
To: Savage, Susannah (Warren)
Subject: RE: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

You bet, and none needed. I have 1:30-3 free on Wednesday. Could that work for you?

From: Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov>
Sent: Monday, June 21, 2021 8:41 AM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi Radha,

Now it's my turn to apologize--I got this email in the middle of a hearing and it slipped through the cracks. Would it be possible for us to find some time this week to chat? I'm fairly flexible Tuesday-Thursday.

-Susannah

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, June 15, 2021 11:59:12 AM
To: Savage, Susannah (Warren)
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi Susannah, ok if I call you at 12:15? I am looking forward to connecting.

Sent from my iPhone

> On Jun 14, 2021, at 3:00 PM, Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov> wrote:
>
> I unfortunately will be in a hearing at that time, but should be available between 12-2 and after 4:30. Do you have any flexibility then?
>
> ---
>
> **From:** Adhar, Radha <Adhar.Radha@epa.gov>
> **Sent:** Monday, June 14, 2021 2:57 PM
> **To:** Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov>

Subject: RE: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Thank you for your understanding! Do you mind sharing if you have time tomorrow at 11?

From: Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov>
Sent: Monday, June 14, 2021 2:40 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: RE: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi Radha,

No problem! It happens to the best of us. Any chance you have some time to chat on Tuesday or Wednesday?

-Susannah

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Thursday, June 10, 2021 2:48 PM
To: Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov>
Subject: RE: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi Susannah, this is extremely embarrassing. Do you have a number I can ring to call and apologize? I wish I had a good excuse for missing your multiple emails. We are short staffed here, and I have no one to blame but myself!

From: Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov>
Sent: Monday, June 7, 2021 4:44 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi Radha,

Just wanted to follow up here. Would it be possible to hop on the phone?

-Susannah

From: Savage, Susannah (Warren)
Sent: Tuesday, May 11, 2021 11:05:05 AM
To: Adhar, Radha; Richardson, RobinH; Katims, Casey
Cc: Tavar, Lauren (Booker); Zipkin, Adam (Booker); Vogel, Hannah (Markey); Aguilar, Laura (Warren)
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi everyone,

I wanted to send another follow up here. As a written response is being developed, I was hoping to hop on the phone with EPA to ask a few interim questions. Would it be possible to set up a call?

Best,

Susannah

From: Savage, Susannah (Warren)
Sent: Tuesday, May 4, 2021 6:15:41 PM
To: Adhar, Radha; Richardson, RobinH; Katims, Casey; Linsk, Abigail (Abbey)
Cc: Tavar, Lauren (Booker); Zipkin, Adam (Booker); Vogel, Hannah (Markey); Aguilar, Laura (Warren)
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi all,

Apologies for the double email, but I just wanted to reach out again and ask for an update. Do you know when we can expect a response?

-Susannah

From: Savage, Susannah (Warren)
Sent: Thursday, April 22, 2021 2:47 PM
To: Adhar, Radha; Richardson, RobinH; Katims, Casey; Linsk, Abigail (Abbey)
Cc: Tavar, Lauren (Booker); Zipkin, Adam (Booker); Vogel, Hannah (Markey); Aguilar, Laura (Warren)
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi all,

Just wanted to follow up here.

-Susannah

From: Savage, Susannah (Warren)
Sent: Tuesday, March 30, 2021 8:50:37 PM
To: Adhar, Radha; Richardson, RobinH; Katims, Casey; Linsk, Abigail (Abbey)
Cc: Tavar, Lauren (Booker); Zipkin, Adam (Booker); Vogel, Hannah (Markey); Aguilar, Laura (Warren)
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Thank you!

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Tuesday, March 30, 2021 1:38:07 PM
To: Savage, Susannah (Warren); Richardson, RobinH; Katims, Casey; Linsk, Abigail (Abbey)
Cc: Tavar, Lauren (Booker); Zipkin, Adam (Booker); Vogel, Hannah (Markey); Aguilar, Laura

(Warren)
Subject: RE: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

You be Susannah, will circle back soon.

From: Savage, Susannah (Warren) <Susannah_Savage@warren.senate.gov>
Sent: Tuesday, March 30, 2021 12:17 PM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; Linsk, Abigail (Abbey) <Linsk.Abbey@epa.gov>
Cc: Tavar, Lauren (Booker) <Lauren_Tavar@booker.senate.gov>; Zipkin, Adam (Booker) <Adam_Zipkin@booker.senate.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>; Aguilar, Laura (Warren) <Laura_Aguilar@warren.senate.gov>
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi all,

Our offices have a received a response from NIH for this letter. Would you be able to let us know when we can expect a response from EPA?

Best,

Susannah

From: Rubio, Arian (Warren)
Sent: Tuesday, March 2, 2021 12:39:06 PM
To: richardson.robinh@epa.gov; adhar.radha@epa.gov; katims.casey@epa.gov; linsk.abbey@epa.gov; lauren.higgins@nih.hhs.gov; adrienne.hallett@nih.hhs.gov; brandtp@od.nih.gov; brandtp@od.nih.gov
Cc: Tavar, Lauren (Booker); Zipkin, Adam (Booker); Vogel, Hannah (Markey); Savage, Susannah (Warren); Aguilar, Laura (Warren)
Subject: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Hi all,

Please find attached a letter from Senators Warren, Booker, and Markey to Acting Administrator Nishida and Director Collins.

Thank you,
Arian

--
Arian Rubio
Office of U.S. Senator Elizabeth Warren
309 Hart Senate Office Building
arian_rubio@warren.senate.gov
(202) 224-4543

Message

From: Sahgal, Rishi (Feinstein) [Rishi_Sahgal@feinstein.senate.gov]
Sent: 7/20/2021 3:57:17 PM
To: Boylan, Thomas [boylan.thomas@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Bartishevich, Alec (Feinstein) [Alec_Bartishevich@feinstein.senate.gov]
CC: Haman, Patricia [Haman.Patricia@epa.gov]
Subject: RE: RFS path forward
Attachments: Feinstein, Toomey, Menendez, Collins Introduce Bipartisan Bill to Repeal Ethanol Mandate

FYI Attached re Feinstein/ Toomey/ Menendez/ Collins bill to repeal ethanol mandate

---

From: Boylan, Thomas <boylan.thomas@epa.gov>
Sent: Tuesday, February 23, 2021 11:27 AM
To: Katims, Casey <Katims.Casey@epa.gov>; Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>
Subject: RE: RFS path forward

Hi Rishi,

Thank you for the heads up on this. We'd be very appreciative if you flagged for us if/when you start moving on this bill.

Thanks,
Thomas

Thomas Boylan
Office of Congressional Affairs
U.S. Environmental Protection Agency
C: 202-597-1574
boylan.thomas@epa.gov

From: Katims, Casey <Katims.Casey@epa.gov>
Sent: Monday, February 22, 2021 8:33 PM
To: Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>; Adhar, Radha <Adhar.Radha@epa.gov>; Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>; Boylan, Thomas <boylan.thomas@epa.gov>
Subject: RE: RFS path forward

Rishi:

Thanks for the outreach. I am adding a couple colleagues, Pat Haman and Thomas Boylan, who can follow up on this legislation.

All the best,

Casey

Casey Katims
Deputy Associate Administrator for Intergovernmental Affairs
U.S. Environmental Protection Agency

(202) 494-4609
Pronouns: he/him/his

From: Sahgal, Rishi (Feinstein) <Rishi_Sahgal@feinstein.senate.gov>
Sent: Monday, February 22, 2021 6:08 PM
To: Katims, Casey <Katims.Casey@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Adhar, Radha <Adhar.Radha@epa.gov>
Cc: Bartishevich, Alec (Feinstein) <Alec_Bartishevich@feinstein.senate.gov>
Subject: RFS path forward

Thanks for the briefing today, Casey and Joe. Over the years we have co-led an ethanol repeal bill with Sen. Toomey (link and Coburn before this) and have discussed doing so again this year. Wanted to give you the heads up and also be in touch as we get more in the weeds about LCFS and etc.

Let us know if it'd be helpful to have a call to discuss.

Warm regards,
Rishi

Message

From: Feinstein Press [Feinstein_press@feinstein.senate.gov]
Sent: 7/20/2021 3:35:24 PM
Subject: Feinstein, Toomey, Menendez, Collins Introduce Bipartisan Bill to Repeal Ethanol Mandate
Attachments: ATT00001.txt

For Immediate Release
July 20, 2021

Contact: Adam Russell (Feinstein), 202-224-9629
Francisco Pelayo (Menendez), 202-224-4744
Sam Fisher (Toomey), 202-228-6837
Annie Clark (Collins), 202-224-2523

Feinstein, Toomey, Menendez, Collins Introduce Bipartisan Bill to Repeal Ethanol Mandate

Washington—Senators Dianne Feinstein (D-Calif.), Pat Toomey (R-Pa.), Bob Menendez (D-N.J.) and Susan Collins (R-Maine) today introduced the *Corn Ethanol Mandate Elimination Act*, a bill to end the corn ethanol mandate in the Renewable Fuel Standard. The mandate requires annual increases in the amount of renewable fuel that must be blended into the total volume of gasoline refined and consumed in the United States.

The bill would help reduce carbon emissions from transportation fuels by removing the volume requirements for corn ethanol while leaving in place the volume obligations for advanced and cellulosic biofuels and biodiesel.

"The federal corn ethanol mandate no longer makes sense when better, lower-carbon alternatives exist," said Senator Feinstein. **"Corn ethanol achieves little to no reductions in greenhouse gas emissions. It's time to end the mandate and instead support more advanced biofuels and biodiesel that won't contribute to climate change or drive up the cost of food."**

"The federal government forcing Americans to buy billions of gallons of corn ethanol is terrible policy on many levels," said Senator Toomey. **"For starters, it imposes financial harm on consumers and refineries, risking thousands of good-paying jobs. Further, the RFS drives up the cost of gas and food, harms our environment, and damages engines. I hope my colleagues will join us in our bipartisan effort to end this backwards policy."**

"The corn ethanol mandate has failed to live up to its emissions reduction promises, while contributing to higher food prices, causing issues for motorists, and leading to other environmental damages," said Senator Menendez. **"It's time that we move on from this misguided policy and shift our focus to real solutions that truly address climate change and reduce other harmful emissions."**

"Corn ethanol blended gasoline poses significant economic and safety risks by damaging or destroying engines of older cars, boats, and snowmobiles; causing food and feed prices to rise; and presenting significant environmental concerns," said Senator Collins. **"Our bipartisan legislation would eliminate the corn ethanol mandate for renewable fuel, encouraging the development of alternative advanced biofuels to meet our energy and environmental challenges."**

Background:

The Renewable Fuel Standard requires gasoline and diesel producers to blend increasing volumes of renewable biofuels in their supply. Next year, the law will require 36 billion gallons of ethanol to be blended which could result in the emission of 7,600 tons of nitrogen oxides and 19,000 tons of volatile organic compounds, key drivers of climate change.

There are three main problems with continuing to mandate the consumption of corn ethanol each year:

- **Increased food and feed prices**: Approximately 40 percent of the U.S. corn crop is now used to produce ethanol, artificially inflating food and feed prices. Ethanol production requires 38 million acres of land – an area larger than the state of Illinois – that could be used to feed 150 million people.

- **Corn vs. advanced biofuels**: In 2007, Congress passed the Energy Independence and Security Act to substantially increase production of cellulosic and advanced biofuels, which have lower greenhouse gas emissions than corn ethanol, to reduce consumption of fossil fuels. Instead, corn grain remains the most dominant feedstock used for biofuel production.

- **Poor environmental performance**: Corn ethanol achieves little to no reductions in greenhouse gas emissions over regular oil and poses other environmental risks, including deforestation, habitat destruction and diminished water quality or availability due to cropland expansion.

###

Appointment

From: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]
Sent: 1/22/2021 3:58:22 PM
To: Eiler, Brian (EPW) [Brian_Eiler@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Gillam, Laura Haynes (EPW) [Laura_Gillam@epw.senate.gov]

Subject: EPA leg/EPW check in
Location: Ex. 6 Personal Privacy (PP)

Start: 1/22/2021 9:00:00 PM
End: 1/22/2021 9:30:00 PM
Show Time As: Busy

Recurrence: (none)

Dial-in: Ex. 6 Personal Privacy (PP)
Participant code: Ex. 6 Personal Privacy (PP)
or send it as the following for one-touch: Ex. 6 Personal Privacy (PP)
Log in if online access needed:

Ex. 6 Personal Privacy (PP)

UN:
PW: Ex. 6 Personal Privacy (PP)

Appointment

From: Thompson, Janie [Janie.Thompson@mail.house.gov]
Sent: 1/26/2021 5:26:24 PM
To: Thompson, Janie [Janie.Thompson@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Schneider, Josh [Josh.Schneider@mail.house.gov]; Palasits, Sara [Sara.Palasits@mail.house.gov]; Cohen, Dylan [Dylan.Cohen@mail.house.gov]; Kovalovich, Aria [Aria.Kovalovich@mail.house.gov]; Hooghan, Priyanka [Priyanka.Hooghan@mail.house.gov]; Linsmayer, Lauren [Lauren.Linsmayer@mail.house.gov]

Subject: Canceled: SST Dem staff call with Radha at EPA OCIR
Location: Teams

Start: 1/29/2021 4:00:00 PM
End: 1/29/2021 4:30:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
Sent: 2/1/2021 2:51:33 PM
To: Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]; Fogels, Avery (Sullivan) [Avery_Fogels@sullivan.senate.gov]; Burton, Larry (Sullivan) [Larry_Burton@sullivan.senate.gov]; Elam, Erik (Sullivan) [Erik_Elam@sullivan.senate.gov]; Hopp, Joe (Sullivan) [Joe_Hopp@sullivan.senate.gov]; Manning, Mary-Eileen (Sullivan) [mary-eileen_manning@sullivan.senate.gov]; Gamble, Marcus (Sullivan) [Marcus_Gamble@sullivan.senate.gov]

Subject: Canceled: Senator Sullivan to meet with Mr. Michael Regan, nominee to be EPA Administrator
Location: WEBEX

Start: 2/5/2021 9:00:00 PM
End: 2/5/2021 9:30:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Appointment

From: Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]
Sent: 2/1/2021 3:38:09 PM
To: Hoefler, Annie (Murkowski) [Annie_Hoefler@murkowski.senate.gov]; Robertson, Ann (Murkowski) [Ann_Robertson@murkowski.senate.gov]; Lesofski, Emy (Appropriations) [Emy_Lesofski@appro.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]

Subject: EPA/Murkowski's Office
Location: Skype Meeting

Start: 2/1/2021 5:15:00 PM
End: 2/1/2021 5:30:00 PM
Show Time As: Busy

Recurrence: (none)

Join Skype Meeting

Trouble Joining? Try Skype Web App

Join by phone

Local: Ex. 6 Personal Privacy (PP)	(US)	English (United States)
Local:	(US)	English (United States)
Senate Internal: Ex. 6 Personal Privacy (PP)	(US)	English (United States)
Senate Internal:	(US)	English (United States)
Toll Free: Ex. 6 Personal Privacy (PP)	(US)	English (United States)

Find a local number

Conference ID: Ex. 6 Personal Privacy (PP)
Forgot your dial-in PIN? | Help

Appointment

From: Thompson, Janie [Janie.Thompson@mail.house.gov]
Sent: 1/28/2021 6:36:47 PM
To: Thompson, Janie [Janie.Thompson@mail.house.gov]; Schneider, Josh [Josh.Schneider@mail.house.gov]; Palasits, Sara [Sara.Palasits@mail.house.gov]; Hooghan, Priyanka [Priyanka.Hooghan@mail.house.gov]; Cohen, Dylan [Dylan.Cohen@mail.house.gov]; Kovalovich, Aria [Aria.Kovalovich@mail.house.gov]; Linsmayer, Lauren [Lauren.Linsmayer@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]

Subject: SST Dems talk with Radha Adhar, EPA OCIR lead
Location: Teams

Start: 1/29/2021 7:00:00 PM
End: 1/29/2021 7:30:00 PM
Show Time As: Tentative

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 2/16/2021 9:47:21 PM
To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Attachments: Canceled: E&C/EPA Weekly Meeting; Untitled Attachment; Untitled Attachment; Untitled Attachment; Untitled Attachment; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Untitled Attachment; Canceled: E&C/EPA Weekly Meeting; Untitled Attachment; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 2/22/2021 6:30:00 PM
End: 2/22/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: Weekly
Occurs every Monday from 1:30 PM to 2:00 PM effective 2/22/2021.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Harvey, Judy [Judy.Harvey@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 2/22/2021 6:30:00 PM
End: 2/22/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Hi everyone –

We will **not be having** today's E&C/EPA Weekly Meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Banez, Joe [Joe.Banez@mail.house.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Harvey, Judy [Judy.Harvey@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Start: 3/23/2021 3:00:00 PM
End: 3/23/2021 3:30:00 PM
Show Time As: Busy

Recurrence: (none)

Because of the LIFT hearing, we are moving next week's E&C/EPA Weekly Meeting to **Tuesday, 3/23, at 11am**.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Harvey, Judy [Judy.Harvey@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Start: 3/31/2021 7:00:00 PM
End: 3/31/2021 7:30:00 PM
Show Time As: Busy

Recurrence: (none)

Hi everyone –

We are moving the E&C/EPA Weekly Meeting to **Wednesday, 3/31, at 3pm**.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Harvey, Judy [Judy.Harvey@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 4/19/2021 5:30:00 PM
End: 4/19/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** today's E&C/EPA Weekly Meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Harvey, Judy [Judy.Harvey@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 5/31/2021 5:30:00 PM
End: 5/31/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** next week's E&C/EPA meeting due to the holiday.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Harvey, Judy [Judy.Harvey@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 6/7/2021 5:30:00 PM
End: 6/7/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** today's meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Harvey, Judy [Judy.Harvey@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Start: 7/13/2021 4:00:00 PM
End: 7/13/2021 4:30:00 PM
Show Time As: Busy

Recurrence: (none)

Appointment

To: Harvey, Judy [Judy.Harvey@mail.house.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Monger, Jon [Jon.Monger@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 8/9/2021 5:30:00 PM
End: 8/9/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** today's E&C/EPA meeting due to the August recess.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Monger, Jon [Jon.Monger@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 9/6/2021 5:30:00 PM
End: 9/6/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Hi everyone –

We will **not be having** Monday's E&C/EPA weekly meeting due to the holiday.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 10/11/2021 5:30:00 PM
End: 10/11/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Due to the holiday, we will **not be having** Monday's E&C/EPA weekly meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp@gmail.com; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 12/20/2021 6:30:00 PM
End: 12/20/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp@gmail.com; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 1/17/2022 6:30:00 PM
End: 1/17/2022 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]
Sent: 2/19/2021 9:20:30 PM
To: Klayum, Bre (Sullivan) [Bre_Klayum@sullivan.senate.gov]; Wiegard, Pierce (Sullivan) [Pierce_Wiegard@sullivan.senate.gov]; Burton, Larry (Sullivan) [Larry_Burton@sullivan.senate.gov]; Elam, Erik (Sullivan) [Erik_Elam@sullivan.senate.gov]; Gamble, Marcus (Sullivan) [Marcus_Gamble@sullivan.senate.gov]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; acarlile@iu.edu
CC: McCabe, Janet G [jgmccabe@iu.edu]

Subject: Senator Sullivan to meet with Ms. McCabe, nominee to be Deputy Administrator of the EPA
Location: WEBEX

Start: 3/2/2021 9:30:00 PM
End: 3/2/2021 10:00:00 PM
Show Time As: Tentative

Recurrence: (none)

-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

Join meeting

More ways to join:

Join from the meeting link
Ex. 6 Personal Privacy (PP)

Join by meeting number
Meeting number (access code): Ex. 6 Personal Privacy (PP)
Meeting password: Ex. 6 Personal Privacy (PP)

Tap to join from a mobile device (attendees only)
Ex. 6 Personal Privacy (PP)

Join by phone
Ex. 6 Personal Privacy (PP)
Global call-in numbers

If you are a host, click here to view host information.

Need help? Go to https://help.webex.com

Appointment

From: Yelverton, Anna (Coons) [Anna_Yelverton@coons.senate.gov]
Sent: 2/21/2021 3:17:18 PM
To: Yelverton, Anna (Coons) [Anna_Yelverton@coons.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]

Subject: Call - Senator Coons/Dan Utech
Location: Ex. 6 Personal Privacy (PP) Passcode: Ex. 6 Personal Privacy (PP)

Start: 2/21/2021 10:30:00 PM
End: 2/21/2021 10:45:00 PM
Show Time As: Busy

Recurrence: (none)

Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)

Appointment

From: Bonner, Jazmine (Duckworth) [Jazmine_Bonner@duckworth.senate.gov]
Sent: 3/4/2021 3:50:52 PM
To: Bonner, Jazmine (Duckworth) [Jazmine_Bonner@duckworth.senate.gov]; Paulson, Brigid (Duckworth) [Brigid_Paulson@duckworth.senate.gov]; Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]; McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; 'Carlile, Amy L' [acarlile@iu.edu]; Thundiyil, Karen [Thundiyil.Karen@epa.gov]

Subject: Senator Duckworth Video Call w/Janet McCabe, Nominee for EPA Deputy Administrator
Location: Ex. 6 Personal Privacy (PP)

Start: 3/17/2021 7:00:00 PM
End: 3/17/2021 7:30:00 PM
Show Time As: Busy

Recurrence: (none)

Senator Duckworth's Scheduling Team is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
One tap mobile

Ex. 6 Personal Privacy (PP)

Dial by your location

Ex. 6 Personal Privacy (PP)

Meeting ID: Ex. 6 Personal Privacy (PP)
Passcode: Ex. 6 Personal Privacy (PP)
Find your local number:

Ex. 6 Personal Privacy (PP)

Message

From: Olsen, Lizzy (Duckworth) [Lizzy_Olsen@duckworth.senate.gov]
Sent: 2/18/2021 9:53:09 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]
CC: McDonald, Chelsea (Duckworth) [Chelsea_McDonald@duckworth.senate.gov]; Clark, Catherine (Durbin) [Catherine_Clark@durbin.senate.gov]; Mazzuca, Gina (Durbin) [Gina_Mazzuca@durbin.senate.gov]; Suarez Del Real, Karissa (Durbin) [Karissa_SuarezDelReal@durbin.senate.gov]
Subject: Re: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Great. Thank you.

Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

On Feb 18, 2021, at 4:18 PM, Adhar, Radha <Adhar.Radha@epa.gov> wrote:

You bet, I hope to circle back with some folks from my team and work on scheduling.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Thursday, February 18, 2021 4:08 PM
To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>; Clark, Catherine (Durbin) <Catherine_Clark@durbin.senate.gov>; Mazzuca, Gina (Durbin) <Gina_Mazzuca@durbin.senate.gov>; Suarez Del Real, Karissa (Durbin) <Karissa_SuarezDelReal@durbin.senate.gov>
Subject: RE: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Hi Radha,

As you can imagine, Senator Durbin echoes are concerns with the situation. His office also has similar requests regarding the scope and timeline of EPA's investigation and would like to be included in our future discussions. Thank you.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

From: Adhar, Radha <Adhar.Radha@epa.gov>
Sent: Wednesday, February 17, 2021 1:51 PM
To: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Cc: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: RE: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Thanks for your note Lizzy, hope to circle back to y'all soon.

From: Olsen, Lizzy (Duckworth) <Lizzy_Olsen@duckworth.senate.gov>
Sent: Wednesday, February 17, 2021 1:50 PM

To: Adhar, Radha <Adhar.Radha@epa.gov>
Cc: McDonald, Chelsea (Duckworth) <Chelsea_McDonald@duckworth.senate.gov>
Subject: Reserve Management Group's (RMG) Southside Recycling Project: Meeting Request

Hi Radha,

I hope all is well!

It has come to our attention that EPA has opened an investigation into the approval of city permits by the Illinois EPA for the Reserve Management Group's (RMG) Southside Recycling project located at 11600 S. Burley Ave, Chicago, IL 60617. These allegations are serious and we support EPA's investigations.

We would like an opportunity to understand what EPA will be reviewing and have a better understanding of a road map and expected time to accomplish a thorough investigation. We would like to schedule a time to have this discussion with EPA regarding the scope of this investigation and timeline. Let us know if you have time on your schedule for this, either this week or early next. We are trying to move quickly on this.

We very much appreciate your assistance and time on this critical Illinois concern. Talk soon.

Very Best,
Elizabeth "Lizzy" Olsen
Counsel
Office of Senator Tammy Duckworth

Appointment

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 2/10/2021 9:06:19 PM
To: Kane, John (EPW) [John_Kane@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; McIntosh, Mackie (EPW) [Mackie_McIntosh@epw.senate.gov]; McIntosh, Margarett G (Mackie) CIV USARMY CESAS (USA) [Margarett.G.McIntosh@usace.army.mil]; D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]

Subject: Canceled: Weekly EPA - Water Meeting
Attachments: Canceled: Weekly EPA - Water Meeting
Location: Microsoft Teams Meeting

Start: 2/12/2021 3:00:00 PM
End: 2/12/2021 3:30:00 PM
Show Time As: Free

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Kane, John (EPW) [John_Kane@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; McIntosh, Mackie (EPW) [Mackie_McIntosh@epw.senate.gov]; McIntosh, Margarett G (Mackie) CIV USARMY CESAS (USA) [Margarett.G.McIntosh@usace.army.mil]; D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]

Subject: Canceled: Weekly EPA - Water Meeting

Start: 3/19/2021 2:00:00 PM
End: 3/19/2021 2:30:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Adhar, Radha [Adhar.Radha@epa.gov]
Sent: 2/25/2021 2:23:41 AM
To: teamsvisitor:ad912a623df94f29a2838b32b6e4cf21; Adhar, Radha [Adhar.Radha@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Kothari, Yogin (HSGAC) [Yogin_Kothari@hsgac.senate.gov]

Subject: Meeting (ScheduledMeeting)/Thread Id:

Ex. 6 Personal Privacy (PP)

Start: 2/24/2021 6:00:26 PM
End: 2/24/2021 6:16:12 PM
Show Time As: Busy

Recurrence: (none)

Required Attendees: teamsvisitor:ad912a623df94f29a2838b32b6e4cf21; Adhar, Radha; Hamilton, Lindsay; Kothari, Yogin (HSGAC)

```
Start Time (UTC): 2/24/2021 6:00:26 PM
End Time (UTC): 2/24/2021 6:16:12 PM
Duration: 00:15:45.6760811

[2/24/2021 6:01:51 PM (UTC)] teamsvisitor:ad912a623df94f29a2838b32b6e4cf21 joined.
[2/24/2021 6:16:10 PM (UTC)] teamsvisitor:ad912a623df94f29a2838b32b6e4cf21 left.
[2/24/2021 6:00:26 PM (UTC)] Adhar.Radha@epa.gov joined.
[2/24/2021 6:16:08 PM (UTC)] Adhar.Radha@epa.gov left.
[2/24/2021 6:04:04 PM (UTC)] Hamilton.Lindsay@epa.gov joined.
[2/24/2021 6:16:11 PM (UTC)] Hamilton.Lindsay@epa.gov left.
[2/24/2021 6:00:31 PM (UTC)] Yogin_Kothari@hsgac.senate.gov joined.
[2/24/2021 6:16:12 PM (UTC)] Yogin_Kothari@hsgac.senate.gov left.
```

Appointment

From: Thompson, Janie [Janie.Thompson@mail.house.gov]
Sent: 1/30/2021 3:42:33 AM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Thompson, Janie [Janie.Thompson@mail.house.gov]; Linsmayer, Lauren [Lauren.Linsmayer@mail.house.gov]; Schneider, Josh [Josh.Schneider@mail.house.gov]; Hooghan, Priyanka [Priyanka.Hooghan@mail.house.gov]; Palasits, Sara [Sara.Palasits@mail.house.gov]; Cohen, Dylan [Dylan.Cohen@mail.house.gov]; Kovalovich, Aria [Aria.Kovalovich@mail.house.gov]

Subject: Meeting (ScheduledMeeting)/Thread Id:

Ex. 6 Personal Privacy (PP)

Start: 1/29/2021 6:59:31 PM
End: 1/29/2021 7:35:04 PM
Show Time As: Busy

Recurrence: (none)

Required Attendees: Adhar, Radha; Thompson, Janie; Linsmayer, Lauren; Schneider, Josh; Hooghan, Priyanka; Palasits, Sara; Cohen, Dylan; Kovalovich, Aria

```
Start Time (UTC): 1/29/2021 6:59:31 PM
End Time (UTC): 1/29/2021 7:35:04 PM
Duration: 00:35:33.0309814

[1/29/2021 7:03:35 PM (UTC)] Adhar.Radha@epa.gov joined.
[1/29/2021 7:35:00 PM (UTC)] Adhar.Radha@epa.gov left.
[1/29/2021 6:59:50 PM (UTC)] Janie.Thompson@mail.house.gov joined.
[1/29/2021 7:34:57 PM (UTC)] Janie.Thompson@mail.house.gov left.
[1/29/2021 6:59:44 PM (UTC)] Lauren.Linsmayer@mail.house.gov joined.
[1/29/2021 7:34:59 PM (UTC)] Lauren.Linsmayer@mail.house.gov left.
[1/29/2021 7:00:28 PM (UTC)] Josh.Schneider@mail.house.gov joined.
[1/29/2021 7:35:01 PM (UTC)] Josh.Schneider@mail.house.gov left.
[1/29/2021 6:59:31 PM (UTC)] Priyanka.Hooghan@mail.house.gov joined.
[1/29/2021 7:35:02 PM (UTC)] Priyanka.Hooghan@mail.house.gov left.
[1/29/2021 7:00:23 PM (UTC)] Sara.Palasits@mail.house.gov joined.
[1/29/2021 7:35:02 PM (UTC)] Sara.Palasits@mail.house.gov left.
[1/29/2021 7:00:05 PM (UTC)] Dylan.Cohen@mail.house.gov joined.
[1/29/2021 7:35:04 PM (UTC)] Dylan.Cohen@mail.house.gov left.
[1/29/2021 7:00:20 PM (UTC)] Aria.Kovalovich@mail.house.gov joined.
[1/29/2021 7:35:04 PM (UTC)] Aria.Kovalovich@mail.house.gov left.
```

Appointment

From: Adhar, Radha [Adhar.Radha@epa.gov]
Sent: 2/11/2021 12:18:02 AM
To: Skane, Elizabeth [Skane.Elizabeth@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]

Subject: Meeting (ScheduledMeeting)/Thread Id: Ex. 6 Personal Privacy (PP) Communication Id: Ex. 6 Personal Privacy (PP)

Start: 2/10/2021 4:00:08 PM
End: 2/10/2021 4:11:59 PM
Show Time As: Busy

Recurrence: (none)

Required Attendees: Skane, Elizabeth; Adhar, Radha; Cohen, Jacqueline

```
Start Time (UTC): 2/10/2021 4:00:08 PM
End Time (UTC): 2/10/2021 4:11:59 PM
Duration: 00:11:50.2348495

[2/10/2021 4:00:08 PM (UTC)] Skane.Elizabeth@epa.gov joined.
[2/10/2021 4:11:58 PM (UTC)] Skane.Elizabeth@epa.gov left.
[2/10/2021 4:00:11 PM (UTC)] Adhar.Radha@epa.gov joined.
[2/10/2021 4:11:59 PM (UTC)] Adhar.Radha@epa.gov left.
[2/10/2021 4:00:30 PM (UTC)] jackie.cohen@mail.house.gov joined.
[2/10/2021 4:11:57 PM (UTC)] jackie.cohen@mail.house.gov left.
```

Appointment

From: Kane, John (EPW) [John_Kane@epw.senate.gov]
Sent: 2/12/2021 11:30:09 PM
To: Kane, John (EPW) [John_Kane@epw.senate.gov]; D'Amato, Annie (EPW) [Annie_D'Amato@epw.senate.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; teamsvisitor:aae2e2a5e92443d1af01bfad99e00f70

Subject: Meeting (RecurringMeeting)/Thread Id: Ex. 6 Personal Privacy (PP) Communication Id: Ex. 6 Personal Privacy (PP)

Start: 2/12/2021 2:59:08 PM
End: 2/12/2021 3:23:48 PM
Show Time As: Busy

Recurrence: (none)

Required Attendees: Kane, John (EPW); D'Amato, Annie (EPW); Adhar, Radha; teamsvisitor:aae2e2a5e92443d1af01bfad99e00f70

```
Start Time (UTC): 2/12/2021 2:59:08 PM
End Time (UTC): 2/12/2021 3:23:48 PM
Duration: 00:24:39.8250979

[2/12/2021 3:00:13 PM (UTC)] John_Kane@epw.senate.gov joined.
[2/12/2021 3:23:47 PM (UTC)] John_Kane@epw.senate.gov left.
[2/12/2021 2:59:08 PM (UTC)] Annie_D'Amato@epw.senate.gov joined.
[2/12/2021 3:23:48 PM (UTC)] Annie_D'Amato@epw.senate.gov left.
[2/12/2021 3:02:01 PM (UTC)] Adhar.Radha@epa.gov joined.
[2/12/2021 3:23:48 PM (UTC)] Adhar.Radha@epa.gov left.
[2/12/2021 3:00:40 PM (UTC)] teamsvisitor:aae2e2a5e92443d1af01bfad99e00f70 joined.
[2/12/2021 3:23:48 PM (UTC)] teamsvisitor:aae2e2a5e92443d1af01bfad99e00f70 left.
```

Appointment

From: Adhar, Radha [Adhar.Radha@epa.gov]
Sent: 2/13/2021 1:10:37 AM
To: +1202 Ex. 6 Personal Privacy (PP) Application 207a6836-d031-4764-a9d8-c1193f455f21; Hunsaker, Lizzie (Coons) [Elizabeth_Hunsaker@coons.senate.gov]; teamsvisitor:a6cbbbcef44f44fdb22be163ab159cd3; Young, Chris (Coons) [Chris_Young@coons.senate.gov]; Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e; Adhar, Radha [Adhar.Radha@epa.gov]

Subject: Meeting (ScheduledMeeting)/Thread Id: Ex. 6 Personal Privacy (PP) Communication Id: Ex. 6 Personal Privacy (PP)

Start: 2/12/2021 4:59:38 PM
End: 2/12/2021 5:16:35 PM
Show Time As: Busy

Recurrence: (none)

Required Attendees: +1202 Ex. 6 Personal Privacy (PP) Application 207a6836-d031-4764-a9d8-c1193f455f21; Hunsaker, Lizzie (Coons); teamsvisitor:a6cbbbcef44f44fdb22be163ab159cd3; Young, Chris (Coons); Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e; Adhar, Radha

```
Start Time (UTC): 2/12/2021 4:59:38 PM
End Time (UTC): 2/12/2021 5:16:35 PM
Duration: 00:16:56.4320359

[2/12/2021 4:59:39 PM (UTC)] +1202 Ex. 6 Personal Privacy (PP) joined.
[2/12/2021 5:00:13 PM (UTC)] +1202 left.
[2/12/2021 4:59:39 PM (UTC)] Application 207a6836-d031-4764-a9d8-c1193f455f21 joined.
[2/12/2021 5:00:13 PM (UTC)] Application 207a6836-d031-4764-a9d8-c1193f455f21 left.
[2/12/2021 5:02:43 PM (UTC)] Elizabeth_Hunsaker@coons.senate.gov joined.
[2/12/2021 5:16:34 PM (UTC)] Elizabeth_Hunsaker@coons.senate.gov left.
[2/12/2021 5:02:43 PM (UTC)] teamsvisitor:a6cbbbcef44f44fdb22be163ab159cd3 joined.
[2/12/2021 5:16:34 PM (UTC)] teamsvisitor:a6cbbbcef44f44fdb22be163ab159cd3 left.
[2/12/2021 5:02:45 PM (UTC)] Chris_Young@coons.senate.gov joined.
[2/12/2021 5:16:34 PM (UTC)] Chris_Young@coons.senate.gov left.
[2/12/2021 4:59:38 PM (UTC)] +1202 Ex. 6 Personal Privacy (PP) joined.
[2/12/2021 5:16:31 PM (UTC)] +1202 left.
[2/12/2021 5:00:15 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e joined.
[2/12/2021 5:16:31 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e left.
[2/12/2021 5:02:06 PM (UTC)] Adhar.Radha@epa.gov joined.
[2/12/2021 5:16:35 PM (UTC)] Adhar.Radha@epa.gov left.
[2/12/2021 5:00:15 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e joined.
[2/12/2021 5:16:35 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e left.
[2/12/2021 5:00:14 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e joined.
[2/12/2021 5:16:35 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e left.
[2/12/2021 5:00:22 PM (UTC)] teamsvisitor:a6cbbbcef44f44fdb22be163ab159cd3 joined.
[2/12/2021 5:16:34 PM (UTC)] teamsvisitor:a6cbbbcef44f44fdb22be163ab159cd3 left.
```

Message

From: Thakur, Udit [Udit.Thakur@mail.house.gov]
Sent: 2/2/2021 4:03:28 PM
To: Katims, Casey [Katims.Casey@epa.gov]
Subject: RE: New Contact Info

Thanks for the connect, Jennifer.

Casey – It's a pleasure to e-meet you, and congrats on the new job! I look forward to being in touch.

Take care in the meantime.

In solidarity,
Udit Thakur

From: Katims, Casey <Katims.Casey@epa.gov>
Sent: Tuesday, February 2, 2021 11:00 AM
To: Chan, Jennifer <Jennifer.Chan@mail.house.gov>
Cc: Thakur, Udit <Udit.Thakur@mail.house.gov>
Subject: RE: New Contact Info

Thanks Jennifer and nice to meet you Udit!

Casey

From: Chan, Jennifer <Jennifer.Chan@mail.house.gov>
Sent: Tuesday, February 2, 2021 10:18 AM
To: Katims, Casey <Katims.Casey@epa.gov>
Cc: Thakur, Udit <Udit.Thakur@mail.house.gov>
Subject: RE: New Contact Info

Hey Casey,

Congrats on the new gig! I hope things are going as smoothly as possible. I also wanted to introduce you to Udit, who will be taking the enviro portfolio. Lavanya is still with our office; however, she is moving to outreach work full time.

Best,
Jennifer

Jennifer Chan
Legislative Director
Office of Congresswoman Pramila Jayapal (WA-07)
2346 Rayburn House Office Building | Washington, DC 20515
(202) 225-3106

From: Katims, Casey <Katims.Casey@epa.gov>
Sent: Tuesday, February 2, 2021 9:43 AM
To: Katims, Casey <Katims.Casey@epa.gov>

Cc: Bowles, Jack <Bowles.Jack@epa.gov>
Subject: New Contact Info

Folks:

Hope everyone's week is off to a good start. I wanted to drop a line to make sure you all had my updated contact information.

This is my EPA email address, and my new work cell is below. Please be in touch as needs arise and I look forward to working with you in my new capacity!

Thanks all,

Casey

Casey Katims
Deputy Associate Administrator for Intergovernmental Affairs
U.S. Environmental Protection Agency
C: 202-494-4609
katims.casey@epa.gov

Message

From: Adhar, Radha [Adhar.Radha@epa.gov]
Sent: 3/2/2021 5:50:16 PM
To: Rubio, Arian (Warren) [Arian_Rubio@warren.senate.gov]
CC: Richardson, RobinH [Richardson.RobinH@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]; Linsk, Abigail (Abbey) [Linsk.Abbey@epa.gov]; lauren.higgins@nih.hhs.gov; adrienne.hallett@nih.hhs.gov; brandtp@od.nih.gov; Tavar, Lauren (Booker) [Lauren_Tavar@booker.senate.gov]; Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]; Vogel, Hannah (Markey) [Hannah_Vogel@markey.senate.gov]; Savage, Susannah (Warren) [Susannah_Savage@warren.senate.gov]; Aguilar, Laura (Warren) [Laura_Aguilar@warren.senate.gov]
Subject: Re: 03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins

Thanks Arian. Confirming receipt.

Sent from my iPhone

On Mar 2, 2021, at 12:48 PM, Rubio, Arian (Warren) <Arian_Rubio@warren.senate.gov> wrote:

Hi all,

Please find attached a letter from Senators Warren, Booker, and Markey to Acting Administrator Nishida and Director Collins.

Thank you,
Arian

--
Arian Rubio
Office of U.S. Senator Elizabeth Warren
309 Hart Senate Office Building
arian_rubio@warren.senate.gov
(202) 224-4543
<03.02.2021 Letter from Senators Warren, Booker, and Markey to Acting EPA Administrator Nishida and NIH Director Collins.pdf>

Message

From: Ronen, Amit (Cantwell) [Amit_Ronen@cantwell.senate.gov]
Sent: 1/27/2021 9:06:11 PM
To: Richardson, RobinH [Richardson.RobinH@epa.gov]
CC: Levine, Carolyn [Levine.Carolyn@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]
Subject: Request for extension of fellowship for Nate Folkemer
Attachments: Nate Folkemer Fellowship Extension Request 1.27.21.pdf

Please find attached a letter from Senator Cantwell requesting an extension of Nate Folkemer's term of service in our office.

We very much appreciate your consideration of this request and please let me know if you have any questions.

Thanks,
Amit Ronen
202.441.7120

MARIA CANTWELL
WASHINGTON

United States Senate
WASHINGTON, DC 20510-4705

January 27, 2021

Robin H Richardson
Deputy Associate Administrator
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1301 Constitution Avenue NW
Washington, DC 20460

Dear Deputy Associate Administrator Richardson:

I write to request approval to retain Nate Folkemer from the Office of Enforcement and Compliance Assurance so he can continue to provide invaluable technical assistance as the U.S. Senate considers a variety of critical energy and environmental issues.

Nate is currently a Brookings Legislative Fellow working in my personal office and his fellowship is scheduled to end in January 2021. As we begin the 117th Congress with a new President and a shift in Senate leadership, there are countless questions and issues raised on a daily basis and it is critical that my office be able to provide immediate analysis and timely responses with the assistance of an experienced and highly knowledgeable lawyer like Mr. Folkemer.

I would very much appreciate if you would consider extending Nate's fellowship with my office for six months, through at least July 31, 2021. Nate's continued presence will help my office work efficiently with the incoming Administration, especially since he's been deeply involved in the development of legislative solutions to address greenhouse gas emissions and incentivize investment in clean transportation infrastructure.

Thank you for your prompt consideration of this request.

Sincerely,

Maria Cantwell

Message

From: O'Quinn, Erin [Erin.O'Quinn@mail.house.gov]
Sent: 2/2/2021 3:27:26 PM
To: Katims, Casey [Katims.Casey@epa.gov]
Subject: RE: New Contact Info

Congrats again—good luck in this crazy time!

From: Katims, Casey <Katims.Casey@epa.gov>
Sent: Tuesday, February 2, 2021 9:43 AM
To: Katims, Casey <Katims.Casey@epa.gov>
Cc: Bowles, Jack <Bowles.Jack@epa.gov>
Subject: New Contact Info

Folks:

Hope everyone's week is off to a good start. I wanted to drop a line to make sure you all had my updated contact information.

This is my EPA email address, and my new work cell is below. Please be in touch as needs arise and I look forward to working with you in my new capacity!

Thanks all,

Casey

Casey Katims
Deputy Associate Administrator for Intergovernmental Affairs
U.S. Environmental Protection Agency
C: 202-494-4609
katims.casey@epa.gov

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 5/27/2022 3:08:13 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 5/30/2022 5:30:00 PM
End: 5/30/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 6/13/2022 5:32:10 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]; Rogers, Kylea [Kylea.Rogers@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 6/13/2022 5:30:00 PM
End: 6/13/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 6/17/2022 5:39:38 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]; Rogers, Kylea [Kylea.Rogers@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 6/20/2022 5:30:00 PM
End: 6/20/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Cancelling because of the holiday. I hope everyone has a good weekend!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 2/28/2022 6:11:54 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 2/28/2022 6:30:00 PM
End: 2/28/2022 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We're working on rescheduling today's meeting to sometime later this week.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 3/28/2022 5:12:18 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 3/28/2022 5:30:00 PM
End: 3/28/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will reschedule for later this week. Thanks!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 11/19/2021 9:17:57 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 11/22/2021 6:30:00 PM
End: 11/22/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** Monday's E&C/EPA Weekly Meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 12/20/2021 5:14:34 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 12/27/2021 6:30:00 PM
End: 12/27/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

No meeting on 12/27 since the E&C office will be closed. Happy holidays!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 12/20/2021 5:55:41 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 12/20/2021 6:30:00 PM
End: 12/20/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 4/25/2022 3:04:23 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 4/25/2022 5:30:00 PM
End: 4/25/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Message

From: Banez, Joe [Joe.Banez@mail.house.gov]
Sent: 9/13/2021 5:23:38 PM
To: Laverdiere, Maria [Laverdiere.Maria@epa.gov]
Subject: Automatic reply: E&C/EPA Weekly Meeting

Thank you for emailing. I am no longer with the House Committee on Energy and Commerce. Please email Meghan Mullon at Meghan.Mullon@mail.house.gov or call (202) 225-2927 if you need assistance.

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 10/18/2021 2:08:19 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 10/18/2021 5:30:00 PM
End: 10/18/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** today's E&C/EPA weekly meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 5/9/2022 2:07:36 PM
To: Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 5/9/2022 5:30:00 PM
End: 5/9/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 9/3/2021 8:14:41 PM
To: Adhar, Radha [Adhar.Radha@epa.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.Larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Banez, Joe [Joe.Banez@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Monger, Jon [Jon.Monger@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 9/6/2021 5:30:00 PM
End: 9/6/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Hi everyone –

We will **not be having** Monday's E&C/EPA weekly meeting due to the holiday.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

From: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]
Sent: 8/23/2021 4:30:51 PM
To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]; Rogers, Kylea [Kylea.Rogers@mail.house.gov]

Subject: E&C/EPA Weekly Meeting
Attachments: Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting; Canceled: E&C/EPA Weekly Meeting
Location: Microsoft Teams Meeting

Start: 2/22/2021 6:30:00 PM
End: 2/22/2021 7:00:00 PM
Show Time As: Tentative

Recurrence: Weekly
Occurs every Monday from 1:30 PM to 2:00 PM effective 2/22/2021.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Tacoma
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 10/18/2021 5:30:00 PM
End: 10/18/2021 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** today's E&C/EPA weekly meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp(Ex. 6 Personal Privacy (PP) Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Dulin, Michael [Michael.Dulin@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 11/22/2021 6:30:00 PM
End: 11/22/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will **not be having** Monday's E&C/EPA Weekly Meeting.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp[Ex. 6 Personal Privacy (PP)]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 12/27/2021 6:30:00 PM
End: 12/27/2021 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

No meeting on 12/27 since the E&C office will be closed. Happy holidays!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp[redacted] Adhar, Radha [Adhar.Radha@epa.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 2/28/2022 6:30:00 PM
End: 2/28/2022 7:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We're working on rescheduling today's meeting to sometime later this week.

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp[redacted]; Adhar, Radha [Adhar.Radha@epa.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 3/28/2022 5:30:00 PM
End: 3/28/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

We will reschedule for later this week. Thanks!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp Ex. 6 Personal Privacy (PP) Adhar, Radha [Adhar.Radha@epa.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 4/25/2022 5:30:00 PM
End: 4/25/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp Ex. 6 Personal Privacy (PP) Adhar, Radha [Adhar.Radha@epa.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]; Rogers, Kylea [Kylea.Rogers@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 6/13/2022 5:30:00 PM
End: 6/13/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Dulin, Michael [Michael.Dulin@mail.house.gov]; Fischer, Adam [Adam.Fischer@mail.house.gov]; Maghamfar, Dustin [Dustin.Maghamfar@mail.house.gov]; Cohen, Jacqueline [jackie.cohen@mail.house.gov]; timiacrisp Ex. 6 Personal Privacy (PP) Adhar, Radha [Adhar.Radha@epa.gov]; Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]; Rogers, Kylea [Kylea.Rogers@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 6/20/2022 5:30:00 PM
End: 6/20/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Cancelling because of the holiday. I hope everyone has a good weekend!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Learn More | Meeting options

Appointment

To: Tomilchik, Rebecca [Rebecca.Tomilchik@mail.house.gov]; Haberman, Caitlin [Caitlin.Haberman@mail.house.gov]; Gutierrez, Anthony [Anthony.Gutierrez@mail.house.gov]; Larkin, Brendan [Brendan.larkin@mail.house.gov]; Wright, Tuley [Tuley.Wright@mail.house.gov]; Mullon, Meghan [Meghan.Mullon@mail.house.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Jones, Rebekah [Rebekah.Jones@mail.house.gov]; Kessler, Rick [Rick.Kessler@mail.house.gov]; Crisp, Timia [Timia.Crisp@mail.house.gov]; Rogers, Kylea [Kylea.Rogers@mail.house.gov]

Subject: Canceled: E&C/EPA Weekly Meeting

Start: 7/4/2022 5:30:00 PM
End: 7/4/2022 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

I hope everyone has a good July 4th!

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Or call in (audio only)
Ex. 6 Personal Privacy (PP) United States, Tacoma
Phone Conference ID: Ex. 6 Personal Privacy (PP)
Find a local number | Reset PIN

Learn More | Meeting options