To: Bailey, KevinJ[Bailey.KevinJ@epa.gov]; Levine, Carolyn[Levine.Carolyn@epa.gov]
From: Grantz, Brad
Sent: Mon 1/12/2015 3:50:47 PM
Subject: Ltr from Reps. Murphy, Shuster on EPA Brownfields Program
removed.txt
Ltr to EPA McCarthy Brownfields Grant Greene County Jan 2015.pdf

Dear EPA –

Attached is a letter from Congressmen Tim Murphy and Bill Shuster who both represent parts of Greene County in Southwestern Pennsylvania. The county is applying for a Brownfields assessment grant from the EPA, and the lawmakers have written a joint letter urging full and fair consideration of their application. Could you please see that Administrator McCarthy and/or the appropriate representatives in the grant reviewing department receive a copy of this letter?

Sincerely yours,

Brad Grantz | **Congressman Tim Murphy** (PA-18) | Legislative Director

2332 Rayburn House Office Building | Washington, DC 20515
(202) 225-2301 | (202) 225-1844

Click here to learn more about the Helping Families in Mental Health Crisis Act |

Congress of the United States
Washington, DC 20515

January 9, 2015

The Honorable Gina McCarthy
Administrator
U.S. Enviromental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator McCarthy,

We write today in support of a recent grant application from Greene County, Pennsylvania that will enable the county to initiate a complete assessment of the county's brownfield sites as part of its economic development strategy.

Home to more than 35,000 residents, Greene County is the coal mining heart of Pennsylvania. Located in the state's southwest corner, Greene County is working hard to overcome several challenges posed by years of mining and previous industrial activities that left behind a significant environmental impact on the region. County officials are also grappling with rural poverty and a tax base that is largely dependent on declining coal revenue.

As a result of changes in energy demand and consumption patterns, the County is actively seeking to diversify its economy moving forward and supporting other industries, like farming, tourism, and education. For its economic development strategy, the County is requesting $400,000 under the EPA Brownfields Community Wide Assessment Grant to support environmental assessments at numerous potentially hazardous sites. The County plans to leverage these assessments to reuse and redevelop these hazardous sites so they act as a catalyst for new job-creating projects.

Our shared Greene County constituents come from a long legacy of men and women, many of them being coal miners, who built and powered this nation through determination and a strong work ethic. The federal government can help to ensure these individuals are given the tools and resources they need to overcome the barriers of the past and face the challenges of the future head-on.

As you receive many meritorious requests, we encourage you to give Greene County's grant application your full and fair consideration. We ask that you keep us apprised of your review and stand ready to assist. Should you have any questions please contact Brad Grantz (Rep. Murphy) at 202.225.2301 or Sean Joyce (Rep. Shuster) at 202.225.2431.

Sincerely,

Tim Murphy
Member of Congress

Bill Shuster
Member of Congress

PRINTED ON RECYCLED PAPER

To: Mccarthy, Gina[McCarthy.Gina@epa.gov]
Cc: Ganesan, Arvin[Ganesan.Arvin@epa.gov]; Spraul, Greg[Spraul.Greg@epa.gov]; Borum, Denis[Borum.Denis@epa.gov]
From: Pawlow, Jon
Sent: Thur 7/25/2013 8:25:11 PM
Subject: *** Congressional Letter (from Chairmen Shuster and Gibbs) to Assistant Secretary Darcy (copy to Administrator McCarthy)
2013-07-24 - Letter (Shuster-Gibbs) to Corps re 404 Permitting (End User) Issue.pdf

Attached is a letter from Chairman Shuster and Chairman Gibbs to Assistant Secretary Darcy (Assistant Secretary of the Army for Civil Works) regarding Corps 404 permitting issues.

Administrator McCarthy is copied on the attached letter.

Would you please be sure that Administrator McCarthy receives this letter.

Please contact me if there are any questions about the letter.

Thank you.

Best regards,

Jon

Jon Pawlow

Jonathan R Pawlow, Esq.
Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
U.S. House of Representatives

B-370A Rayburn House Office Building
Washington, D.C. 20515
(202) 225-4360 *(telephone)*
(202) 226-6303 *(direct)*
Jon.Pawlow@mail.house.gov

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

Bill Shuster
Chairman

Nick J. Rahall, II
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

July 24, 2013

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army
for Civil Works
108 Army Pentagon
Room 3E446
Washington, DC 20310-0108

Dear Assistant Secretary Darcy:

We are writing to you about a disturbing shift in policy that appears to be occurring within the U.S. Army Corps of Engineers' Regulatory program related to permitting of certain economic development projects under Section 404 of the Clean Water Act.

We have become aware of at least two recent instances, in New York State and in Virginia, where local economic development organizations have applied to the Corps for Section 404 permits to prepare commercial or industrial development sites to attract new economic activity, but the Corps has denied or is otherwise frustrating those economic development efforts despite the diligent efforts of those organizations to satisfy the Corps' permitting needs and their willingness to mitigate any disturbance of wetland areas.

The Corps is claiming the Clean Water Act Section 404(b) Guidelines require the identification of a specified end-user of the proposed development sites so it can review final design plans and other exact specifications of the proposed development in order to assess the environmental impacts of the project. In at least one of the instances, it appears the Fish and Wildlife Service and Environmental Protection Agency instigated the call for the project sponsors to first identify a specified end-user before issuing a permit. The Corps acceded to the insistence of these other agencies.

However, neither the 404(b) Guidelines, nor the Clean Water Act in general, prohibit the Corps from granting permits for either the New York or Virginia projects when there is no specified end-user. We are concerned that the Corps is hiding behind the 404(b) Guidelines to reject these permits in a bid to stop development. In both the New York and Virginia projects, the local economic development organizations have been providing the Corps with substantive

information that has minimized the uncertainty as to the level of environmental impacts the projects would have, even without a particular end-user already identified.

We also are concerned that there is a lack of consistency on the part of the Corps in how it is applying the Clean Water Act and the 404(b) Guidelines to proposed projects. Even though the Corps now claims the 404(b) Guidelines require a specified end-user, the local economic development organizations have identified several precedential examples of where similar 404 permit applications were approved without a specified end-user being identified.

It is very disconcerting for the Corps, when it suits its purpose, to argue that no two permits are the same, but then to use other permit decisions to validate their position in deciding another permit application.

For example, the Corps has pointed to the New York permit decision (of rejecting the permit application because there was no end-user specified) as a reason for why the Corps cannot grant a permit for the project in Virginia because there is no identified end-user for that project. The Corps is conveniently ignoring the fact that there are numerous examples of where 404 permits have been issued without an end-user requirement.

Of perhaps greatest concern to us is that the Corps appears to be getting into the business of controlling local land use and second-guessing land use decisions that State and local government have made. In both the New York and Virginia projects, the Corps has second-guessed the decisions of the States and the local officials on whether and how to develop the properties for commercial or industrial development.

Land use planning and control is a function reserved for State and local government. Congress intended the Corps (and EPA) to implement the Clean Water Act as a Federal-State partnership where the Corps (and EPA) are respectful of the role of States and local government in land use matters.

The Corps is not a land use planning agency, and the Clean Water Act provides neither the directive nor the authority for the Corps to assume such responsibilities.

In the past, the Corps generally was respectful of the States and local government, and took a reasonable approach in evaluating proposed uses and end-users of property for proposed projects. However, these recent permitting decisions illustrate that this appears to be no longer the case.

We expect the Corps to work with the permit applicants for the New York and Virginia projects, and with any others with similar applications, to reach a better balance between allowing desperately-needed economic development and job-creation while still protecting the environment.

Thank you for your attention to this matter.

Sincerely,

Bill Shuster
Chairman

Bob Gibbs
Chairman
Subcommittee on Water
Resources and Environment

cc: Lieutenant General Thomas P. Bostick
Chief of Engineers

Brigadier General Margaret W. Burcham
Commander, Great Lakes and Ohio River Division

Brigadier General Kent D. Savre
Commander, North Atlantic Division

Lieutenant Colonel Owen J. Beaudoin
Commander, Buffalo District

Colonel Paul B. Olsen
Commander, Norfolk District

Honorable Gina McCarthy
Administrator, U.S. Environmental Protection Agency

To: Mccarthy, Gina[McCarthy.Gina@epa.gov]
Cc: Stoner, Nancy[Stoner.Nancy@epa.gov]; Vaught, Laura[Vaught.Laura@epa.gov]; Frank, Joyce[Frank.Joyce@epa.gov]; Distefano, Nichole[DiStefano.Nichole@epa.gov]; Kaiser, Sven-Erik[Kaiser.Sven-Erik@epa.gov]
From: Pawlow, Jon
Sent: Wed 3/5/2014 4:27:16 PM
Subject: *** Congressional Letter re: Clean Water Act WOTUS Rule
2014-03-05 - WFS and Gibbs to President Obama_Congressional Letter to POTUS on WOTUS Rule.pdf

;;;
Attached is an electronic (PDF) copy of a letter from Chairmen Shuster and Gibbs to President Obama regarding the draft rule entitled *"Definition of 'Waters of the United States' Under the Clean Water Act."*

Administrator McCarthy is copied on the letter.

Would you please be sure that Administrator McCarthy receives this letter, and would you please provide a copy to Acting Assistant Administrator Stoner.

A hard copy of the letter is being sent to Administrator McCarthy by US Mail.

Please contact me if there are any questions about the letter.

Thank you.

Best regards,

Jon

Jon Pawlow

Jonathan R Pawlow, Esq.
Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
U.S. House of Representatives
B-370A Rayburn House Office Building
Washington, D.C. 20515
(202) 225-4360 *(telephone)*
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Jon.Pawlow@mail.house.gov

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

Bill Shuster
Chairman

Nick J. Rahall, II
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

March 5, 2014

President Barack Obama
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Obama:

We are deeply concerned with your recent push to dramatically expand federal jurisdiction over waters and wet areas in the United States. These actions are yet another example of a disturbing pattern of an imperial presidency that seeks to use brute force and executive action while ignoring Congress.

Unilaterally broadening the scope of the Clean Water Act and the federal government's reach into our everyday lives would adversely affect the nation's economy, threaten jobs, invite costly litigation, and significantly restrict the ability of landowners to make decisions about their property and the rights of state and local governments to plan for their own development. This massive federal jurisdiction grab was the subject of failed legislation in the 110th and 111th Congresses that strong bipartisan opposition prevented from moving forward.

On September 17, 2013, the Environmental Protection Agency and Corps of Engineers sent to the Office of Information and Regulatory Affairs of the Office of Management and Budget, for regulatory review, a draft rule entitled *Definition of 'Waters of the United States' Under the Clean Water Act*. This rule ostensibly aims to "clarify" which waterbodies are subject to Federal jurisdiction under the Clean Water Act.

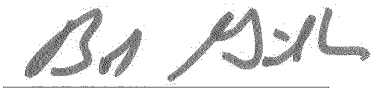
We are extremely concerned that there are serious deficiencies with this rulemaking. The draft rule misconstrues and manipulates the legal standards announced in the two Supreme Court holdings relevant to this rule, and there are substantial flaws in the economic and scientific foundations upon which the rule is based. Further, the sequence and timing of the actions that the Agencies have been taking to develop this rule undermine the credibility of the rule and the process to develop it.

Regulation of the nation's waters must be done in a manner that responsibly protects the environment without an unnecessary and costly expansion of the federal government in order to

prevent unreasonable and burdensome regulations and to protect small businesses, farmers, and families.

Sincerely,

Bill Shuster
Chairman
Committee on Transportation and Infrastructure



Bob Gibbs
Chairman
Subcommittee on Water Resources and Environment

cc: Sylvia Mathews Burwell, Director, Office of Management and Budget
Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works)
Gina McCarthy, Administrator, U.S. Environmental Protection Agency

To: Greuel, Justin[Greuel.Justin@epa.gov]
Cc: Vaught, Laura[Vaught.Laura@epa.gov]; Lewis, Josh[Lewis.Josh@epa.gov]; Orehowsky, Gregory[Orehowsky.Gregory@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]; Haman, Patricia[Haman.Patricia@epa.gov]; Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Thur 10/9/2014 8:03:07 PM
Subject: RE: Congressman Shuster Constituent Letter

Justin, Cheryl,

Just wanted to check in since we hit the 30 day window that you said would be able to respond within. Is there any update that I can share with Chairman Shuster?

Thanks,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Greuel, Justin [mailto:Greuel.Justin@epa.gov]
Sent: Monday, September 22, 2014 4:47 PM
To: Joyce, Sean
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia
Subject: RE: Congressman Shuster Constituent Letter

Sean,

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questions to better document the severity of the economic impact on Go Green if we do not grant the exemption. Receipt of these pieces of information will help form a basis for our decision on whether or not to grant relief. Once we get these details that form a complete application, we should be able to move toward a final decision within 30 days.

Should have any additional questions, please don't hesitate to contact me.

Best regards,

Justin G. Greuel
Director, Diesel Engine Compliance Center
U.S. Environmental Protection Agency
Office of Transportation & Air Quality
1200 Pennsylvania Ave, NW
Mailcode 6405A
Washington, DC 20460
Phone (202) 343-9891
Fax (202) 343-2804

Courier Address (UPS, FedEx, etc.):

1200 Pennsylvania Ave, NW

Room 5512D, WJC Building North

Washington, DC 20460

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Monday, September 22, 2014 3:13 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh
Subject: Congressman Shuster Constituent Letter

Good afternoon,

A constituent of ours reached out about the attached letter last week. Congressman Shuster was looking for an update into this letter on behalf of Go Green APU LLC. Any insights you could provide into this inquiry would be greatly appreciated.

Best regards,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

To: Lewis, Josh[Lewis.Josh@epa.gov]; Greuel, Justin[Greuel.Justin@epa.gov]
Cc: Vaught, Laura[Vaught.Laura@epa.gov]; Orehowsky, Gregory[Orehowsky.Gregory@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]; Haman, Patricia[Haman.Patricia@epa.gov]; Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Wed 9/24/2014 9:15:33 PM
Subject: RE: Congressman Shuster Constituent Letter

Great. Thanks Josh

From: Lewis, Josh [mailto:Lewis.Josh@epa.gov]
Sent: Wednesday, September 24, 2014 4:19 PM
To: Joyce, Sean; Greuel, Justin
Cc: Vaught, Laura; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia; Mackay, Cheryl
Subject: RE: Congressman Shuster Constituent Letter

Hi Sean,

Look to hear from Cheryl Mackay (cc'd…she works w/ me in EPA's congressional office)…she'll let you know when there's a final decision.

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Desk: 202 564 2095

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Wednesday, September 24, 2014 4:16 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia
Subject: RE: Congressman Shuster Constituent Letter

Hi Justin,

Thank you for your prompt response, looking forward to hearing your final decision. If it's not too much trouble, could you also copy us when it comes in?

Please let me know if there is any additional information we can help acquire for you.

Best,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

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Should have any additional questions, please don't hesitate to contact me.

Best regards,

Justin G. Greuel
Director, Diesel Engine Compliance Center
U.S. Environmental Protection Agency
Office of Transportation & Air Quality
1200 Pennsylvania Ave, NW
Mailcode 6405A
Washington, DC 20460
Phone (202) 343-9891
Fax (202) 343-2804

Courier Address (UPS, FedEx, etc.):

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Room 5512D, WJC Building North

Washington, DC 20460

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Josh Lewis

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Desk: 202 564 2095

Redacted

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Office of Congressman Bill Shuster (PA-9)

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From: Greuel, Justin
Sent: Mon 9/22/2014 8:47:03 PM
Subject: RE: Congressman Shuster Constituent Letter

Sean,

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From: Joyce, Sean
Sent: Fri 11/7/2014 3:52:52 PM
Subject: RE: Congressman Shuster Constituent Letter

Hi Justin,

I received word there was a conference call earlier this in regards to the Hardship relief regulations. Our consistent seemed to have left with the impression there was not a favorable line of questioning and that you guys might be leaning towards not approving the application. Is there update you can provide from your side? Our office would be very appreciative of any kind of heads up you could provide before any final action is taken.

Thanks

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

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Sent: Monday, September 22, 2014 4:47 PM
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Mailcode 6405A
Washington, DC 20460
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Courier Address (UPS, FedEx, etc.):

1200 Pennsylvania Ave, NW

Room 5512D, WJC Building North

Washington, DC 20460

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Monday, September 22, 2014 3:13 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh

Subject: Congressman Shuster Constituent Letter

Good afternoon,

A constituent of ours reached out about the attached letter last week. Congressman Shuster was looking for an update into this letter on behalf of Go Green APU LLC. Any insights you could provide into this inquiry would be greatly appreciated.

Best regards,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

To: 'nancy.bull@mail.house.gov'[nancy.bull@mail.house.gov]
Cc: Moody, Christina[Moody.Christina@epa.gov]
From: Brown, Kinshasa
Sent: Fri 9/22/2017 1:27:33 PM
Subject: RE: Cong. Shuster Inquiry on Citizen Name/Ex. 6 Well Water
20170913101153594.pdf

Hello Nancy,

Please do see the below information which should serve helpful to the Congressman's constituent. Furthermore, feel free to reach out to me directly with any future environmental inquires or concerns. Take care!

Here's the EPA page dedicated to the Revised Total Coliform Rule, which includes a link to the federal regulations: https://www.epa.gov/dwreginfo/revised-total-coliform-rule-and-total-coliform-rule

Please note that the federal regulations apply to federally-regulated public water systems, those providing water for human consumption to at least 15 service connections or serving an average of at least 25 people for at least 60 days a year. The Safe Drinking Water Act does not apply to private wells, though the standards can be used as a guide for individuals with private wells. Pennsylvania has a nice private well website (PA regs also do not apply to private wells): http://www.dep.pa.gov/citizens/my-water/privatewells/pages/default.aspx

The watershed in question is located within both Pennsylvania and Maryland. Any applicable source water protection ordinances would be local ordinances, and the states may be able to assist with identifying if any exist in this area. I did a quick google search and found this November 2006 Conservation Plan for the Sideling Hill, Fifteen mile, and Town Creek Watersheds: http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/D_001483.pdf

Source Water Protection contacts:

Maryland: John Grace john.grace@maryland.gov

Pennsylvania: Patrick Bowling gbowling@pa.gov

Sasha Brown

Pennsylvania State & Congressional Liaison

U.S EPA Region III

1650 Arch St. (3CR00)

Philadelphia, PA 19103

Brown.Kinshasa@epa.gov

215-814-5404

From: Bull, Nancy <Nancy.Bull@mail.house.gov>

Sent: Wednesday, September 13, 2017 10:17 AM

To: Moody, Christina

Subject: Citizen Name/Ex. 6

Please see attached case. Is this something you can respond to? If not, please direct me. Thank you!

Nancy Bull

Deputy District Director

Congressman Bill Shuster (PA-09)

100 Lincoln Way East, Suite B

Chambersburg, PA 17201

717-264-8308

717-264-0269 (FAX)

Nancy.Bull@mail.house.gov

SUBJECT/PROBLEM:

There are high levels of ecoli in my well water, and I am requesting copies of any federal regs which indicate what acceptable levels are. Additionally, I am requesting a copy of the federal regulations or ruling or ordinance that apply to the 50 mile protected radius from Fifteen Mile Creek. (Probably old ruling) (Sideling Hill Watershed considered "pristine")

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA or Revenue or (NAME OF AGENCY) in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below: any other federal agency.

NAME:

ADDRESS: Citizen Information/Ex. 6

PHONE: Citizen Information/Ex. 6

EMAIL:

SIGNATURE: X Citizen Information/Ex. 6 DATE: 09-/07/17

SOCIAL SECURITY NUMBER: SSN/Ex. 6

DATE OF BIRTH: DOB/Ex. 6

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

Phone – 717-264-8308 Fax – 717-264-0269

To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 9/28/2016 10:27:47 PM
Subject: House Overwhelmingly Approves Water Resources Development Act

PRESS RELEASE

House Overwhelmingly Approves Water Resources Development Act

For Immediate Release: September 28, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington, DC - The House of Representatives today approved the Water Resources Development Act (WRDA) of 2016 (H.R. 5303), comprehensive, bipartisan legislation to address the needs of America's harbors, locks, dams, flood protection, and other water resources infrastructure.

The legislation passed the House by a vote of 399 to 25.

"This bill is fundamental to America's competitiveness, and gets Congress back to the regular business of addressing some of our most pressing infrastructure needs. An efficient maritime and waterways transportation system is fundamental to the country's economy," said **Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA)**, sponsor of the legislation. "The process reforms Congress put in place in the 2014 water resources bill are working. Enacting a WRDA bill every two years is essential to maintaining an efficient transportation system, moving commerce effectively, and promoting economic growth throughout the country."

"Water infrastructure is a key component to our nation's transportation and logistics network. A reliable port and inland waterway system ensures goods can move quickly and affordably to facilitate trade and benefit American consumers. This bill utilizes the reforms from WRRDA 2014, using a transparent process driven by local stakeholders and promoting fiscal responsibility by fully offsetting costs with deauthorization of outdated projects," said **Water Resources and Environment Subcommittee Chairman Bob Gibbs (R-OH)**, cosponsor of H.R. 5303.

WRDA 2016 contains no earmarks, maintains the strong bipartisan reforms included in the Water Resources Reform and Development Act of 2014, and adheres to the new transparent process established in that law for congressional review of proposed Corps of Engineers water resources development activities.

Following the oversight and review process set forth in the 2014 law, WRDA 2016 authorizes infrastructure improvements that have been proposed at the local level, reviewed by the Corps according to strict congressionally established criteria, and submitted to Congress for consideration.

"The House and Senate now need to finish their work and send a final WRDA measure to the President before the end of the year," said **Shuster**. "We can't afford to delay this critical bill."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 9/27/2016 9:15:22 PM
Subject: Shuster Statement: Floor Consideration of WRDA

PRESS RELEASE

Shuster Statement: Floor Consideration of WRDA

For Immediate Release: September 27, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Chairman Bill Shuster (R-PA)
Committee on Transportation and Infrastructure
House Consideration of H.R. 5303, the Water Resources Development Act (WRDA)

September 27, 2016
Floor Statement
(Remarks as Prepared)

Mr. Speaker, I rise today in support of H.R. 5303, the Water Resources Development Act of 2016.

Subcommittee Chairman Gibbs and I worked closely with Ranking Members DeFazio and Napolitano on this vital water infrastructure bill. Thanks to their hard work, the Transportation and Infrastructure Committee unanimously approved H.R. 5303 in May.

We tailored WRDA 2016 to address a specific federal responsibility: strengthening our infrastructure, through the activities of the Army Corps of Engineers, to maintain competitiveness, create jobs, and grow the economy.

This legislation follows important reforms Congress put in place in 2014 with the Water Resources Reform and Development Act. Without those reforms, we wouldn't be here today to consider another WRDA.

The 2014 bill and today's legislation restore regular order and the two-year cycle of Congress considering these essential bills. This has been one of my highest priorities as Chairman.

WRDA 2016 maintains Congress' constitutional authority and oversight in ensuring we have a safe, effective infrastructure system.

Following our authorization process reforms, every Corps activity in this bill is locally driven, reviewed by the Corps according to strict, Congressionally established criteria, and presented to Congress for consideration in the form of Chief's Reports and the Corps' new Annual Report. Only proposals that followed this process were eligible for inclusion in this bill.

If the manager's amendment is adopted, WRDA will authorize 31 Chief's Reports and 29 feasibility studies; each Chief's report was reviewed by the Committee in a public hearing.

These are critical regional priorities that provide significant national economic and environmental benefits.

For example, WRDA authorizes long-delayed upgrades of the Upper Ohio River's Emsworth, Dashields, and Montgomery (EDM) locks and dams. The EDM facilities provide critical access to the Port of Pittsburgh, one of the Nation's busiest inland ports. This will provide enormous benefits to the region, and make our entire Nation more competitive.

The same can be said for authorizations for the Port of Charleston, Port Everglades and the Everglades ecosystem, flood control along the Missouri River and around Sacramento, and more.

The bill also increases flexibility and removes barriers for state, local, and non-federal interests to invest in infrastructure.

Factoring in the manager's amendment, WRDA will authorize over $9 billion to cover the federal share of these improvements to our ports, channels, locks, dams, and other infrastructure. These investments are fully offset with deauthorizations, and the bill sunsets new authorizations to help prevent future project backlogs.

WRDA has no earmarks and abides by all House rules. However, in order to comply with House rules and call up this bill today, one section of the bill as reported by the Committee was removed.

I agree with Ranking Member DeFazio that user fees paid into the Harbor Maintenance Trust Fund should be used to improve our transportation system. However, we found ourselves in a position where section 108 conflicted with House rules. We worked to find another resolution to this one issue, but were unable to do so within the rules. I appreciate the Ranking Member's passion for this provision, and thank him for his tireless support for infrastructure investment. I want to continue working with him and others to find a solution as we work with the Senate.

However, we cannot lose sight of the larger, more important issue. Don't let the perfect be the enemy of the good.

Only three WRDAs were enacted between 2000 and 2014. That record is unacceptable. Each delay placed America another step behind our competitors. We simply can't afford more delays.

We must pass this jobs and infrastructure bill, and return to a regular two-year WRDA cycle to keep the Army Corps focused on these much needed investments. We cannot sacrifice these critical infrastructure improvements because of one issue.

We have a wide range of stakeholder interest in this bill, and 75 letters of support for WRDA 2016, including the National Association of Manufacturers, the U.S. Chamber of Commerce, the National Retail Federation, the National Conference of State Legislatures, and many other local and regional groups.

WRDA 2016 is good public policy. The bill advances crucial water resources infrastructure improvements, restores regular order, and gets Congress back on the two-year WRDA cycle.

I urge my colleagues to support the bill.

Additional information about WRDA is available here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 9/15/2016 2:36:01 PM
Subject: Shuster & Gibbs Statements from Hearing on Recent U.S. Army Corps Chief's Reports

OPENING STATEMENTS

Shuster & Gibbs Statements from Hearing on Recent U.S. Army Corps Chief's Reports

For Immediate Release: September 15, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Shuster and Gibbs Opening Statements
Hearing on "A Review of Recently Completed United States Army Corps of Engineers Chief's Reports"
September 15, 2016
(Remarks as Prepared)

Chairman Bill Shuster (R-PA)
Committee on Transportation and Infrastructure

Today' hearing will be valuable as we continue our work on the Water Resources Development Act (WRDA) of 2016. It is critical to get WRDA back on a two-year cycle to maintain Congress' role in overseeing the Corps' work, and in improving our infrastructure. Today's two Chief's Reports and two Post-Authorization Change Reports have undergone rigorous economic and environmental analyses, and may be included in the next WRDA.

I'd like to especially thank General Jackson, General Semonite, and the Corps for their continued attention to the navigation improvements on the Upper Ohio River. The Emsworth, Dashields, and Montgomery (EDM) Locks Facilities are critical to the operations at the Port of Pittsburgh, one of the Nation's busiest inland ports.

These locks have been in operation since the 1920's and 1930's. In fact, Montgomery Lock is the "new" lock, but it was constructed in 1936. This proposed project we are reviewing today would construct three new lock chambers to replace the EDM Locks. Without these improvements, the locks and dams that feed into this port would continue to degrade, and threaten the flow of commerce along this critical waterway.

Chairman Bob Gibbs (R-OH)
Subcommittee on Water Resources and Environment

This past May, the Committee on Transportation and Infrastructure unanimously passed H.R. 5303, the Water Resources Development Act of 2016. This legislation builds upon the success of WRRDA 2014, one of the most policy and reform-focused pieces of legislation related to the U.S. Army Corps of Engineers.

H.R. 5303 is a bipartisan bill that was developed by working across the aisle to achieve a common goal of investing in America's future. H.R. 5303 contains no earmarks and strengthens our water

transportation networks to promote competitiveness, prosperity, and economic growth.

This Committee held numerous public roundtables and official hearings in developing this legislation. We have heard from the public, industry, stakeholders, and from our colleagues in Congress while developing this legislation and have incorporated their ideas into H.R. 5303. I appreciate Mr. Shuster, Mr. DeFazio, and Ms. Napolitano's bipartisan work to address a vital need for America.

Today we are holding a hearing to review two Army Corps of Engineers Chief's Reports that have been delivered to Congress since this Subcommittee's previous hearing on May 17th of this year. We intend to review these proposed projects to ensure they meet our criteria for authorization. Additionally, the Corps of Engineers delivered to Congress two Post Authorization Change Reports, recommending modifications to ongoing construction projects at Swope Park, Missouri, and Picayune Strand, Florida.

These Chief's Reports and Post Authorization Change Reports address the missions of the Corps and balance economic development and environmental considerations equally.

The Corps of Engineers constructs projects for the purposes of navigation, flood control, shoreline protection, hydroelectric power, recreation, environmental protection, restoration and enhancement, and fish and wildlife mitigation.

The Corps of Engineers planning process considers economic development and environmental needs as it addresses water resources challenges. This rigorous planning process addresses the Nation's water resources needs by exploring a full range of alternatives in developing solutions that meet both national and local needs.

The two Chief's Reports and two Post Authorization Change Reports we are discussing today are the result of this rigorous planning process. These projects are proposed by non-federal interests in cooperation and consultation with the Corps. All of these Chief's Reports and Post Authorization Change Reports, while tailored to meet locally developed needs, have national economic and environmental benefits.

I'd like to welcome General Jackson to this important hearing today. Thank you for your hard work on both the Upper Ohio River and Southwest Coastal Louisiana's Chief's Reports.

Click here for additional information from today's hearing, including testimony, video, and background information.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 3/9/2017 5:34:11 PM
Subject: Hearing Examines Water Infrastructure's Role in a 21st Century Economy

PRESS RELEASE

Hearing Examines Water Infrastructure's Role in a 21st Century Economy

For Immediate Release: March 09, 2017
Contact: Justin Harclerode, Jeff Urbanchuck, or Keith Hall (202) 225-9446

Washington, DC – Earlier today, the Subcommittee on Water Resources and Environment held its first hearing of the 115th Congress. Following on the broad themes emerging out of the full Committee's kick-off hearing last month, the Subcommittee explored the role of federal agencies in building water infrastructure that is ready for the challenges of the 21st century.

"Over the last four years, the Committee has developed a track record of moving critical water infrastructure legislation through Congress in a timely and effective manner," said **U.S. Rep. Bill Shuster (R-PA), Chairman of the Transportation and Infrastructure Committee**. "Our ports, waterways, and other water resources infrastructure are critical to a transportation network that allows commerce to thrive and communities to flourish. We need to continue working together to ensure this infrastructure can be built and improved efficiently in order to meet the challenges of the 21st century."

In 2016, Congress passed the bipartisan Water Infrastructure Improvements for the Nation (WIIN) Act. A key component of the WIIN Act was the Water Resources Development Act (WRDA) of 2016, which authorized the Army Corps of Engineers to undertake port, waterway, and flood protection improvements across the country. The Committee now is looking towards developing a WRDA bill for 2018 and today's hearing represents the first step in that process.

The Subcommittee's hearing, "Building a 21st Century Infrastructure for America: The Role of Federal Agencies in Water Infrastructure," examined how the federal government, in conjunction with its partners in state and local government, can work to reduce inefficiencies and delays in project delivery, include affordability considerations in the rulemaking process, better use data and technology, and maximize benefits from existing resources.

"There has to be transformational change across these agencies for our country to realize the full competitive advantage of its water infrastructure," said **U.S. Rep. Garret Graves (R-LA), Chairman of the Subcommittee on Water Resources and Environment**. "Bureaucracy is ineffective, disruptive, and has contributed to our infrastructure's state of decay. Doing things the same old way won't get us to a 21st century system. As we work with the president on enhancing infrastructure investment, fixing these broken processes will be key to getting the job done."

Video of today's hearing can be found on the Committee's website here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 3/1/2017 3:57:52 AM
Subject: Shuster Statement in Response to President Trump's First Address to a Joint Session of Congress

PRESS RELEASE

Shuster Statement in Response to President Trump's First Address to a Joint Session of Congress

For Immediate Release: February 28, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington - Congressman Bill Shuster, Chairman of the House Transportation and Infrastructure Committee, released the following statement on President Trump's first address to a Joint Session of Congress:

"President Trump made infrastructure a priority before the election, and his address tonight reaffirmed his commitment to building a 21st century infrastructure.

Renewing the American spirit starts with creating jobs and economic opportunity. Our infrastructure is what ties all of these things together. The Committee looks forward to working with the president and the Secretary of Transportation to improve our infrastructure and strengthen our economy."

More information on the Transportation and Infrastructure Committee's work to build a 21st century infrastructure can be found here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 2/28/2017 9:00:30 PM
Subject: Shuster & Graves Statement on the President's WOTUS Executive Order

PRESS RELEASE

Shuster & Graves Statement on the President's WOTUS Executive Order

For Immediate Release: February 28, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) and Water Resources and Environment Subcommittee Chairman Garret Graves (R-LA) released the following statement on the President's Waters of the United States (WOTUS) executive order:

"We applaud the President for today's executive order and for standing with the states and local governments, and America's farmers, manufacturers, businesses, and communities, who all voiced strong concerns with the Obama Administration's flawed and ambiguous WOTUS rule, its expansion of federal power, and the threat it posed to private property rights across the United States.

"The previous Administration was committed to putting interest groups ahead of hard working American families and businesses. President Trump's executive order shows strong leadership that we hope will result in a much better rule that takes into account the interests of the American people while protecting clean water and health through practical regulation."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 11/30/2017 10:07:24 PM
Subject: T&I Committee Leaders Applaud House Passage of Brownfields Reauthorization Bill

PRESS RELEASE

T&I Committee Leaders Applaud House Passage of Brownfields Reauthorization Bill

For Immediate Release: November 30, 2017
Contact: (T&I majority) Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446
(T&I minority) Jen Adler (202) 225-4472

Washington, DC - Transportation and Infrastructure Committee leaders released the following statements after today's House passage of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017:

Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA): "Every single congressional district has at least one brownfields site, and this bipartisan bill will help put those idle, unused properties back into productive use, providing economic and environmental benefits to communities across the country. I appreciate the work of my colleagues on both the Transportation and Infrastructure Committee and the Energy and Commerce Committee for collaborating on this bill, and I look forward to its passage in the Senate."

Transportation and Infrastructure Committee Ranking Member Peter DeFazio (D-OR): "The Brownfields Program has a proven record of success – assisting states and communities in the redevelopment of abandoned or underutilized properties by leveraging federal seed money and technical expertise to attract state, local, and private dollars to create jobs and spur economic growth. Congress has heard from mayors, county executives, state officials, and other stakeholders regarding the critical importance of the Brownfields Program. I am proud to work on this bipartisan legislation and I will continue to work with my colleagues to see this critical bill signed into law."

Water Resources and Environment Subcommittee Chairman Garret Graves (R-LA): "Every federal dollar invested in the Brownfields Program leverages an average of $16 to $17 to clean up sites, improve property values, create thousands of jobs, and generate more local revenue. This commonsense bill provides for brownfields assessment and cleanup grants, clarifies liability protections, and enables states, local governments, and tribes to revitalize more of America's communities."

Water Resources and Environment Subcommittee Ranking Member Grace Napolitano (D-CA): "Data provided by the EPA shows that since its inception, the Brownfields Program has helped create more than 122,800 jobs, leveraging over $23.6 billion in cleanup and redevelopment funding. For every $1 of brownfields funding, more than $16 of other public and private dollars are leveraged, generating more than eight jobs for every $100,000 of EPA brownfields funds expended. It is undeniable that this program is working as it should and that communities in Southern California and across the nation are benefiting from the investment of federal dollars in remediating these sites. The Brownfields Program has received strong bipartisan backing, and I am pleased to support this legislation to improve upon its successes."

U.S. Rep. John Katko (R-NY), H.R. 3017 cosponsor: "Communities across Central New York know all too well the impact of industrial pollution, and have benefited directly from the EPA Brownfields Program. I'm proud to have worked in a bipartisan manner with Chairman Shuster and Representative Esty to prioritize the reauthorization of this program. With this measure passed through the House, we are one step closer to ensuring industrial sites in our community and across this country are preserved and revitalized."

U.S. Rep. Elizabeth Esty (D-CT), H.R. 3017 cosponsor: "Today's passage is an important step to ensure that our communities have every tool available to renew blighted properties and create good-paying jobs. Central and northwestern Connecticut has a long and proud industrial history, but that history has left an unwelcome legacy of brownfield sites throughout our region – from Meriden to Waterbury up to Plymouth and Torrington. Growing our economy and protecting our environment are not mutually-exclusive goals. They go hand-in-hand: every acre of brownfields redevelopment creates close to 10 jobs. This is an incredible opportunity to advance legislation demonstrating our universal commitment to creating jobs and strengthening the communities we are proud to represent."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 11/30/2017 5:58:00 PM
Subject: Committee Approves Disaster Recovery Reform and Human Trafficking Legislation at Markup

PRESS RELEASE

Committee Approves Disaster Recovery Reform and Human Trafficking Legislation at Markup

For Immediate Release: November 30, 2017
Contact: (T&I majority) Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446
(T&I minority) Jen Adler (202) 225-4472

Washington, D.C. - This morning, the Transportation and Infrastructure Committee approved sweeping FEMA reform legislation, as well as two bills to address human trafficking on the Nation's highways.

"This morning's markup demonstrated what our Committee can accomplish through bipartisan consensus," said **Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA).** "We approved significant FEMA reform legislation that shifts our focus to predisaster mitigation in the wake of a historic hurricane season. The human trafficking bills cleared today will help stem the growth of this terrible crime. I look forward to quick consideration of these bills by the House."

"It is critical we as a Nation do everything in our power to help communities struggling to recover from disasters, but in doing so we must ensure we are building more resilient communities that are better prepared for when the next disaster strikes," said **Transportation and Infrastructure Committee Ranking Member Peter DeFazio (D-OR)**. "This year's hurricane season was one of the worst on record. These storms brought extreme devastation, which is still being felt today. In addition, severe wildfires left regions of the Western United States completely ravaged this summer. Climate change is real and the intensity of extreme weather events, and the billions of dollars in accompanying damage, are growing each year. More must be done to better prepare us for the next major disaster, and the Disaster Recovery Reform Act is a step in the right direction."

The Committee approved H.R. 4460, "The Disaster Recovery Reform Act" (DRRA), which is sponsored by Chairman Lou Barletta (R-PA) and Ranking Member Hank Johnson (D-GA) of the Economic Development, Public Buildings, and Emergency Management Subcommittee. The DRRA makes critical reforms to the Federal Emergency Management Agency's disaster response and recovery programs that will help our communities better prepare for, respond to, recover from, and mitigate against disasters of all kinds. More information on the DRRA can be found online here. An editorial by Rep. Barletta on the DRRA can be read here.

"The current post-disaster recovery structure is no longer effective" said **Barletta**. "Building resilient communities on the front end is how America must approach natural disasters for the future. The Disaster Recovery Reform Act is a stronger and smarter approach to disaster recovery."

"Communities across the country have been dealing with unprecedented disasters this year, including devastating hurricanes and wildfires," **Johnson** said. "This bill will help us better prepare for future disasters by focusing on predisaster mitigation and resilient rebuilding post-disaster, such

as permitting proactive measures that allow electrical lines that were above ground to be buried after disaster strikes, among other activities. The DRRA will help us save lives, limit property damage, and reduce recovery costs in the long run."

The two human trafficking bills were approved by the Committee today. H.R. 3814, the "No Human Trafficking on Our Roads Act," is sponsored by U.S. Rep. John Katko (R-NY). The legislation disqualifies individuals from operating a commercial motor vehicle (CMV) for their lifetime if they used a CMV to commit a felony involving human trafficking.

"As a former organized crime prosecutor on both the northern border at home in New York and on the southern border in El Paso, Texas, I've seen firsthand the horrors of human trafficking," said **Katko**. "Too often, human traffickers take advantage of our nation's transportation network to transport their victims from one location to the next, and the U.S. Department of Transportation and the transportation industry play a critical role in preventing and stopping these heinous exploitations. I'm grateful for Chairman Shuster's commitment to ending the crime of human trafficking. I'm proud to work with him and members of the House Transportation and Infrastructure Committee today to pass two bipartisan pieces of legislation that I've authored with Representative Esty to help make our transportation systems safer."

H.R. 3813, the "Combating Human Trafficking in Commercial Vehicles Act," is sponsored by U.S. Rep. Elizabeth Esty (D-CT). The bill directs the Secretary of Transportation to designate a human trafficking prevention coordinator, expands the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program and commercial driver's license financial assistance program to include human trafficking prevention activities, and establishes a human trafficking advisory committee.

"Human trafficking is an appalling and inhumane crime – and it's happening throughout Connecticut and all over the country," **Esty** said. "As I sadly learned firsthand when a human trafficking ring was broken up in my hometown of Cheshire, anyone can become a victim of this crime, regardless of race, age, gender, or socioeconomic status. It's even worse that the majority of human trafficking incidents exploit young girls sexually: the average age a teen enters the sex trade in the United States is between the ages of 12 and 14. We need to put a stop to this inhumane activity now, which is why I'm proud to have introduced the Combating Human Trafficking in Commercial Vehicles Act."

All bills were approved today by voice vote. More information from today's markup and the approved legislation can be found here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Mon 2/13/2017 9:34:46 PM
Subject: Shuster Announces Addition to T&I Committee Staff

PRESS RELEASE

Shuster Announces Addition to T&I Committee Staff

For Immediate Release: February 13, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today announced the appointment of Misty McGowen as the Committee's Director of Outreach and Coalitions.

Misty joins the Committee from the American Petroleum Institute (API), where she spent the last seven years as the Director of Federal Relations. Prior to that, she served on the staff of Senator Mike Crapo from Idaho. Originally from West Monroe, Louisiana, Misty played collegiate tennis in Louisiana and Arkansas before earning a Juris Doctor from the University of Arkansas.

"The quality of our infrastructure impacts the lives of every single American, and building a 21st century infrastructure for America will take a broad and diverse coalition of stakeholders," **Shuster** said. "Misty's experience will help ensure that the Committee and our Members can create effective public and private sector partnerships to strengthen our transportation systems and make America more competitive."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Mon 2/6/2017 9:36:23 PM
Subject: Transportation Committee Launches #Building21 Effort to Promote its Vision of a 21st Century American Infrastructure

PRESS RELEASE

Transportation Committee Launches #Building21 Effort to Promote its Vision of a 21st Century American Infrastructure

For Immediate Release: February 06, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington, DC -The key to America's future competitiveness is making investments in an infrastructure that is ready to take on the challenges of the 21st century. That's the central message Chairman Bill Shuster and members of the House Transportation and Infrastructure Committee delivered during the Committee's first full hearing of the 115th Congress last week. To communicate this vision beyond the beltway, the Committee has launched an informational campaign entitled "Building a 21st Century Infrastructure for America," or #building21.

"America's infrastructure is the backbone of our economy and we must invest to meet the challenges of today while preparing for the opportunities of tomorrow," said **Shuster (R-PA)**. "The #building21 initiative is designed to explain our vision for America's infrastructure that promotes job creation, encourages economic development, and prepares the Nation for the breakthroughs in mobility that are around the corner."

Integral to the #building21 initiative is the launch of a new website, which will focus attention on policies that will build a 21st century infrastructure. The site went live today featuring perspectives from Chairman Shuster and Committee Members, as well as a vision statement for the initiative.

"This isn't simply a website," **Shuster** added. "The Committee will continue to hold hearings, listening sessions, and roundtables throughout the Congress as part of our agenda to explore what system users, manufacturers, and consumers need to truly develop an infrastructure and transportation network that is second to none."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 2/1/2017 7:25:55 PM
Subject: Transportation and Infrastructure Committee Holds First Hearing of the 115th Congress

PRESS RELEASE

Transportation and Infrastructure Committee Holds First Hearing of the 115th Congress

For Immediate Release: February 01, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Washington, DC - Earlier today, Chairman Bill Shuster (R-PA) and Members of the House Transportation and Infrastructure Committee held the Committee's first full hearing of the 115th Congress to explore the importance of infrastructure to America's job creators, and what sort of infrastructure investments must be made to prepare the Nation to take on the challenges of the 21st century. The hearing, entitled "Building a 21st Century Infrastructure for America," featured testimony from some of the Nation's largest corporate users of our transportation networks and infrastructure, as well as organized labor.

"The health of the Nation's infrastructure will determine our competitiveness in a 21st century global marketplace," said **Chairman Shuster**. "Manufacturers, farmers, and consumers all rely on the efficient movement of goods and people throughout the Nation. America cannot afford to lag behind our competitors as they make significant improvements to their own infrastructure. Today's hearing explored ideas and solutions to remain a leader in commerce and job creation tomorrow."

The Committee heard testimony today from a panel of prominent witnesses:

Mr. Frederick W. Smith, Chairman and Chief Executive Officer of the FedEx Corporation

Mr. David W. MacLennan, Chairman and Chief Executive Officer of Cargill, Incorporated

Mr. Ludwig Willisch, President and Chief Executive Officer of BMW of North America

Ms. Mary V. Andringa, Chair of the Board of the Vermeer Corporation

Mr. Richard L. Trumka, President of the AFL-CIO

"Washington is focused on infrastructure like never before, including President Trump, who continues to push for addressing our infrastructure needs," **Shuster** added. "Before we can specify any infrastructure proposal, we must frame what we want to accomplish and lay out a vision for building a 21st century infrastructure. Today's hearing was the first step towards that goal."

Video of today's hearing, Chairman Shuster's opening statement, the witnesses' testimony, and additional background information is available here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 2/1/2017 3:17:06 PM
Subject: Shuster Statement from Hearing on Building a 21st Century Infrastructure for America

PRESS RELEASE

Shuster Statement from Hearing on Building a 21st Century Infrastructure for America

For Immediate Release: February 01, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Chairman Bill Shuster (R-PA)
Committee on Transportation and Infrastructure
Hearing on "Building a 21st Century Infrastructure for America"

February 1, 2017
Opening Statement

(Remarks as Prepared)

Good morning and welcome to the first full Committee hearing of the House Transportation and Infrastructure Committee for the 115th Congress. I want to welcome our new Members of the Committee, and our returning Members. I look forward to working with all of you during what will be a busy Congress for our Committee.

This morning's hearing is about looking to the future and how we build a 21st century infrastructure for America. But before we begin, I think it is important for us to remember the successes this Committee had in the last Congress.

Our Committee, working in bipartisan fashion, was incredibly productive over the last two years. We were able to move large, complex legislation to improve America's infrastructure. The FAST Act, the WIIN Act, our PRRIA passenger rail and Amtrak reforms, the PIPES Act, the Coast Guard Authorization Act, and other Committee bills are now law because we were able to build consensus and get things done for the American people.

Our track record speaks to the hard work of our Members and staff. For our new Committee Members here today – take note. Our goal is the same level of success for this Congress, so get ready to roll up your sleeves.

America's infrastructure is the backbone of our economy. As a people, we are bound together by our values and our dedication to liberty. But physically, we are bound together by our transportation network.

From the beginning of the very First Congress that authorized the first Federal lighthouses, to the Transcontinental Railroad, to the Panama Canal, to the Interstate Highway System, to the Nation's airports, the federal government has played a vital, Constitutional role in ensuring the American people and our economy are connected through infrastructure.

A strong infrastructure means a strong America – an America that competes globally, supports local and regional economic development, and creates jobs.

However, our infrastructure will face significant challenges in the future.

Forecasts predict that our population will grow from 319 million in 2014, to 400 million by 2051. The movement of freight is expected to increase by 40 percent over the next 30 years. By the end of the next decade, air travel demand is expected to increase from 750 million passengers annually to one billion. And transportation technology continues to evolve – driverless cars, commercial drones, and commercial space transportation are just a few examples of this change, but more changes are coming.

Our infrastructure policies have to keep pace with changing technologies. We must be able to meet our infrastructure needs of today, but also be poised to tackle the challenges of tomorrow.

One thing November's election taught us was that the American people are ready for their elected officials to rethink the way we do things here in Washington and challenge the status quo.

This election also raised the profile of infrastructure in the minds of the American people and policymakers. In fact, I believe this was the first time a president ever mentioned the word "infrastructure" in an inaugural address.

This feeling of optimism is echoed by over 400 associations who wrote in support of investing in infrastructure and fixing the Highway Trust Fund. Their thoughts are contained a letter I would like to enter into the record today.

What does this mean for us? It means that we now have a unique opportunity. The wind is at our backs, and it's time to act on our infrastructure needs.

President Trump made a promise to the American people that he would reassert America's greatness. From my perspective, that means ensuring that America is competitive in the crowded global marketplace of today and tomorrow. It means reimagining and building a 21st century infrastructure—leveraging resources from all levels of government and the private sector.

Modern infrastructure lets our people, goods, products, and crops get where they need to go more efficiently and at less cost.

It's improved roads and bridges that reduce bottlenecks and problems that slow the flow of commerce. Modern infrastructure is an aviation system with truly modern, efficient, and transformational air traffic control technology. It's ports and waterways that let our farmers and manufacturers move their crops and products to remain competitive with other nations. It's rail systems that focus on more effective, efficient service in regions of the country where rail transportation works well. It's pipelines that can transport the energy products that will power us into the future. It's infrastructure that is resilient when natural disaster strikes. It's infrastructure that can be built faster, unburdened by bureaucracy and impediments to private investment. And it's infrastructure that encourages innovation and unleashes the next revolution in mobility.

Modern infrastructure means jobs, because when transportation efficiency improves the bottom line for our job creators, they can put more people to work.

That is my vision for a 21st century infrastructure, and it can be achieved if we work together to build it.

I welcome our panel of experts and look forward to hearing from you. Your organizations have a unique understanding of our infrastructure needs. Your companies and your workers depend on the functionality of our transportation networks, so your perspectives are critical in helping us shape the future of America's infrastructure.

Click here for additional information from today's hearing, including testimony, video, and background information.

# # #

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 1/31/2017 8:00:08 PM
Subject: Shuster Statement on the Confirmation of Elaine Chao as Secretary of Transportation

PRESS RELEASE

Shuster Statement on the Confirmation of Elaine Chao as Secretary of Transportation

For Immediate Release: January 31, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today issued the following statement on the Senate's confirmation of Elaine Chao as the Nation's next Secretary of Transportation:

"I congratulate Elaine Chao on her confirmation as the next Secretary of the United States Department of Transportation. I look forward to getting to work with her, the new administration, and my colleagues in Congress on the many issues before the Committee this year, including critical FAA reforms and smart, responsible investments in our Nation's infrastructure network. We have a tremendous opportunity to improve our transportation systems, reduce regulatory burdens, encourage innovation and private-public partnerships, strengthen our competitiveness, and build a 21st century infrastructure for America."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 1/31/2017 6:40:41 PM
Subject: Transportation and Infrastructure Committee Announces Subcommittee Rosters, Approves Rules & Oversight Plan

PRESS RELEASE

Transportation and Infrastructure Committee Announces Subcommittee Rosters, Approves Rules & Oversight Plan

For Immediate Release: January 31, 2017
Contact:
(majority) Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446
(minority) Jen Gilbreath (202) 225-4472

Washington, DC - The Transportation and Infrastructure Committee today held its organizational meeting for the 115th Congress, approved the Committee rules and the Committee authorization and oversight plan, and confirmed subcommittee rosters.

"Thanks to the hard work of our Members, our committee has built a record of success over the last four years moving large, complex pieces of legislation to improve our transportation networks and our infrastructure," said **Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA)**. "This Congress, we have more work to do, and a golden opportunity to build a 21st century infrastructure for America. I look forward to working with Ranking Member DeFazio, Transportation and Infrastructure Committee Vice Chairman Duncan, Committee Vice Ranking Member Esty, our subcommittee leaders, and all of our Members to continue improving our infrastructure and ensuring America's competitiveness."

"Transportation is not a partisan issue, it's about moving people and goods more efficiently in this country and connecting us to the world," said **Transportation and Infrastructure Committee Ranking Member Peter DeFazio (D-OR)**. "Our communities and citizens rely on safe and efficient roads, rails, ports, planes, and public transit systems every day. Yet nearly one in four bridges in the United States is structurally deficient or functionally obsolete, 65 percent of our Nation's roads are in less than good condition, our rail and bus transit systems are facing a $90 billion backlog, and full channels at the Nation's 59 busiest ports are available less than 35 percent of the time. In the coming Congress, I plan to work with Chairman Shuster and President Trump to find common ground and bipartisan solutions that address the growing transportation infrastructure backlog without adding to the deficit."

"I look forward to continuing this Committee's tradition of working across the aisle to produce infrastructure legislation which makes our economy competitive on a global stage and creates jobs for Americans here at home," said **Transportation and Infrastructure Committee Vice Chairman John J. Duncan, Jr. (R-TN).**

"Rebuilding America's infrastructure is an economic and national security imperative," said **Transportation and Infrastructure Committee Vice Ranking Member Elizabeth Esty (D-CT).**

"Both Democrats and Republicans, including President Trump, have identified our Committee's work as an area for bipartisan cooperation. I'm excited to work with Chairman Shuster, Ranking Member DeFazio, Vice Chairman Duncan, and all my colleagues on the Committee to advance smart, bold policies that will make America's transportation systems the envy of the world."

Subcommittee Chairs and Ranking Members were announced previously. Today, the Committee also confirmed the appointments of the following six subcommittee vice chairs:

Subcommittee on Aviation: U.S. Rep. Paul Mitchell (R-MI)

Subcommittee on Coast Guard and Maritime Transportation: U.S. Rep. Jason Lewis (R-MN)

Subcommittee on Economic Development, Public Buildings, and Emergency Management: U.S. Rep. Drew Ferguson (R-GA)

Subcommittee on Highways and Transit: Lloyd Smucker (R-PA)

Subcommittee on Railroads, Pipelines, and Hazardous Materials: U.S. Rep. John Faso (R-NY)

Subcommittee on Water Resources and Environment: U.S. Rep. Brian Mast (R-FL)

More information from today's organizational meeting, including subcommittee assignments, the Committee rules, and the Committee authorization and oversight plan, can be found here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Fri 1/27/2017 5:26:12 PM
Subject: First Hearing of the 115th Congress to Explore What is Needed to Build a 21st Century Infrastructure for America

PRESS RELEASE

First Hearing of the 115th Congress to Explore What is Needed to Build a 21st Century Infrastructure for America

Influential Leaders in Business and Labor to Testify

For Immediate Release: January 27, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) will lead the Committee's first hearing of the new Congress next week to explore the challenges facing our Nation's infrastructure and a vision for building a 21st century infrastructure for America. The Committee will hear testimony from the leaders of some of the most prominent businesses in the Nation, as well as from organized labor.

America's infrastructure is the backbone of our economy, and the federal government plays a vital, historical, constitutional role in ensuring the American people are connected and our economy is supported through infrastructure. For America to remain competitive, expand our economy, and create jobs, it must have an infrastructure that is ready to meet the needs of the 21st century.

This hearing of the full Committee on Transportation and Infrastructure, entitled, "Building a 21st Century Infrastructure for America," will be held at **10:00 a.m. on Wednesday, February 1, 2017, in 2167 Rayburn House Office Building**.

Witness List:

- Mr. Frederick W. Smith, Chairman, President, and Chief Executive Officer of the FedEx Corporation
- Mr. David W. MacLennan, Chairman and Chief Executive Officer of Cargill, Incorporated
- Mr. Ludwig Willisch, President and Chief Executive Officer of BMW of North America
- Ms. Mary V. Andringa, Chair of the Board of the Vermeer Corporation
- Mr. Richard L. Trumka, President of the AFL-CIO

More information about the hearing, including testimony, additional background information, and link to live webcast, will be posted at transport.house.gov as it becomes available.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 1/25/2017 7:16:17 PM
Subject: Transportation & Infrastructure Committee to Hold Organizational Meeting

PRESS RELEASE

Transportation & Infrastructure Committee to Hold Organizational Meeting

For Immediate Release: January 25, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) announced that the Committee will hold its organizational meeting for the 115th Congress at **10:00 a.m. on Tuesday, January 31, 2017, in 2167 Rayburn House Office Building**. At this meeting, the Committee will consider its committee rules package and the oversight and authorization plan. Subcommittee leadership and assignments will also be confirmed at the organizational meeting.

"Last Congress, the Committee accomplished a great deal in a strong bipartisan manner to improve the Nation's infrastructure and transportation systems. The FAST Act, WRDA 2016, our PRRIA passenger rail and Amtrak reforms, the PIPES Act, the Coast Guard Authorization Act, and other Committee measures are now law because of the hard work and dedication of our Members," **Shuster** said. "I look forward to getting to work with our new and returning members to continue our record of success in this Congress and help build a 21st century infrastructure for America."

More information about the meeting, including rules and oversight plan adopted and live webcast, will be posted here as it becomes available. Full subcommittee rosters will also be released following Tuesday's organizational meeting.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 1/24/2017 8:41:18 PM
Subject: Shuster Statement on President Trump's Actions to Streamline Infrastructure Projects

PRESS RELEASE

Shuster Statement on President Trump's Actions to Streamline Infrastructure Projects

For Immediate Release: January 24, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Washington, DC - U.S. Rep. Bill Shuster (R-PA), Chairman of House Transportation and Infrastructure Committee, released the following statement today after President Trump signed executive orders to streamline the review of critical infrastructure projects, and to move forward with the Keystone and Dakota Access pipelines:

"President Trump promised that he would work to improve America's infrastructure and immediately begin to put the Nation back on the path of economic growth and job creation. Today's executive orders to cut the red tape that slows down critical projects show that he is following through on his word.

"For years, Republicans in Congress have been fighting to streamline the federal bureaucracy that prevents economic growth, and President Trump's actions today are a welcome step in the right direction. I look forward to working with the President and my colleagues in Congress to help build a 21st century infrastructure, promote our economic competitiveness, and create opportunities for all Americans."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Mon 1/23/2017 4:41:05 PM
Subject: Shuster Announces Full Committee Vice Chairman & Subcommittee Chairmen for 115th Congress

PRESS RELEASE

Shuster Announces Full Committee Vice Chairman & Subcommittee Chairmen for 115th Congress

Date: January 23, 2017
Contact: Justin Harclerode, Jeff Urbanchuk or Keith Hall at (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today announced his selections for Full Committee Vice Chairman and the Committee's six Subcommittee Chairmen for the 115th Congress.

"Last Congress, the Committee was successful in advancing policies to strengthen America's infrastructure and preserve the Nation's competitiveness," said **Chairman Shuster**. "The enactment of 56 public laws, including the Fixing America's Surface Transportation Act and the Water Infrastructure Improvements for the Nation Act, could not have happened without the hard work and support of our excellent leadership team.

"The 115th Congress will present new opportunities for the Committee to advance a bold agenda focused on building an American infrastructure that is prepared for the challenges of the 21st century. I am confident that our Committee is up to the task with the return of our Full Committee Vice Chairman and our accomplished and capable slate of Subcommittee Chairmen," **Shuster** added.

The Vice Chairman and Subcommittee Chairmen are expected to be confirmed at the Committee's first organizational meeting of the year, which will be announced at a later date. Chairman Shuster's selections for the Committee's leadership team are:

Full Committee Vice Chairman
U.S. Rep. John J. Duncan, Jr. (R-TN)

Subcommittee on Aviation
U.S. Rep. Frank LoBiondo (R-NJ)

Subcommittee on Coast Guard and Maritime Transportation
U.S. Rep. Duncan Hunter (R-CA)

Subcommittee on Economic Development, Public Buildings, and Emergency Management
U.S. Rep. Lou Barletta (R-PA)

Subcommittee on Highways and Transit
U.S. Rep. Sam Graves (R-MO)

Subcommittee on Railroads, Pipelines, and Hazardous Materials

U.S. Rep. Jeff Denham (R-CA)

Subcommittee on Water Resources and Environment
U.S. Rep. Garret Graves (R-LA)

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Fri 10/27/2017 1:53:54 PM
Subject: Shuster and Graves Opening Statements Roundtable on "America's Water Resources Infrastructure: Concepts for the Next Water Resources Development Act"

PRESS RELEASE

Shuster and Graves Opening Statements Roundtable on "America's Water Resources Infrastructure: Concepts for the Next Water Resources Development Act"

For Immediate Release: October 27, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Shuster and Graves Opening Statements
Roundtable on "America's Water Resources Infrastructure: Concepts for the Next Water Resources Development Act"
October 27, 2017

The Water Resources and Environment Subcommittee is meeting in Miami, Florida today to hold a roundtable policy discussion to launch the development of a new Water Resources Development Act (WRDA). This legislation will authorize improvements for the country's ports, locks and dams, inland waterways, and other water resources infrastructure. The roundtable began at 9:30 a.m. A live webcast of the roundtable and additional background information is available here.

Chairman Bill Shuster (R-PA)
Committee on Transportation and Infrastructure

(Remarks as Prepared)

Thank you Chairman Graves, and thank you to our gracious hosts here at the Port.

Five years ago, when I became Chairman of the Transportation and Infrastructure Committee, water resources projects were no longer a priority for Congress. Or at least no one had prioritized figuring out how to address these critical projects in a post-earmark environment. But with the help of my colleagues, stakeholders, and our witnesses here today, we changed that dynamic.

We prioritized a two-year WRDA cycle, and we have now passed bipartisan bills in the previous two Congresses. Today begins the process of completing another WRDA and, with your help, we will be successful. I'm interested in hearing how the reforms from previous WRDAs are working from your perspective, and how we can build upon the successes of those laws.

My goal is to continue working together with all stakeholders and listening to all viewpoints to

develop the next WRDA.

The American people have spoken and they want us to improve our nation's aging infrastructure. We need to take action so our infrastructure can meet the demands of our growing trade volume.

I look forward to working with all of you as we move through the WRDA process. I want to thank our participants, and I look forward to today's discussion.

Chairman Garret Graves (R-LA)
Subcommittee on Water Resources and Environment

(Remarks as Prepared)

Good morning, and welcome everybody to our kickoff roundtable for the next Water Resources Development Act. I want to first thank the Port and our colleagues from the South Florida Region for hosting us today.

In the past three years, we have enacted major, transformational changes to the Corps. Congress made a conscious effort in WRRDA 2014 to enhance America's competiveness and strengthen investments in the Nation's water resources infrastructure, by including several transformative provisions in the law.

WRRDA 2014 reformed bureaucracy, and increased Congressional oversight in prioritizing future water resources investment.

With WRDA 2016, we got back to a two-year cycle and built on the reforms of WRRDA 2014 to further increase flexibility and remove barriers for state, local, and non-federal interests to invest in infrastructure.

Today, we begin the process of building off this extraordinary success. And with the help of our diverse group of participants today, I look forward to a thoughtful discussion on our Nation's water resources infrastructure.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 10/24/2017 5:04:18 PM
Subject: Congressional Roundtable in Miami to Kick Off Work on Next Water Resources Development Act

PRESS RELEASE

Congressional Roundtable in Miami to Kick Off Work on Next Water Resources Development Act

For Immediate Release: October 24, 2017
Contact: T&I Majority Staff: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446
T&I Minority Staff: Jen Adler (202) 225-4472

Washington, DC – On Friday, October 27th, the U.S. House Subcommittee on Water Resources and Environment will hold a roundtable policy discussion at PortMiami to launch the development of new legislation to improve the country's ports, locks and dams, inland waterways, and other water resources infrastructure.

The Water Resources Development Act (WRDA) is legislation that authorizes the U.S. Army Corps of Engineers to carry out navigation, flood control, shoreline protection, hydropower, dam safety, water supply, and environmental restoration activities nationwide. This infrastructure is critical to the Nation's competitiveness and is directly tied to job creation and economic development.

Under the leadership of the Subcommittee and the full Committee on Transportation and Infrastructure, Congress has returned to regular order in considering this vital infrastructure legislation every two years. In 2014 and 2016, bipartisan WRDA bills became law under Committee Chairman Bill Shuster (R-PA).

The roundtable discussion, entitled "America's Water Resources Infrastructure: Concepts for the Next Water Resources Development Act," will bring together bipartisan leaders of the Transportation and Infrastructure Committee and the Water Resources and Environment Subcommittee, Members of the regional Florida Congressional Delegation, and public and private stakeholders for a policy discussion on water infrastructure needs and challenges states and communities face in addressing those needs.

WHO:

Members of Congress (subject to change; tentative as of 10/24/17):

- U.S. Rep. Bill Shuster (PA-09), Transportation and Infrastructure Committee Chairman
- U.S. Rep. Garret Graves (LA-06), Water Resources and Environment Subcommittee Chairman
- U.S. Rep. Grace Napolitano (CA-32), Water Resources and Environment Subcommittee Ranking Member
- U.S. Rep. Brian Mast (FL-18)
- U.S. Rep. Daniel Webster (FL-11)

- U.S. Rep. Frederica Wilson (FL-24)
- U.S. Rep. Lois Frankel (FL-21)
- U.S. Rep. Mario Diaz-Balart (FL-25)
- U.S. Rep. Carlos Curbelo (FL-26)
- U.S. Rep. Eddie Bernice Johnson (TX-30)
- Additional Members of the Water Resources Subcommittee

Stakeholders:

- The Honorable Carlos A. Giménez, Mayor, Miami-Dade County, on behalf of the National Association of Counties
- Mr. Juan Kuryla, Port Director and CEO, PortMiami, on behalf of the American Association of Port Authorities and the Florida Ports Council
- Ms. Amy Larson, President, National Waterways Conference
- Mr. Dan Mecklenborg, Chief Legal Officer, Ingram Barge Group, on behalf of the American Waterways Operators and Waterways Council, Inc.
- Mr. Ernie Marks, Executive Director, South Florida Water Management District
- Ms. Dawn Shirreffs, Senior Everglades Policy Advisor, Everglades Foundation
- Mr. Robert Turner, Director of Engineering and Operations, Southeast Louisiana Flood Protection Authority-East, on behalf of the National Association of Flood and Stormwater Management Agencies
- Mr. Derek Brockbank, Executive Director, American Shore and Beach Preservation Association
- Mr. Douglas J. Callaway, Senior Policy Advisor, Florida Department of Transportation

WHAT: Roundtable policy discussion of the Subcommittee on Water Resources and Environment to discuss concepts for Congress' next Water Resources Development Act. Media availability with Committee members to follow immediately at the end of the event.

WHERE: Cruise Terminal B, Port Miami, 1751 North Cruise Boulevard, Miami, Florida 33132

WHEN: 9:30 a.m. to 11:30 a.m., Friday, October 27, 2017

WEBCAST: Background information on the roundtable and a live webcast of the event will be available here.

Logistical Information for Media:

- Media must arrive at 8 a.m. for security clearance processing.
- Media vehicles will park on the south side of Terminal B (1751 N Cruise Boulevard) at the Bus Parking area.
- PortMiami Security will be on-site to assist. Upon arrival to PortMiami, please follow signs to Terminal B.
- Contact Justin.Harclerode@mail.house.gov, Jeff.Urbanchuk@mail.house.gov, or Keith.Hall@mail.house.gov for questions about the roundtable subject. For additional logistics assistance, press may also contact Andria.Muniz-Amador@miamidade.gov with PortMiami.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Bull, Nancy
Sent: Fri 10/13/2017 3:12:02 PM
Subject: RE: Joseph Miller

Thank you for your prompt response. It is appreciated.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.yo

From: Klasen, Matthew [mailto:Klasen.Matthew@epa.gov]
Sent: Friday, October 13, 2017 11:11 AM
To: Bull, Nancy
Subject: FW: Joseph Miller

Hi Nancy,

Hope your Friday is going well.

Just wanted to let you know that Christina Moody forwarded your constituent's question to me a few minutes ago, and I'll follow up with our drinking water folks. Hoping to get you a response back by mid next week at the latest.

Thanks,
Matt

Matt Klasen
U.S Environmental Protection Agency
Office of Congressional Affairs
WJC North 3443P
202-566-0780
[redacted]

From: "Bull, Nancy" <Nancy.Bull@mail.house.gov>
Date: October 13, 2017 at 9:35:59 AM EDT
To: '"moody.christina@epa.gov"' <moody.christina@epa.gov>
Subject: Joseph Miller

Re-sending case as I have not heard back on this one. Thanks Christina.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Friday, October 13, 2017 9:31 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 10.13.2017 09:31:22 (-0400)

To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 12/8/2016 7:32:59 PM
Subject: Water Infrastructure Bill is a Win for America

PRESS RELEASE

Water Infrastructure Bill is a Win for America

House Passes WIIN Act, Including Water Resources Development Act

For Immediate Release: December 8, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - The House of Representatives today approved comprehensive water resources infrastructure legislation that addresses the needs of America's harbors, locks, dams, flood protection, and other water resources infrastructure.

The House passed the Water Infrastructure Improvements for the Nation (WIIN) Act on a bipartisan basis by a vote of 360 to 61, sending the bill to the Senate.

A key component of the WIIN Act is Title I of the legislation, the Water Resources Development Act (WRDA) of 2016, which authorizes the Army Corps of Engineers to undertake port, waterway, and flood protection improvements across the country.

"Without question, this infrastructure legislation is a win for America," said **Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA)**. "I am proud that today, as one of the final acts of this Congress, the House voted to invest in our country. The improvements in the WIIN Act are critical regional priorities, like the long-overdue upgrades for the Upper Ohio River's Emsworth, Dashields, and Montgomery locks and dams, but they also provide significant national economic benefits. An efficient transportation network is what makes our economy run, and ensuring America's water infrastructure is brought into the 21st century will grow the economy, strengthen our competitiveness, and create jobs."

Shuster continued, "I want to thank Chairman Gibbs and my colleagues on the Transportation Committee, as well as Chairman Upton and the Energy and Commerce Committee, Chairman Bishop and the Natural Resources Committee, our House Leadership, and our Senate counterparts for their hard work on this comprehensive legislation. I strongly urge the Senate to pass this legislation and send it to the President."

"When Chairman Shuster and I worked to reform the way the Army Corps studies and completes water projects in 2014's WRRDA, we also wanted to put water resources legislation on a regular two-year schedule," said **Water Resources and Environment Subcommittee Chairman Bob Gibbs (R OH)**. "This provides certainty and confidence to the private sector, which relies on free and open water navigation to stay in business. The WIIN Act promotes transparency and fiscal responsibility while making the necessary investments in water transportation infrastructure."

Gibbs added, "I thank my colleagues for voting for this economically important legislation and I thank Chairman Shuster for his leadership and partnership on WRDA."

Click here for more information about the WIIN Act.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Fri 9/8/2017 4:01:25 PM
Subject: Shuster Announces T&I Committee Staff Changes

PRESS RELEASE

Shuster Announces T&I Committee Staff Changes

For Immediate Release: September 08, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington, DC – Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today announced a number of appointments and promotions for the Committee's staff, including three new subcommittee staff directors.

Johanna Hardy has been appointed to the position of Staff Director of the Subcommittee on Economic Development, Public Buildings, and Emergency Management. Johanna has served as Counsel for the Subcommittee since 2008. She has worked on a range of issues and legislation, including the Sandy Recovery Improvement Act of 2013 and the Federal Assets Sale and Transfer Act of 2016. Johanna also previously served as Senior Counsel for the Senate Homeland Security and Governmental Affairs Committee.

Denny Wirtz has been appointed to the position of Staff Director of the Subcommittee on Railroads, Pipelines, and Hazardous Materials. Denny has served as the Legislative Director for Chairman Shuster since 2015, after first joining the Transportation and Infrastructure Committee staff at the beginning of Shuster's chairmanship in January 2013. Denny's prior experience on the Committee staff includes serving as Professional Staff at the Aviation Subcommittee and Legislative Assistant at the Full Committee. Before first joining the Committee, Denny served as an International Trade Specialist at the U.S. Department of Commerce in the Office of China and Mongolia.

Ian Bennitt has been appointed to the position of Staff Director of the Subcommittee on Water Resources and Environment. Ian has served as Legislative Director for U.S. Rep. Garret Graves of Louisiana, currently the Chairman of the Subcommittee on Water Resources and Environment. Having worked most recently for a committee member from South Louisiana, he has significant experience on inland, coastal and port related water infrastructure, and clean water issues. Prior to his service with Rep. Graves, Ian held various positions handling water and environmental issues for the U.S. maritime industry.

Collin McCune has been appointed to the position of Director of Coalitions and Outreach. Collin joined the Committee in 2014 as Member Services Coordinator, and has served as Director of Member Services since 2015. Over that time, Collin helped coordinate support for two Water Resources Development Acts, the Fixing America's Surface Transportation Act, and other legislative efforts. Prior to joining the Committee, Collin was Legislative Aide for Chairman Shuster.

Kathy Loden has been appointed to the position of Parliamentarian. Kathy has almost 15 years of experience working with House and committee rules, procedure, and jurisdiction. She joins the Transportation Committee from the Committee on Oversight and Government Reform, where she served as Parliamentarian and Director of Operations. Prior to that, she served as Director of Legislative Operations for the Committee on Natural Resources and as a Professional Staff Member

at the Committee on Rules. Kathy also worked previously in the Tax Policy Group at Deloitte Tax managing Congressional Affairs.

Brittany Smith has been appointed to the position of Director of Member Services. Brittany joins the Committee staff after serving in various positions over the past five years in Chairman Shuster's congressional office, most recently as Executive Assistant to Chairman Shuster.

Hannah Matesic, the Committee's Legislative Operations Assistant, will now be responsible for assisting the development of coalitions and in the Committee's outreach efforts. Hannah joined the Committee in 2015, and has served on the front office staff, as well as the Water Resources and Environment Subcommittee.

"The Committee's excellent staff has enabled our Members to develop and pass important legislation to ensure America has a 21st century infrastructure, and I look forward to the contributions of these experienced staff members in their new roles," said **Shuster**. "We have a number of important priorities in the 115th Congress, including passing an FAA reform and reauthorization bill, moving an infrastructure bill, sending the next WRDA bill to the President, and more."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 12/7/2016 8:47:11 PM
Subject: In Case You Missed It: Shuster Argues Case for WIIN Act on Medium

PRESS RELEASE

In Case You Missed It: Shuster Argues Case for WIIN Act on Medium

For Immediate Release: December 7, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC – Earlier today, Chairman Bill Shuster published a new blog on the Medium platform to argue in support of the Water Infrastructure Investments for the Nation (WIIN) Act and its Water Resources Development Act (WRDA) title.

The blog can be found on the Transportation and Infrastructure Committee's Medium page.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 12/6/2016 4:18:11 PM
Subject: Shuster Announces T&I Committee Senior Staff Appointments

PRESS RELEASE

Shuster Announces T&I Committee Senior Staff Appointments

For Immediate Release: December 06, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today announced a number of senior staff changes as preparations continue for the start of the 115th Congress.

Chris Vieson has been appointed Deputy Staff Director for the full Committee on Transportation and Infrastructure; **Fred Miller** has been appointed to General Counsel for the full Committee; **Holly Woodruff Lyons** has been appointed to Aviation Subcommittee Staff Director and will continue to serve as the full Committee's Deputy General Counsel; **Mary Phillips** has been appointed Staff Director of the Railroads, Pipelines, and Hazardous Materials Subcommittee; **Geoff Gosselin** has been appointed Senior Professional Staff on the Highways and Transit Subcommittee and Senior Advisor to the Chairman; and **Chris Brown** has been appointed Oversight Counsel.

"Over the course of the past two Congresses, the Transportation and Infrastructure Committee has demonstrated an ability to efficiently move legislation from the hearing room to the President's desk. We have been effective thanks in no small part to our talented staff, whose experience and knowledge have enabled our Committee to advance an agenda to ensure America has a 21st century infrastructure and to strengthen the Nation's competitiveness," said Shuster. "I am sure the talent and hard work displayed by these professionals will continue to benefit the Committee into the next Congress as they assume their new roles, and as we get to work with the new administration to address our infrastructure needs."

Chris Vieson joins the Committee from Public Strategies Washington, where he is a partner in the firm's government affairs group. Previous to his stint with Public Strategies Washington, Chris held a number of positions on the Hill, most recently as the Director of Floor Operations for Majority Leader Eric Cantor. Before that, he served as a floor assistant and policy advisor on appropriations for Republican Whip Roy Blunt. He was also a legislative analyst for House Republican Conference Chairs Deborah Pryce and Adam Putnam.

Fred Miller has served as the Staff Director of the Railroads, Pipelines, and Hazardous Materials Subcommittee since 2015, after first joining the Subcommittee staff in 2011 as Counsel. Fred has worked on a variety of oversight and legislative efforts involving Amtrak and passenger rail services, freight rail transportation, pipeline safety, and hazardous materials regulation, in addition to surface transportation and aviation reauthorization bills. He is a former attorney-advisor of both the Surface Transportation Board and the Administrative Office of the U.S. Courts.

Holly Woodruff Lyons has served as the Deputy General Counsel for the Committee since 2014.

She has previously served as the Aviation Subcommittee Republican Staff Director, and first joined the Subcommittee staff in 2002. She has worked on multiple Federal Aviation Administration reauthorizations, and was the lead House negotiator on the 2012 reauthorization and the "FAA Extension, Safety, and Security Act of 2016." Holly is also a former FAA attorney, and has worked in private legal practice. As Aviation Subcommittee Staff Director, Holly will also continue to serve as the Committee's Deputy General Counsel.

Mary Phillips has served as Senior Professional Staff on the Committee for two years, a post she also held with the Senate Commerce, Science, and Transportation Committee, where she handled surface transportation issues for Senators McCain and Thune. During the George W. Bush Administration, Mary was the Associate Administrator for Policy and Governmental Affairs at the Federal Highway Administration. She also has prior experience in the freight transportation industry in marketing, sales, strategic planning, and governmental affairs.

Geoff Gosselin has served for 16 years as a staff member in the House or Representatives. He has served on the Committee staff for six years as Senior Professional Staff on the Highways and Transit Subcommittee, and as Professional Staff on the Coast Guard and Maritime Transportation Subcommittee. He also has a decade of experience working in the personal offices of Transportation and Infrastructure Committee Members.

Chris Brown has been appointed Oversight Counsel for the full Committee after serving as the Staff Director of the Aviation Subcommittee since 2014. Before joining the Committee, Chris worked in the private sector as well as in the executive branch, serving two years as the Assistant Administrator and Deputy Assistant Administrator for Government and Industry Affairs at the Federal Aviation Administration (FAA). Brown also worked previously as counsel for the Aviation Subcommittee.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Mon 12/5/2016 8:44:39 PM
Subject: House & Senate Committee Leaders' Statement on Water Resources Infrastructure Legislation

PRESS RELEASE

House & Senate Committee Leaders' Statement on Water Resources Infrastructure Legislation

For Immediate Release: December 05, 2016
Contacts:
(Transportation and Infrastructure) Justin Harclerode (202) 225-9446
(Environment and Public Works) Daisy Letendre 202-224-3134
(Energy and Commerce) Dan Schneider 202-226-4972
(Natural Resources) Elise Daniel (202) 225-3998

Washington, DC - House Transportation and Infrastructure Chairman Bill Shuster (R-PA), Senate Environment and Public Works Committee Chairman Jim Inhofe (R-OK), House Energy and Commerce Chairman Fred Upton (R-MI), and House Natural Resources Chairman Rob Bishop (R-UT) today announced an agreement on comprehensive water resources infrastructure legislation.

The legislation, the "Water Infrastructure Improvements Act for the Nation (WIIN) Act," includes the Water Resources Development Act (WRDA), which authorizes port, waterway, and flood protection improvements for the country. The WIIN Act also includes the Water and Waste Act of 2016 to help communities meet the requirements of the Safe Drinking Water Act and authorize state regulation of coal ash. In addition, the legislation addresses significant tribal and natural resources issues.

The House and Senate both overwhelmingly passed WRDA bills earlier this year, and the WIIN Act is the product of the resulting bicameral negotiations.

The Committee Chairmen released the following joint statement:

"The WIIN Act invests in America by addressing critical port, waterway, flood protection, and other water resources infrastructure across the country. It addresses public health by tackling lead contamination and helping communities, like Flint, provide safe drinking water, and encouraging cost-saving innovative drinking water technologies. It also provides infrastructure assistance for Indian country and certainty for several water rights settlements.

"The WIIN Act is the result of hard work and collaboration among our committees and will strengthen the Nation's transportation and water infrastructure, and our economic competiveness. We look forward to moving this legislation and sending it to the President before the end of the year."

Click here for the legislative text of the WIIN Act.

Click here for a summary of the WIIN Act.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Fri 12/2/2016 12:20:47 PM
Subject: Shuster Selected to Return as Transportation and Infrastructure Committee Chairman

PRESS RELEASE

Shuster Selected to Return as Transportation and Infrastructure Committee Chairman

For Immediate Release: December 02, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - U.S. Rep. Bill Shuster (R-PA) statement regarding his selection by the House Republican Conference to continue serving as Chairman of the Committee on Transportation and Infrastructure:

"It is an honor to be selected again by my colleagues to serve as Chairman of the Transportation and Infrastructure Committee in the next Congress. I am extremely proud of the achievements of our Committee over the last four years. Working across the aisle, we have worked hard to improve our infrastructure through legislation like the FAST Act for our Nation's roads, bridges, and rail systems, multiple water resources bills to improve our ports and waterways, important authorizations of the U.S. Coast Guard, pipeline safety legislation, bills to improve disaster management and shrink the federal government's real estate footprint, and other measures.

"We have more work to do, including passing an FAA reform and reauthorization bill that ensures the United States has a safe, modern, efficient aviation system for the future. We have a unique opportunity to accomplish a great deal for the American people with a president-elect who is focused on improving the Nation's infrastructure. I look forward to working with my colleagues and the new administration to strengthen America's competitiveness and provide the country with a 21st century infrastructure."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 11/29/2016 11:16:24 PM
Subject: Shuster Statement on the Selection of Elaine Chao to Head the Department of Transportation

PRESS RELEASE

Shuster Statement on the Selection of Elaine Chao to Head the Department of Transportation

For Immediate Release: November 29, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - Earlier today, the transition team for President-elect Donald Trump announced the selection of Elaine Chao to head the Department of Transportation in the Trump Administration. U.S. Rep. Bill Shuster (R-PA), Chairman of the House Transportation and Infrastructure Committee, released the following statement on the selection:

"From the start, it was my hope that President-elect Trump would select someone to run the Department of Transportation who has a background leading large organizations, knowledge of how Congress and the legislative process work, and the right mixture of public and private experience necessary to oversee a bold agenda to transform America's transportation and infrastructure systems for the 21st Century. Elaine Chao embodies these qualities."

"America faces a number of important challenges when it comes to our transportation networks that will require strong leadership from the executive branch. I am committed to working with Secretary Chao and President Trump to make responsible investments in our infrastructure, streamline transportation improvements, reduce regulatory burdens, encourage private-public partnerships, and encourage innovation to preserve and strengthen America's economic competitiveness."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 11/16/2016 7:46:42 PM
Subject: Shuster Announces T&I Committee Staff Director

PRESS RELEASE

Shuster Announces T&I Committee Staff Director

For Immediate Release: November 16, 2016
CContact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today announced that Matt Sturges has been appointed to Staff Director of the Committee.

"Since I became Chairman, Matt's knowledge and insight about infrastructure issues has been an invaluable resources to me and the Committee. Not only that, he has a keen sense of the legislative process and simply knows how to get things done. His leadership and expertise will be instrumental to the Committee's agenda over the next two years as we work to modernize America's infrastructure for the 21st century."

Sturges joined the Committee staff at the beginning of Shuster's chairmanship in January 2013. He served as the Committee's Deputy Staff Director since September 2014. Prior to that, he served as the Aviation Subcommittee Staff Director, and as the Committee's Director of Member Services.

Before joining the Transportation and Infrastructure Committee, Sturges worked for U.S. Rep. Patrick Meehan of Pennsylvania as Legislative Director, for the House Republican Conference under Chairman Deborah Pryce of Ohio, and for the Republican National Committee as Deputy Director of Government Affairs and chief liaison to the House of Representatives.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 11/10/2016 2:22:14 PM
Subject: Chairman Shuster Statement on Tuesday's Election

PRESS RELEASE

Chairman Shuster Statement on Tuesday's Election

For Immediate Release: November 10, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) released the following statement regarding Tuesday's election:

"Throughout the general election, one of the few issues that provided common ground was the need for investments in America's transportation network and infrastructure. With the results of Tuesday's historic election now coming into focus, we have a unique opportunity to begin this work immediately by embracing innovative ideas and approaches to improving our infrastructure.

"In the coming months, for example, Congress must pass an FAA reauthorization bill that modernizes our aging air traffic control system and significantly improves the efficiency of our aviation system. I look forward to working with President-elect Donald Trump and my Senate and House colleagues to develop a transportation agenda that will benefit all Americans and ensure that our infrastructure is second to none."

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 11/8/2016 8:11:33 PM
Subject: Shuster & Gibbs Lead House in Filing WOTUS Rule Amicus Brief & Call on Court to Block EPA Power Grab

PRESS RELEASE

Shuster & Gibbs Lead House in Filing WOTUS Rule Amicus Brief & Call on Court to Block EPA Power Grab

For Immediate Release: November 08, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) and Water Resources and Environment Subcommittee Chairman Bob Gibbs (R-OH) joined Members of the U.S. House and Senate today in filing an amicus brief to the Sixth Circuit Court of Appeals, urging the Court to vacate the Administration's final Waters of the United States (WOTUS) rule that significantly broadens federal regulatory power under the Clean Water Act.

Sixty-seven Members of Congress and 21 Senators signed the amicus brief filed today in support of 31 states and 12 municipal and industry petitioners in the case "In Re: Environmental Protection Agency and Department Of Defense, Final Rule: Clean Water Rule:
Definition Of "Waters Of The United States."

"The Administration and an overzealous EPA steamrolled the rulemaking process in order to bring this preconceived and predetermined rule forward without regard to numerous, valid concerns from states, local authorities, and private citizens," said **Shuster**. "This expansive new definition of 'Waters of the United States' is an unlawful attempt to federally regulate both land and water that Congress deliberately left to the authority of states. I commend Chairman Gibbs for his leadership on this issue and in filing this amicus brief, and I strongly urge the Court to bring an end to this terribly flawed rule."

"I want to thank my colleagues from both sides of the aisle and both chambers who joined us on this amicus brief," **Gibbs** said. "The Clean Water Act was written as a partnership with the states. This WOTUS Rule has the potential to affect hardworking farmers and ranchers and erode that federal-state partnership. We have led Congressional disapproval of the WOTUS rule, we have seen this lawsuit brought by thirty-one states, and WOTUS has been opposed by property rights advocates. Despite all of this, the Obama Administration continues to defend the flawed rule, even after the revelation that EPA broke the law in promoting it. EPA's WOTUS rule is an excessive expansion of federal authority with no return on water quality improvements. It is time for the EPA to begin treating the states as partners rather than adversaries."

A copy of the brief can be found here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 10/18/2016 4:43:08 PM
Subject: Shuster Highlights T&I Committee's Accomplishments

PRESS RELEASE

Shuster Highlights T&I Committee's Accomplishments

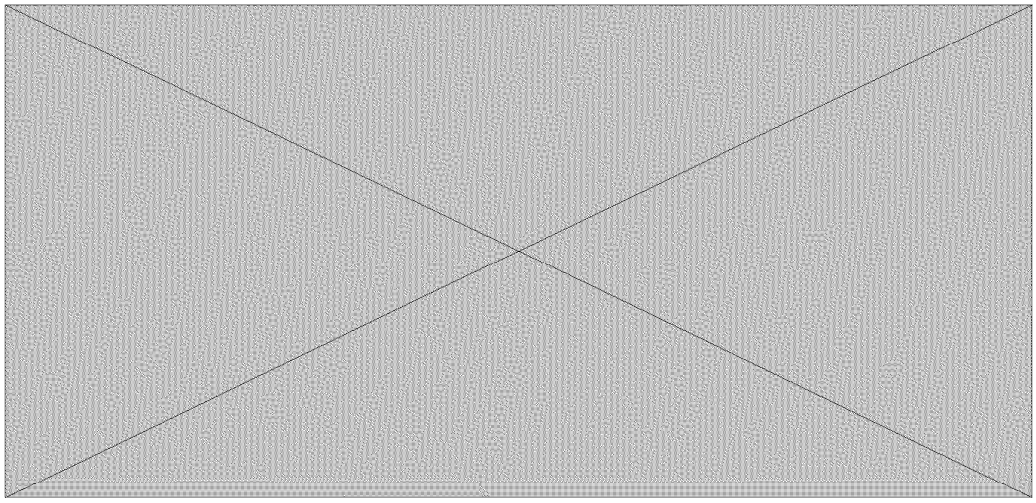
For Immediate Release: October 18, 2016
Contact: Justin Harclerode, Jeff Urbanchuk, Keith Hall (202) 225-9446

Washington, DC - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) today released highlights of the Committee's legislative record and accomplishments of the 114th Congress.

"In this Congress, our committee has worked to strengthen America's infrastructure and pass commonsense reforms that cut red tape, reduce regulatory burdens, increase transparency, and encourage fiscal responsibility in infrastructure programs," **Shuster** said. "The Transportation and Infrastructure Committee has demonstrated the ability to work together to produce legislation that is fundamental to a safe, efficient infrastructure network that promotes America's competitiveness.

"Measures to improve our roads, bridges, rail system, maritime transportation, and pipeline safety have worked their way through the Committee, and we have held dozens of oversight hearings and roundtables, both in Washington and in communities across the country," **Shuster** added. "Our work isn't done, and we continue our efforts to finish the Water Resources Development Act. I am proud of our committee's track record, and I am confident that we will be able to continue addressing the Nation's infrastructure needs in the next Congress."

Among the bills that have passed through the Committee and have been signed into law since January 2014 are the Fixing America's Surface Transportation (FAST) Act, the Passenger Rail Reform and Investment Act (which was included as part of the FAST Act), the Protecting our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act, the Coast Guard Authorization Act, the Integrated Public Alert and Warning System Modernization Act, and the Surface Transportation Board Reauthorization Act.



Click above for more information, including a video summarizing the Committee's legislative and oversight activities, and a more detailed summary of the Committee's accomplishments of the 114th Congress thus far

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Thur 7/27/2017 5:53:22 PM
Subject: Committee Overwhelmingly Approves Brownfields Reauthorization and Disaster Assistance Bills

PRESS RELEASE

Committee Overwhelmingly Approves Brownfields Reauthorization and Disaster Assistance Bills

For Immediate Release: July 27, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington, D.C. - The Committee on Transportation and Infrastructure today marked up bills to promote economic development in communities across the country and improve federal disaster assistance and mitigation programs, including H.R. 1758, the "Brownfields Reauthorization Act of 2017."

Brownfields are properties where contamination is suspected, but unknown. Fear of environmental liability at these sites causes developers to look outside cities, towns, and communities to previously undeveloped properties for new opportunities. This leaves many of these brownfields untouched, driving down property values, contributing to blight, and providing no tax revenue to local communities.

The "Brownfields Reauthorization Act" is critical for community renewal, economic development and environmental restoration because it formally reauthorizes and makes improvements to the brownfields grant and state voluntary cleanup program for fiscal years 2017 to 2022.

"I am pleased that the Committee was able to consider and approve this important legislation, and I commend the bill's bipartisan sponsors for their efforts to move forward," said **Committee Chairman Bill Shuster (R-PA)**. "The Brownfields grant program has helped create thousands of jobs since it was established, restored over a million acres of land, and helped previously unused properties start generating tax revenues again."

The "Brownfields Reauthorization Act of 2017" also has broad support from a number of stakeholders and organizations, including:

- The U.S. Conference of Mayors
- National League of Cities
- National Association of Counties
- National Association of Regional Councils
- California Association for Local Economic Development
- Center for Creative Land Recycling
- Georgia Brownfields Association
- Groundwork USA
- International Council of Shopping Centers
- Leading Builders of America
- LOCUS

- Minnesota Brownfields
- NAIOP, Commercial Real Estate Development Association
- National Apartment Association
- National Association of Development Organizations
- National Association of Home Builders
- National Association of Local Government Environmental Professionals
- National Association of Realtors
- National Brownfields Coalition
- National Ground Water Association
- National Leased Housing Association
- National Multifamily Housing Council
- Smart Growth America

Click here for more information about H.R. 1758, the "Brownfields Reauthorization Act," including letters of support from the above organizations.

The Committee also approved bipartisan bills to improve FEMA's disaster assistance and mitigation programs, including a bill to prohibit FEMA from rescinding disaster assistance payments to individuals three years after being notified of the assistance they are to receive, ensuring that individuals are not penalized long after the fact for receiving inaccurate disaster assistance due to FEMA error; and a bill to require FEMA to issue guidance regarding implementation of certain buy-outs or the acquisition of property for open space as a flood mitigation measure.

The complete list of legislation considered by the Committee today:

- H.R. 1758, the "Brownfields Reauthorization Act of 2017;" approved by voice vote
- H.R. 1735, the "Community Empowerment for Mitigated Properties Act of 2017;" approved by voice vote
- H.R. 3176, the "Disaster Assistance Fairness and Accountability Act of 2017;" approved by voice vote
- H. Con. Res. 69, "Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run;" approved by voice vote
- H. Res. 437, "Of inquiry requesting the President to provide certain documents in the President's possession;" reported unfavorably to the House by a vote of 31 to 24.

More information about today's markup is available here.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 6/27/2017 7:59:21 PM
Subject: Shuster & Graves Applaud Proposal to Rescind WOTUS Rule

PRESS RELEASE

Shuster & Graves Applaud Proposal to Rescind WOTUS Rule

For Immediate Release: June 27, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Washington, D.C. - Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) and Water Resources and Environment Subcommittee Chairman Garret Graves (R-LA) released the following statements regarding today's proposal by the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers to rescind the Obama Administration's flawed Waters of the United States (WOTUS) rule, and to commence a new rulemaking to better clarify the definition of "waters of the United States":

Shuster: "I commend President Trump and the agencies for moving forward with a repeal of an extremely flawed WOTUS rule. The Obama Administration's overreaching and ambiguous WOTUS rule is simply an expansion of federal power that threatens to add unnecessary burdens on states and local governments, America's farmers, manufacturers, businesses, and communities, and property owners across the entire country. We look forward to the EPA and the Corps working in a more collaborative and practical manner to develop a rule that ensures clean water for the Nation, provides needed clarity, takes into account the input of states and local governments, and doesn't trample the rights of the American people."

Graves: "The Obama Administration's Waters of the U.S. rule is an egregious jurisdictional overstep that wrongly infringes upon the rights of private property owners, cripples small business owners, and threatens to all but halt economic development projects across the country, particularly in places like South Louisiana. I applaud President Trump for his willingness to bring this rule back to the drawing board and to do it the right way – openly, with input from the most important stakeholder group: the American people."

Last Congress, during the Obama Administration, the House supported bipartisan legislation to require a withdrawal of the WOTUS rule and send the agencies back to engage in outreach to stakeholders, including the states and local governments, and more fully consider all potential impacts before putting forward a new proposed rule.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Wed 5/24/2017 9:25:32 PM
Subject: House Passes Reducing Regulatory Burdens Act

PRESS RELEASE

House Passes Reducing Regulatory Burdens Act

For Immediate Release: May 24, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446
(Agriculture Committee) Rachel Millard (202) 225-0026
(Rep. Gibbs) Dallas Gerber (202) 225-6265

Washington, D.C. - The U.S. House of Representatives today approved bipartisan legislation to eliminate an unnecessary, duplicative, and costly regulatory process under the Environmental Protection Agency (EPA) for the approved use of pesticides.

H.R. 953, the Reducing Regulatory Burdens Act of 2017, ensures states, local governments, mosquito control districts, and other lawful users of pesticides are able to protect public health and not be overburdened with regulatory processes that provide no additional protections to the environment.

"We've seen the consequences of this duplicative and unnecessary permitting requirement since it went into effect in 2011," said **U.S. Rep. Bob Gibbs (R-OH)**, the sponsor of H.R. 953. "Cities and local governments that conduct routine preventive mosquito abatement should not have to do it with one hand tied behind their backs. This bill ensures the permitting process adheres to EPA's current authority under the Federal Insecticide, Fungicide, and Rodenticide Act to approve and regulate these lifesaving pesticides. This is a commonsense measure that provides peace of mind to those living in communities prone to mosquitos by eliminating the need for a redundant permit that diverts resources from the mission of protecting public health. Thank you to Chairman Shuster and Chairman Conaway for your leadership in helping pass this critical regulatory reform."

"This bill eliminates the pointless duplication of regulation over the lawful use of pesticides," said **Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA)**. "Under this bill, the use of pesticides will continue to be properly regulated, but without excessive burdens on communities, farmers, and private citizens, and without requirements that cause federal and state agencies to spend limited funds on red tape instead of on protecting public health. I commend Congressman Gibbs for his long-standing leadership on this legislation."

"For too long, American farmers and ranchers have been forced to comply with a costly and duplicative pesticide permitting process," said **Agriculture Committee Chairman K. Michael Conaway (R-TX)**. "Pesticides are already fully regulated under the Federal Insecticide, Fungicide, and Rodenticide Act, but a misguided court interpretation has required additional permitting, unnecessarily costing producers both time and money. I applaud the approval of Mr. Gibbs' commonsense bill to remove this additional hurdle and look forward to giving farmers and applicators much-needed relief from this needless regulation."

A large coalition of those affected by the current burdensome regulatory process wrote in support of

the legislation, the American Farm Bureau wrote in support of the bill, and the National Association of Counties wrote to highlight the regulatory impacts on county governments.

Background Information:

Prior to the establishment of the Clean Water Act in 1972, pesticides applications were properly regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). However, a 2009 Sixth Circuit Court of Appeals ruling imposed an additional regulatory process under the Clean Water Act.

The EPA has estimated that this redundant process affects 365,000 pesticide users, including state agencies, cities, counties, mosquito control districts, water districts, pesticide applicators, farmers, ranchers, forest managers, scientists, and private citizens.

H.R. 953 removes a redundant regulation that was imposed by the Court and not by Congress, and appropriately restores the process to before the Court got involved.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Fri 5/19/2017 4:08:39 PM
Subject: Committee Leaders Introduce Bipartisan Coast Guard Reauthorization Legislation

PRESS RELEASE

Committee Leaders Introduce Bipartisan Coast Guard Reauthorization Legislation

For Immediate Release: May 19, 2017
Contact:
(Republicans) Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446
(Democrats) Jen Gilbreath Adler (202) 225-4472

Washington, D.C. - Leaders of the Transportation and Infrastructure Committee and the Coast Guard and Maritime Transportation Subcommittee introduced bipartisan legislation today to reauthorize, strengthen, and support the United States Coast Guard.

As one of our Nation's five armed services, the Coast Guard carries out critical missions to save lives, safeguard our shores, protect living marine resources, and help ensure a 21st century maritime transportation system for America.

The Coast Guard Authorization Act of 2017 (H.R. 2518) authorizes the Coast Guard for two years to support the Service's missions. The legislation helps to replace and modernize the Coast Guard's aging assets in a cost effective and efficient manner, enhances oversight, reduces inefficiencies to save taxpayer dollars, and promotes the use of modern 21st century technologies.

"The Coast Guard is a military service with a unique mission responsibility to protect America's shores and waterways," said **Coast Guard and Maritime Transportation Subcommittee Chairman Duncan Hunter (R-CA)**. "It's a service that has always done more with less, but if we truly expect the Coast Guard to remain at the leading edge of drug interdiction and American security, the Coast Guard will need to be treated more like its counterparts and receive the funding and resources it needs – as well as the authority to build and acquire assets more quickly and for less cost. This is a bill that will help make the Coast Guard even more effective and efficient, and I'm confident that it will receive strong bipartisan support."

"In addition to robust funding for the Coast Guard, this year's bill has many other significant provisions for national security, American manufacturing, and public safety," said **Coast Guard and Maritime Transportation Subcommittee John Garamendi (D-CA)**. "This bill will advance the development of eLORAN, a crucially needed backup system for GPS navigation, and it will authorize the National Academy of Sciences to study the potential of autonomous vessels to improve the Coast Guard's mission capabilities. And it also advances public safety by making kill switches a build requirement for larger recreational vessels, which will help prevent many injuries and deaths. I thank Subcommittee Chairman Hunter, as well as Committee Chairmen Shuster and DeFazio, for their hard work on this important legislation."

"Each and every day, the men and women of the Coast Guard work tirelessly to promote commerce, save lives, and protect our maritime borders and laws," said **Transportation and Infrastructure**

Committee Chairman Bill Shuster (R-PA). "Congress needs to act to ensure the Coast Guard has the tools necessary to complete its many critical missions, and this legislation accomplishes that goal."

"For more than 100 years, the Coast Guard has kept our ports and waterways secure, protected our shores and communities, and responded to disasters or emergencies affecting our mariners, fishermen, and the general public," said **Transportation and Infrastructure Committee Ranking Member Peter DeFazio (D-OR)**. "Congress must ensure that the Coast Guard has the resources and assets necessary to accomplish its missions, and this bipartisan bill attempts to meet that shared goal. I'm glad the Committee has again worked in a cooperative manner to produce bipartisan legislation that advances the interests of the Coast Guard and the U.S. maritime industry."

Click here for a summary of the Coast Guard Authorization Act of 2017.

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To: Klasen, Matthew[Klasen.Matthew@epa.gov]
From: Transportation Committee
Sent: Tue 5/2/2017 1:58:05 PM
Subject: Shuster Statement from Hearing on Oversight of U.S. Airline Customer Service

PRESS RELEASE

Shuster Statement from Hearing on Oversight of U.S. Airline Customer Service

For Immediate Release: May 02, 2017
Contact: Justin Harclerode, Jeff Urbanchuk, or Keith Hall (202) 225-9446

Chairman Bill Shuster (R-PA)
Committee on Transportation and Infrastructure
Hearing on "Oversight of U.S. Airline Customer Service"

May 2, 2017
Opening Statement
(Remarks as Prepared)

Thank you to all the witnesses here today, who accepted our invitation to testify at this oversight hearing on airline customer service. We invited all the major carriers to participate, and you are the brave few to be here with us as we seek answers regarding the treatment of your passengers.

Air travel can be a stressful experience for passengers. Anyone who flies knows just getting on the plane can be stressful. Getting to the airport, checking in, getting through security, and getting to your gate on time can rattle even the most seasoned traveler.

But the whole process starts with the purchase of a ticket.

When one of our constituents buys that ticket, there is an expectation that they will be treated fairly and with respect by the airlines and their employees. There is also an expectation that their ticket will be honored and the airline will get them to their destination safely.

I used to own a business. And one of the fundamental rules of any successful business is that the customer comes first.

So something is clearly broken when we see passengers being treated the way some of them have been treated on recent flights. Regardless of the contractual relationship between the airline and the ticket holder – it's just common decency and common sense that you don't treat a person that way, let alone a paying customer.

Members of Congress fly a lot. So do many of our constituents, the people in this room, and those watching online. We've all been in a situation where we just want to get to our seat, get in the air, and get home as quickly as possible.

But imagine, almost seven hours into a long travel day, you get physically ripped out of the seat that you paid for, and thrown off the plane. Or imagine, while single-handedly trying to get your infant

children on a flight, an attendant yanks your stroller away, nearly hits your baby with it, then almost come to blows with another passenger who stands up for you.

These are just recent examples of some serious and disturbing customer service breakdowns. I expect we'll hear more examples when the Members of the Committee get their opportunities to question the witnesses.

There will be tough questions today, and make no mistake about it – you owe the public and this Committee answers. Hundreds of millions of people fly in this country every year; they expect to be treated appropriately. Something is broken, and the obvious divide between passengers and the airlines needs to be addressed.

That's why we are here today. To learn what your industry's customer service policies are, what you are doing to improve the customer experience, and what needs to be done to make sure incidents like the ones we've recently witnessed will not happen again.

This won't be pleasant for the witnesses today, but I do want this to be a constructive process.

I understand that many of your companies and some other airlines are already taking some steps to improve customer service. That's a positive first step, but it's only a first step.

This Committee and the Congress do not want half-measures or temporary fixes. This issue is not going away. We are not going away, we will hold you accountable, and we expect real results.

As a general rule, I don't believe in over-burdening our businesses with regulation, or re-regulating industries that have been successfully de-regulated.

But I shouldn't need to remind you that Congress will not hesitate to act, whenever necessary, to ensure your customers are treated with the respect they deserve.

If we don't see meaningful results that improve customer service, the next time this Committee meets to address this issue, I can assure you, you will not like the outcome.

Click here for additional information from today's hearing, including testimony, video, and background information.

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—
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To: Bull, Nancy[Nancy.Bull@mail.house.gov]
From: Klasen, Matthew
Sent: Fri 10/20/2017 3:51:50 PM
Subject: Re: Joseph Miller

Hi Nancy,

Hope your Friday is going well. Please see below for responses to the two incoming questions from Mr. Miller — one a question about E. Coli standards, and one a question about local watershed protection. As you can see, we have a more complete response to the first question, but would defer to the state regarding local watershed protection ordinances or plans.

Please take a look and let me know if there's any additional info we can help with.

Best,
Matt

Matt Klasen
U.S Environmental Protection Agency
Office of Congressional Affairs
WJC North 3443P
202-566-0780
c[redacted]

---

1. A copy of any federal regulations that indicate acceptable levels of E. coli in drinking water wells

There are a variety of steps that you can take to protect your private well. For example, you can test your water, identify sources close to your home, community or ground water. When testing your well, EPA recommends that you use laboratories that are certified to do drinking water tests and if a contaminant is detected to immediately retest and contact your public health department for assistance. To learn more about private wells, please visit: https://www.epa.gov/privatewells

Federal regulations apply to federally-regulated public water systems, those providing water for human consumption to at least 15 service connections or serving an average of at least 25 people for at least 60 days a year. The Safe Drinking Water Act does not apply to private wells, though the standards can be used as a guide for individuals with private wells. Pennsylvania has a nice private well website (PA regs also do not apply to private wells): http://www.dep.pa.gov/citizens/my-water/privatewells/pages/default.aspx

For more information on regulations that apply to public water systems, not private wells, regarding microbials, including E.coli, you can visit:

- https://www.epa.gov/dwreginfo/revised-total-coliform-rule-and-total-coliform-rule
- https://www.epa.gov/dwreginfo/stage-1-and-stage-2-disinfectants-and-disinfection-byproducts-rules
- https://www.epa.gov/dwreginfo/surface-water-treatment-rules
- https://www.epa.gov/dwreginfo/ground-water-rule
- https://www.epa.gov/dwreginfo/aircraft-drinking-water-rule

2. A copy of the federal regulations, rulings, or ordinances that apply to the 50-mile protected radius from Fifteen Mile Creek / Sideling Hill watershed considered "pristine"

The watershed in question is located within both Pennsylvania and Maryland. Any applicable source water protection ordinances would be local (not federal) ordinances, and the states may be able to assist

with identifying if any exist in this area. We were able to locate a November 2006 Conservation Plan for the Sideling Hill, Fifteenmile, and Town Creek Watersheds:http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/D_001483.pdf — but we would defer to the State of Pennsylvania regarding this document.

Source Water Protection contacts:
Maryland: John Grace john.grace@maryland.gov
Pennsylvania: Patrick Bowling gbowling@pa.gov

From: Bull, Nancy <Nancy.Bull@mail.house.gov>
Sent: Friday, October 13, 2017 11:12:02 AM
To: Klasen, Matthew
Subject: RE: Joseph Miller

Thank you for your prompt response. It is appreciated.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

[small us House]

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

From: Klasen, Matthew [mailto:Klasen.Matthew@epa.gov]
Sent: Friday, October 13, 2017 11:11 AM
To: Bull, Nancy
Subject: FW: Joseph Miller

Hi Nancy,

Hope your Friday is going well.

Just wanted to let you know that Christina Moody forwarded your constituent's question to me a few minutes ago, and I'll follow up with our drinking water folks. Hoping to get you a response back by mid next week at the latest.

Thanks,
Matt

Matt Klasen
U.S Environmental Protection Agency
Office of Congressional Affairs
WJC North 3443P
202-566-0780
[redacted]
From: "Bull, Nancy" <Nancy.Bull@mail.house.gov<mailto:Nancy.Bull@mail.house.gov>>

Date: October 13, 2017 at 9:35:59 AM EDT
To: '"moody.christina@epa.gov<mailto:moody.christina@epa.gov>'"
<moody.christina@epa.gov<mailto:moody.christina@epa.gov>>
Subject: Joseph Miller
Re-sending case as I have not heard back on this one. Thanks Christina.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov<mailto:Nancy.Bull@mail.house.gov>

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>
<http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Friday, October 13, 2017 9:31 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 10.13.2017 09:31:22 (-0400)

To: 'Nancy.Bull@mail.house.gov'[Nancy.Bull@mail.house.gov]
From: Klasen, Matthew
Sent: Fri 10/13/2017 3:10:53 PM
Subject: FW: Citizen Name/Ex. 6
20171013093122975.pdf

Hi Nancy,

Hope your Friday is going well.

Just wanted to let you know that Christina Moody forwarded your constituent's question to me a few minutes ago, and I'll follow up with our drinking water folks. Hoping to get you a response back by mid next week at the latest.

Thanks,
Matt

Matt Klasen
U.S Environmental Protection Agency
Office of Congressional Affairs
WJC North 3443P
202-566-0780
cell (202) 505-0787

> **From:** "Bull, Nancy" <Nancy.Bull@mail.house.gov>
> **Date:** October 13, 2017 at 9:35:59 AM EDT
> **To:** '"moody.christina@epa.gov"' <moody.christina@epa.gov>
> **Subject:** Citizen Name/Ex. 6
>
> Re-sending case as I have not heard back on this one. Thanks Christina.
>
> Nancy Bull
> Deputy District Director
> Congressman Bill Shuster (PA-09)
> 100 Lincoln Way East, Suite B
> Chambersburg, PA 17201
> 717-264-8308
> 717-264-0269 (FAX)
> Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Friday, October 13, 2017 9:31 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 10.13.2017 09:31:22 (-0400)

SUBJECT/PROBLEM:

There are high levels of ecoli in my well water, and I am requesting copies of any federal regs which indicate what acceptable levels are. Additionally, I am requesting a copy of the federal regulations or ruling or ordinance that apply to the 50 mile protected radius from Fifteen Mile Creek. (Probably old ruling) (Sideling Hill Watershed considered "pristine")

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA or Revenue or (NAME OF AGENCY) in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below: any other federal agency.

NAME:

ADDRESS: Citizen Information/Ex. 6

PHONE: Citizen Information/Ex. 6

EMAIL:

SIGNATURE: X Citizen Information/Ex. 6 DATE: 09-/07/17

SOCIAL SECURITY NUMBER: Citizen Information/Ex. 6

DATE OF BIRTH:

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

Phone – 717-264-8308 Fax – 717-264-0269

To: Levine, Carolyn[Levine.Carolyn@epa.gov]
From: Grantz, Brad
Sent: Mon 1/12/2015 3:54:40 PM
Subject: RE: Ltr from Reps. Murphy, Shuster on EPA Brownfields Program
removed.txt

Thank you!

Brad Grantz | Congressman Tim Murphy (PA-18) | Legislative Director

From: Levine, Carolyn [mailto:Levine.Carolyn@epa.gov]
Sent: Monday, January 12, 2015 10:54 AM
To: Grantz, Brad; Bailey, KevinJ
Cc: Snyder, Raquel
Subject: Re: Ltr from Reps. Murphy, Shuster on EPA Brownfields Program

Thank you Brad. We will route this letter appropriately.

Carolyn Levine

Office of Congressional Affairs

U.S. EPA

(202) 564-1859

levine.carolyn@epa.gov

From: Grantz, Brad <Brad.Grantz@mail.house.gov>
Sent: Monday, January 12, 2015 10:50 AM
To: Bailey, KevinJ; Levine, Carolyn
Subject: Ltr from Reps. Murphy, Shuster on EPA Brownfields Program

Dear EPA –

Attached is a letter from Congressmen Tim Murphy and Bill Shuster who both represent parts of Greene County in Southwestern Pennsylvania. The county is applying for a Brownfields assessment grant from the EPA, and the lawmakers have written a joint letter urging full and fair consideration of their application. Could you please see that Administrator McCarthy and/or the appropriate representatives in the grant reviewing department receive a copy of this letter?

Sincerely yours,

Brad Grantz | **Congressman Tim Murphy** (PA-18) | Legislative Director

2332 Rayburn House Office Building | Washington, DC 20515
(202) 225-2301 | (202) 225-1844

Click here to learn more about the Helping Families in Mental Health Crisis Act |

To: Richards, Tina[Tina.Richards@mail.house.gov]
From: Levine, Carolyn
Sent: Wed 5/3/2017 8:58:38 PM
Subject: EPA response to Chairmen Walden-Bishop-Shuster-AL-17-000-4526 CERCLA 108b
Walden-Bishop-Shuster-AL-17-000-4526 CERCLA 108b Response.pdf

Tina,

Attached is the EPA response to Chairmen Walden, Bishop and Shuster regarding the extension of the comment period for the CERCLA 108(b) proposal. Apologies for the delay. Can you please share with your counterparts in Bishop and Shuster's office (or send me their emails)?

Thanks,

Carolyn

Carolyn Levine

Office of Congressional and

Intergovernmental Relations

U.S. EPA

(202) 564-1859

levine.carolyn@epa.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY - 3 2017

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE
NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

The Honorable Bill Shuster
Chairman, Committee on Transportation and Infrastructure
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter to extend the public comment period for the proposed *Financial Responsibility Requirements under CERCLA Section 108(b) for Classes of Facilities in the Hardrock Mining Industry* rule which was published in the *Federal Register* on January 11, 2017 (*see* 82 FR 3388).

We appreciate your interest in this proposed rule. The U.S. Environmental Protection Agency extended the comment period, and comments on the proposed rule are now due by July 11, 2017.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Carolyn Levine in the EPA's Office of Congressional and Intergovernmental Relations at levine.carolyn@epa.gov or at (202) 564-1859.

Sincerely,

Barry N. Breen
Acting Assistant Administrator
Office of Land and Emergency Management

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY - 3 2017

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

The Honorable Robert Bishop
Chairman, Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter to extend the public comment period for the proposed *Financial Responsibility Requirements under CERCLA Section 108(b) for Classes of Facilities in the Hardrock Mining Industry* rule which was published in the *Federal Register* on January 11, 2017 (*see* 82 FR 3388).

We appreciate your interest in this proposed rule. The U.S. Environmental Protection Agency extended the comment period, and comments on the proposed rule are now due by July 11, 2017.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Carolyn Levine in the EPA's Office of Congressional and Intergovernmental Relations at levine.carolyn@epa.gov or at (202) 564-1859.

Sincerely,

Barry N. Breen
Acting Assistant Administrator
Office of Land and Emergency Management

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY - 3 2017

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

The Honorable Greg Walden
Chairman, Committee on Energy and Commerce
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter to extend the public comment period for the proposed *Financial Responsibility Requirements under CERCLA Section 108(b) for Classes of Facilities in the Hardrock Mining Industry* rule which was published in the *Federal Register* on January 11, 2017 (*see* 82 FR 3388).

We appreciate your interest in this proposed rule. The U.S. Environmental Protection Agency extended the comment period, and comments on the proposed rule are now due by July 11, 2017.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Carolyn Levine in the EPA's Office of Congressional and Intergovernmental Relations at levine.carolyn@epa.gov or at (202) 564-1859.

Sincerely,

Barry N. Breen
Acting Assistant Administrator
Office of Land and Emergency Management

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Lewis, Josh
Sent: Thur 10/16/2014 2:06:03 PM
Subject: RE: Congressman Shuster Constituent Letter

Sounds good. I'll be in touch when I hear there's some news to share

Josh

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Wednesday, October 15, 2014 12:16 PM
To: Lewis, Josh
Subject: RE: Congressman Shuster Constituent Letter

Hey Josh,

Just received your VM, apologies I was in the district with the Congressman. But I appreciate your update- that makes perfect sense. Will look forward to hearing an update once everything is in.

Thanks again for following up.

Best,

From: Lewis, Josh [mailto:Lewis.Josh@epa.gov]
Sent: Friday, October 10, 2014 9:19 AM
To: Joyce, Sean
Subject: RE: Congressman Shuster Constituent Letter

Sean,

Just tried calling. Left you a voicemail w/ some information on status…feel free to call if you want to discuss further. Direct #'s below

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Desk: 202 564 2095

[redacted]

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Thursday, October 09, 2014 4:03 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia; Mackay, Cheryl
Subject: RE: Congressman Shuster Constituent Letter

Justin, Cheryl,

Just wanted to check in since we hit the 30 day window that you said would be able to respond within. Is there any update that I can share with Chairman Shuster?

Thanks,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Greuel, Justin [mailto:Greuel.Justin@epa.gov]
Sent: Monday, September 22, 2014 4:47 PM
To: Joyce, Sean
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia
Subject: RE: Congressman Shuster Constituent Letter

Sean,

We are currently in the process of reviewing Go Green APU's September 8th request. Specifically, our hardship relief regulations require applicants to demonstrate that they are not at fault for any impending violations under our regulations, which includes providing details on the amount of time they had to redesign their equipment to accommodate complying engines and the steps that they've taken to do so. One of my staff contacted Go Green on September 16th with a request for additional information on these points. We also expect to follow up with additional questions to better document the severity of the economic impact on Go Green if we do not grant the exemption. Receipt of these pieces of information will help form a basis for our decision on whether or not to grant relief. Once we get these details that form a complete application, we should be able to move toward a final decision within 30 days.

Should have any additional questions, please don't hesitate to contact me.

Best regards,

Justin G. Greuel
Director, Diesel Engine Compliance Center
U.S. Environmental Protection Agency
Office of Transportation & Air Quality
1200 Pennsylvania Ave, NW
Mailcode 6405A
Washington, DC 20460
Phone (202) 343-9891
Fax (202) 343-2804

Courier Address (UPS, FedEx, etc.):

1200 Pennsylvania Ave, NW

Room 5512D, WJC Building North

Washington, DC 20460

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Monday, September 22, 2014 3:13 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh
Subject: Congressman Shuster Constituent Letter

Good afternoon,

A constituent of ours reached out about the attached letter last week. Congressman Shuster was looking for an update into this letter on behalf of Go Green APU LLC. Any insights you could provide into this inquiry would be greatly appreciated.

Best regards,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Lewis, Josh
Sent: Fri 10/10/2014 1:19:21 PM
Subject: RE: Congressman Shuster Constituent Letter

Sean,

Just tried calling. Left you a voicemail w/ some information on status…feel free to call if you want to discuss further. Direct #'s below

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Desk: 202 564 2095

[redacted]

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Thursday, October 09, 2014 4:03 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia; Mackay, Cheryl
Subject: RE: Congressman Shuster Constituent Letter

Justin, Cheryl,

Just wanted to check in since we hit the 30 day window that you said would be able to respond within. Is there any update that I can share with Chairman Shuster?

Thanks,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Greuel, Justin [mailto:Greuel.Justin@epa.gov]
Sent: Monday, September 22, 2014 4:47 PM
To: Joyce, Sean
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia
Subject: RE: Congressman Shuster Constituent Letter

Sean,

We are currently in the process of reviewing Go Green APU's September 8th request. Specifically, our hardship relief regulations require applicants to demonstrate that they are not at fault for any impending violations under our regulations, which includes providing details on the amount of time they had to redesign their equipment to accommodate complying engines and the steps that they've taken to do so. One of my staff contacted Go Green on September 16th with a request for additional information on these points. We also expect to follow up with additional questions to better document the severity of the economic impact on Go Green if we do not grant the exemption. Receipt of these pieces of information will help form a basis for our decision on whether or not to grant relief. Once we get these details that form a complete application, we should be able to move toward a final decision within 30 days.

Should have any additional questions, please don't hesitate to contact me.

Best regards,

Justin G. Greuel
Director, Diesel Engine Compliance Center
U.S. Environmental Protection Agency
Office of Transportation & Air Quality
1200 Pennsylvania Ave, NW
Mailcode 6405A

Washington, DC 20460
Phone (202) 343-9891
Fax (202) 343-2804

Courier Address (UPS, FedEx, etc.):

1200 Pennsylvania Ave, NW

Room 5512D, WJC Building North

Washington, DC 20460

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Monday, September 22, 2014 3:13 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh
Subject: Congressman Shuster Constituent Letter

Good afternoon,

A constituent of ours reached out about the attached letter last week. Congressman Shuster was looking for an update into this letter on behalf of Go Green APU LLC. Any insights you could provide into this inquiry would be greatly appreciated.

Best regards,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

To: Boone, Jamie[Jamie.Boone@mail.house.gov]
Cc: McCune, Collin[Collin.McCune@mail.house.gov]
From: Lewis, Josh
Sent: Mon 2/10/2014 2:51:57 PM
Subject: RE: Question about a letter we rec'd at EPA re: Sheetz

Ok thank you

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Desk: 202 564 2095

[redacted]

From: Boone, Jamie [mailto:Jamie.Boone@mail.house.gov]
Sent: Monday, February 10, 2014 9:45 AM
To: Lewis, Josh
Cc: McCune, Collin
Subject: RE: Question about a letter we rec'd at EPA re: Sheetz

Hi Josh,

I'm handling this issue- I'll give you a call later today.

Thanks!
Jamie

Jamie Boone Biondi

Legislative Director

Congressman Bill Shuster (PA-9)

2209 Rayburn House Office Building

Washington, DC 20515

202-225-2431

From: McCune, Collin
Sent: Monday, February 10, 2014 9:34 AM
To: Boone, Jamie
Subject: FW: Question about a letter we rec'd at EPA re: Sheetz

Do you know anything about this?

From: "Lewis, Josh" <Lewis.Josh@epa.gov>
Date: Fri, 7 Feb 2014 18:17:33 +0000
To: Microsoft Office User <collin.mccune@mail.house.gov>
Subject: Question about a letter we rec'd at EPA re: Sheetz

Have a couple of questions regarding a Dec 19, 2013, letter we received from your office in which you forwarded a letter Sheetz sent to the EPA Administrator. Subject is our renewable fuels program proposal. Can you give me a call when you have a chance. Nothing urgent.

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Desk: 202 564 2095

[redacted]

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Fri 12/12/2014 11:30:35 PM
Subject: Re: Go Green

So what was the decision?

Sean Joyce
Congressman Bill Shuster (PA-09)

Sent using BlackBerry

From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
Sent: Friday, December 12, 2014 05:18 PM
To: Joyce, Sean
Subject: Go Green

Hi Sean,

I'm writing to let you know EPA made a decision on the Go Green hardship waiver request, and notified Harry Benjamin, at the company, about it on Wednesday.

Cheryl Mackay

USEPA

(202) 564-2023

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Wed 11/19/2014 10:18:27 PM
Subject: RE: Go Green application

Hi Cheryl

Just left you a VM..Can you call me tomorrow when you can. 202-225-2431

thanks

From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
Sent: Friday, November 14, 2014 9:44 AM
To: Joyce, Sean
Subject: RE: Go Green application

Hi Sean, I'm writing to let confirm that the two items listed below were in fact the two remaining items. OTAQ has now received them and is reviewing them. Thanks.

From: Mackay, Cheryl
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Hi Sean,

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1) provide documentation of requests made to engines suppliers for Tier 4 final compliant prototype engines and the subsequent responses from those suppliers, and

2) 2) provide past-due reports documenting that Go Green is in compliance with our current flexibility requirements.

As we discussed, I'll confirm with Justin that these are the only remaining items.

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Cheryl A. Mackay

USEPA

(202) 564-2023

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Just tried you.

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Legislative Director

Office of Congressman Bill Shuster (PA-9)

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Sent: Monday, November 10, 2014 4:16 PM
To: Joyce, Sean
Subject: Go Green application

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Justin Gruel asked me to get back to you on the Go Green application. Can you please give me a call? Thanks.

Cheryl A. Mackay

Congressional Affairs, USEPA

(202) 564-2023

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Tue 11/18/2014 11:21:44 PM
Subject: RE: Go Green application
20141118181506073.pdf

Attached.

Thanks

From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
Sent: Tuesday, November 18, 2014 4:11 PM
To: Joyce, Sean
Subject: RE: Go Green application

Sure. You should address it to Janet McCabe Acting Assistant Administrator for the Office of Air and Radiation. You also could address it to the EPA Administrator, Gina McCarthy. If you email a pdf to me I can make sure it gets to them quickly.

Let me know if you need anything else.

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
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202-225=2431

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Congressional Affairs, USEPA

(202) 564-2023

BILL SHUSTER
9TH DISTRICT, PENNSYLVANIA

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
CHAIRMAN

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE:
INTELLIGENCE, EMERGING THREATS & CAPABILITIES

Congress of the United States
House of Representatives
Washington, DC 20515–3809

November 18, 2014

Ms. Janet McCabe
Acting Assistant Administrator
Office of Air and Radiation
Environmental Protection Administration
RE: Go Green APU LLC

Dear Ms. McCabe:

I would like to offer my support Go Green APU LLC, a small business operating in the 9th Congressional District, for the services they are providing to the long-haul truck transportation industry. I recognize the positive impact of utilizing alternative power units (APU) on long haul trucks because of their contribution to reducing carbon emissions.

With hundreds of thousands of long haul trucks on our nation's highways daily, utilizing APU's is just one step in the right direction in protecting the environment of the United States of America. Industries such as Long Haul Truck Alternative Power Unit Manufacturing help to do just that.

If I can provide any other support or information regarding this issue, please feel free to contact me.

Bill Shuster
Member of Congress

2209 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–3809
(202) 225–2431
FAX: (202) 225–2486

310 PENN STREET
SUITE 200
HOLLIDAYSBURG, PA 16648
(800) 854–3035
(814) 696–6318
FAX: (814) 696–6726

827 WATER STREET
SUITE 3
INDIANA, PA 15701
(724) 463–0516
FAX: (724) 463–0518

100 LINCOLN WAY EAST
SUITE B
CHAMBERSBURG, PA 17201
(717) 264–8308
FAX: (717) 264–0269

www.shuster.house.gov
www.facebook.com/rep.shuster
www.twitter.com/repbillshuster
www.youtube.com/repshuster

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Tue 11/18/2014 8:29:45 PM
Subject: RE: Go Green application

Hi Cheryl,

Just tried calling you- could you give me a call back when you get a minute? We are going to submit a letter of support before the final decision is made, and are trying to see who the best person to address will be.

202-225=2431

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Legislative Director

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Cheryl A. Mackay

Congressional Affairs, USEPA

(202) 564-2023

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Wed 11/12/2014 4:39:07 PM
Subject: RE: Go Green application

Hi Cheryl

Just tried you.

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
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Cheryl A. Mackay

Congressional Affairs, USEPA

(202) 564-2023

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
Cc: Kaiser, Sven-Erik[Kaiser.Sven-Erik@epa.gov]
From: Ullman, Neal
Sent: Mon 1/6/2014 3:30:16 PM
Subject: RE: Bill

Great. Thanks, Cheryl. Sven, my question is about HR3628, the Transportation Reports Elimination Act, by Rep. Shuster. The bill eliminates the Great Lakes Management Comprehensive Report for the EPA. Is this something EPA is supportive of?

Thanks for your help.

Neal
225-4071

-----Original Message-----
From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
Sent: Monday, January 06, 2014 10:24 AM
To: Ullman, Neal
Cc: Kaiser, Sven-Erik
Subject: Bill

Hi Neal, I got you vm about the bill. I am not in the ofc today but regardless since it is a CWA question, one of my colleagues on the water team should help you. Sven, can someone on your team please give Neal a call? Tks.

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Democratic Whip
Sent: Fri 1/3/2014 11:30:18 PM
Subject: THE WEEKLY WHIP: FRIDAY, JANUARY 3, 2014

DemocraticWhip.gov - (202) 225-3130

FRIDAY, JANUARY 3, 2014

First Vote Of The Week:	Last Vote Predicted:
Tuesday 6:30 p.m.	Friday 3:00 p.m.

Legislative Program - 51600 | Floor Information - 57400 | Whip Information - 53130

*****MEMBERS ARE ADVISED THAT ANY EXPECTED ABSENCES SHOULD BE REPORTED TO THE WHIP'S OFFICE AT x5-3130.**

MONDAY, JANUARY 6, 2014

On Monday, the House is not in session.

TUESDAY, JANUARY 7, 2014

On Tuesday, the House will meet at 2:00 p.m. for pro forma business and recess immediately. Votes will be postponed until 6:30 p.m.

Quorum Call at 6:30 p.m. – Establishing a quorum in the House of Representatives for the Second Session of the 113th Congress.

WEDNESDAY, JANUARY 8, 2014

On Wednesday, the House will meet at 10:00 a.m. for Morning Hour debate and 12:00 p.m. for legislative business.

Suspensions (3 bills)

1. **H.R. 724** – To amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles (Rep. Latta – Energy and Commerce)

****Members are advised that the House GOP Leadership has announced other possible legislative items for the month of January. Those items include:**

- Omnibus FY2014 Appropriations Bill
- Conference Report on H.R. 3547 – Farm Bill
- Conference Report on H.R. 3080 – Water Resources Reform and Development Act of 2013
- Legislation related to the Affordable Care Act
- Legislation related to Iran Sanctions

The House GOP Leadership has also announced additional items that may be brought to the Floor early in the year:

- H.R. 3381 – Intelligence Authorization Act of Fiscal Year 2014
- Legislation related to Flood Insurance
- Legislation related to Immigration Reform
- Legislation related to the Debt Ceiling
- Legislation related to Farm Bill

The Rules Committee is expected to meet:

- The week of January 6, 2014, to report a Rule for H.R. 2279. We expect a Structured Rule for H.R. 2279 and Amendments must be submitted to the Rules Committee by **10:00 a.m. on Wednesday, January 8, 2014.**

Visit http://www.democraticwhip.gov/ for more press, floor and member resources.

Permalink

2. **H.R. 3527** – Poison Center Network Act (Rep. Terry – Energy and Commerce)
3. **H.R. 3628** – Transportation Reports Elimination Act of 2013 (Rep. Shuster – Transportation and Infrastructure)

THURSDAY, JANUARY 9, 2014 AND THE BALANCE OF THE WEEK

On Thursday, the House will meet at 10:00 a.m. for Morning Hour debate and 12:00 p.m. for legislative business. On Friday, the House will meet at 9:00 a.m. for legislative business with last votes expected no later than 3:00 p.m.

H.R. 2279 – Reducing Excessive Deadline Obligations Act of 2013 (Rep. Gardner – Energy and Commerce/Transportation and

Additional Floor Information

[redacted]

Change subscription settings

To: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Democratic Whip
Sent: Fri 10/18/2013 6:33:42 PM
Subject: THE WEEKLY WHIP: FRIDAY, OCTOBER 18, 2013

DemocraticWhip.gov - (202) 225-3130

FRIDAY, OCTOBER 18, 2013

First Vote Of The Week:	Last Vote Predicted:
Tuesday 6:30 p.m.	Thursday Afternoon

Legislative Program - 51600 | Floor Information - 57400 | Whip Information - 53130

*****MEMBERS ARE ADVISED THAT ANY EXPECTED ABSENCES SHOULD BE REPORTED TO THE WHIP'S OFFICE AT x5-3130.**

MONDAY, OCTOBER 21, 2013

On Monday, the House will not be in session.

TUESDAY, OCTOBER 22, 2013

On Tuesday, the House will meet at 2:00 p.m. for legislative business, with votes postponed until 6:30 p.m.

****Members are advised that the House GOP leadership has announced other possible legislation for the month of October. Those items include:**

- **H.R. 2728** – Protecting States' Rights to Promote American Energy Security Act
- **H.R. 3019** – The Kids First Research Act
- Legislation related to delaying and defunding the Affordable Care Act
- Legislation related to Immigration Reform
- Legislation related to energy costs

The Rules Committee is scheduled to meet on the following day:

- Tuesday, October 22, 2013, at 5:00 p.m. to report a Rule for H.R. 3080. We expect a structured rule and amendments must be submitted to the Rules Committee by **10:00 a.m. on Tuesday, October 22, 2013**.

Announcements can be found on the Rules committee website at:

Visit http://www.democraticwhip.gov/ for more press, floor and member resources

Permalink

1. **H.R. 185** – To designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse" (Rep. Hall – Transportation and Infrastructure)
2. **H.R. 2083** – Protecting Students from Sexual and Violent Predators Act, as amended (Rep. Miller (CA) – Education and Workforce)
3. **H.R. 3205** – Promoting Adoption and Legal Guardianship for Children in Foster Care Act (Rep. Camp – Ways and Means)

WEDNESDAY, OCTOBER 23, 2013 AND THE BALANCE OF THE WEEK

Additional Floor Information

http://democrats.rules.house.gov/

Change subscription settings

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Mackay, Cheryl
Sent: Mon 12/15/2014 3:12:08 AM
Subject: Re: Go Green

It is not EPA's practice to give that sort of information to anyone outside the company , for biz confidentiality reasons. But I wanted to let you know the decision was made, as a heads up. You of course are free to ask them directly.

Sent from my iPhone

On Dec 12, 2014, at 6:30 PM, "Joyce, Sean" <Sean.Joyce@mail.house.gov> wrote:

So what was the decision?

Sean Joyce
Congressman Bill Shuster (PA-09)

Sent using BlackBerry

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Hi Sean,

I'm writing to let you know EPA made a decision on the Go Green hardship waiver request, and notified Harry Benjamin, at the company, about it on Wednesday.

Cheryl Mackay

USEPA

(202) 564-2023

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Mackay, Cheryl
Sent: Thur 11/20/2014 6:41:07 PM
Subject: Re: Go Green application

Ok just tried. I teleworking this afternoon. 202-276-3956.

Sent from my iPhone

On Nov 19, 2014, at 5:18 PM, "Joyce, Sean" <Sean.Joyce@mail.house.gov> wrote:

Hi Cheryl

Just left you a VM..Can you call me tomorrow when you can. 202-225-2431

thanks

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<image001.png> <image002.png> <image003.png>

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Congressional Affairs, USEPA

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Subject: Re: Go Green application

Got it.

Sent from my iPhone

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Attached.

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<image001.png> <image002.png> <image003.png>

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(202) 564-2023

<20141118181506073.pdf>

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Congressional Affairs, USEPA

(202) 564-2023

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From: Mackay, Cheryl
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Subject: RE: Go Green application

Hi Sean, I'm writing to let confirm that the two items listed below were in fact the two remaining items. OTAQ has now received them and is reviewing them. Thanks.

From: Mackay, Cheryl
Sent: Wednesday, November 12, 2014 4:13 PM
To: 'Joyce, Sean'
Subject: RE: Go Green application

Hi Sean,

Here are the 2 items OTAQ requested Go Green provide:

1) provide documentation of requests made to engines suppliers for Tier 4 final compliant prototype engines and the subsequent responses from those suppliers, and

2) 2) provide past-due reports documenting that Go Green is in compliance with our current flexibility requirements.

As we discussed, I'll confirm with Justin that these are the only remaining items.

Thanks.

Cheryl A. Mackay

USEPA

(202) 564-2023

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Wednesday, November 12, 2014 11:39 AM
To: Mackay, Cheryl
Subject: RE: Go Green application

Hi Cheryl

Just tried you.

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
Sent: Monday, November 10, 2014 4:16 PM
To: Joyce, Sean
Subject: Go Green application

Hi Sean,

Justin Gruel asked me to get back to you on the Go Green application. Can you please give me a call? Thanks.

Cheryl A. Mackay

Congressional Affairs, USEPA

(202) 564-2023

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Mackay, Cheryl
Sent: Wed 11/12/2014 9:12:48 PM
Subject: RE: Go Green application

Hi Sean,

Here are the 2 items OTAQ requested Go Green provide:

1) provide documentation of requests made to engines suppliers for Tier 4 final compliant prototype engines and the subsequent responses from those suppliers, and

2) 2) provide past-due reports documenting that Go Green is in compliance with our current flexibility requirements.

As we discussed, I'll confirm with Justin that these are the only remaining items.

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Cheryl A. Mackay

USEPA

(202) 564-2023

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Sent: Wednesday, November 12, 2014 11:39 AM
To: Mackay, Cheryl
Subject: RE: Go Green application

Hi Cheryl

Just tried you.

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Mackay, Cheryl [mailto:Mackay.Cheryl@epa.gov]
Sent: Monday, November 10, 2014 4:16 PM
To: Joyce, Sean
Subject: Go Green application

Hi Sean,

Justin Gruel asked me to get back to you on the Go Green application. Can you please give me a call? Thanks.

Cheryl A. Mackay

Congressional Affairs, USEPA

(202) 564-2023

To: Moody, Christina[Moody.Christina@epa.gov]
From: Bull, Nancy
Sent: Wed 6/18/2014 2:21:14 PM
Subject: Lorne Swope Case
20140618101819348.pdf

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

-----Original Message-----
From: Bull, Nancy
Sent: Wednesday, June 18, 2014 10:18 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 06.18.2014 10:18:19 (-0400)

* * * Communication Result Report (May. 16. 2014 4:47PM) * * *

1)
2)

Date/Time: May. 16. 2014 4:42PM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
6185	Memory TX	12025011519	P. 9	OK	

Reason for error
E. 1) Hang up or line fail
E. 2) Busy
E. 3) No answer
E. 4) No facsimile connection
E. 5) Exceeded max. E-mail size

FAX COVER SHEET

THE HONORABLE BILL SHUSTER
9th Congressional District Office
100 Lincoln Way East Suite B
Chambersburg, PA 17201
Phone – 717-264-8308 Fax – 717-264-0269

TO: EPA

DATE: 5-16-14

PAGES: Including cover sheet 9

FROM:
Nancy Bull ✓ Roger Osbaugh ___
Diane Rhodes ___

Notes:

RE:
SS:

Citizen Information/Ex. 6

BILL SHUSTER
9TH DISTRICT, PENNSYLVANIA

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
CHAIRMAN

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE:
INTELLIGENCE, EMERGING THREATS & CAPABILITIES

Congress of the United States
House of Representatives
Washington, DC 20515–3809

May 16, 2014

Environmental Protection Agency
401 M Street, SW
Washington, DC 20024-2610

Regarding: Citizen Information/Ex. 6

The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

Any assistance you can offer in this matter would be greatly appreciated.

If additional details are required or if the information requested can be relayed over the phone, please do not hesitate to contact my Chambersburg office at (717) 264-8308.

If you will advise me of your action in this matter and return your reply to me, I will appreciate it.

Very Truly Yours,

Bill

BILL SHUSTER
MEMBER OF CONGRESS

100 Lincoln Way East, Suite B
Chambersburg, PA 17201
(717) 264-8308

WFS: nb

2209 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3809
(202) 225-2431
FAX: (202) 225-2486

310 PENN STREET
SUITE 200
HOLLIDAYSBURG, PA 16648
(800) 854-3035
(814) 696-6318
FAX: (814) 696-6726

827 WATER STREET
SUITE 3
INDIANA, PA 15701
(724) 463-0516
FAX: (724) 463-0518

100 LINCOLN WAY EAST
SUITE B
CHAMBERSBURG, PA 17201
(717) 264-8308
FAX: (717) 264-0269

www.shuster.house.gov
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www.twitter.com/repbillshuster
www.youtube.com/repshuster

SUBJECT/PROBLEM:

Hog CAFO May Twp. Fulton Co. Pa. help in stopping plan CAFO my concerns are exposure to water pollutants and air contamination ie MRSA see attachments for more.

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA (NAME OF AGENCY) in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below:

NAME:

ADDRESS:

Citizen Information/Ex. 6

PHONE:

SIGNATURE

DATE: 5-1-14

SOCIAL SECURITY NUMBER:

DATE OF BIRTH:

Citizen Information/Ex. 6

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

Phone – 717-264-8308 Fax – 717-264-0269

05/01/2014 10:57 17174853748 LONRE SWOPE LORNE PAGE 02/08

Environmental Health

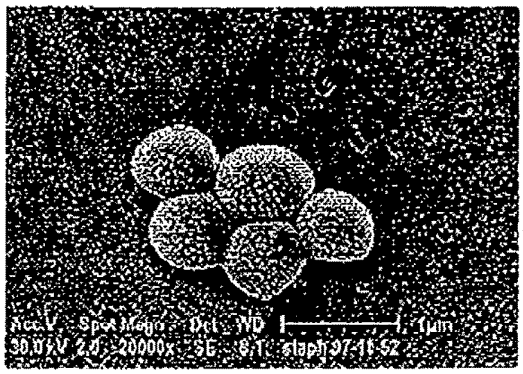
MRSA Infection Found in Communities Near Pig Farms

SEPTEMBER 25, 2013 by EDITOR in ENVIRONMENTAL HEALTH, FEATURED, ONE HEALTH, PUBLIC HEALTH, RESEARCH NEWS, RURAL HEALTH

Evidence of links between large-scale animal-rearing practices and human health in neighboring communities continues to accumulate.

By Stephanie Soucheray

On Oct. 18 and 19, the North Carolina Environmental Justice Network will hold its 15th annual meeting in Whitakers to discuss unsafe agricultural practices in poor, rural and black communities across the state.



Magnified view of methlycillin-resistant Staphylococcus aureus (MRSA). Image courtesy the Centers for Disease Control and Prevention.

While the NCEJN has been concerned with issues such as dumping, factory farms and clean water, Executive Director Gary Grant said that this year they'll also be discussing agricultural illness in front of a government listening panel.

There's good reason for concern.

Last month, UNC researchers published in the online journal PLoS One the results of a study, "Livestock-Associated Methicillin and Multidrug Resistant Staphylococcus aureus Is Present among Industrial, Not Antibiotic-Free Livestock Operation Workers in North Carolina."

05/01/2014 10:57 17174853748 LORNE SWOPE LORNE PAGE 03/08

They found that factory-farm workers were much more likely to have colonized MRSA (present in nasal swabs) than workers who worked on antibiotic-free farms.

Now a new study from John Hopkins University further describes the connection between factory farms and MRSA.

The study, "High-density livestock operations, crop field application of manure, and the risk of community-associated methicillin-resistant Staphylococcus aureus infection in Pennsylvania," published this week in JAMA Internal Medicine, shows that there is an "environmental pathway" that MRSA follows in communities near high-density swine-production facilities.

"We found that in a general population in Pennsylvania, people with a higher exposure to high-density swine production were at an increased risk of community-associated MRSA infection and skin and soft-tissue infection," said Joan Casey, a lead author of the study. "This risk was about both the livestock operations where the animals live and about the crop fields where manure was spread."

Aerial photo of a field near a hog CAFO on which animal waste is being sprayed, Duplin and Jones county, 2003. Photo courtesy Socially Responsible Agricultural Project, flickr creative commons

The John Hopkins study is the first to link factory farming to MRSA infection, not just colonization, and Casey said the UNC and JHU studies both suggest that these types of farming practices are bad for public health.

"While we did not demonstrate every step in the causal chain from farm to infection, we do believe that the association is plausible," said Casey. "There is certainly an environmental pathway."

Like the UNC study, the JHU study implicates the overuse of antibiotics in industrial-farmed animals as being a risk factor for MRSA. Animals are given what's known as "sub-therapeutic" amounts of antibiotics in their feed and water supply to stave off illness, rather than to treat an acute infection. The majority of the antibiotics given to

05/01/2014 10:57 17174853748 LONRE SWOPE LORNE PAGE 04/08

animals in these situations are not absorbed, and instead are passed through to the animal's manure.

That manure is applied to crop fields, and neighboring residential communities, according to Casey, are at a greater risk for community-associated MRSA, health care -associated MRSA and skin and soft-tissue infections.

Casey's study looked at 1,539 patients with community-associated MRSA, 1,335 with health care-associated MRSA, 2,895 with skin and soft-tissue infections and 2,914 healthy controls patients in a Pennsylvania health care system between 2005 and 2010.

Higher swine manure exposure meant an increased likelihood of all MRSA infections, and even just living near a high-density swine livestock operation resulted in an increased risk for community-associated MRSA.

Steve Wing, who co-authored UNC's study, said JHU's study further illustrated the problem with giving farm animals antibiotics.

"This is an important finding about a problem, the sub-therapeutic use of antibiotics, that's been recognized a long time," he said.

Gary Grant of the Tillery (N.C.) People's Clinic and the North Carolina Environmental Justice Network at a community forum in 2006. Photo courtesy of NIEHS

Wing said that the findings in the study should be a concern to people in North Carolina who live near high-density farms.

"Eastern North Carolina has the densest livestock production, but it's also one of the poorest areas in the state," he said.

Unlike in the JHU study, which benefited from combing a large insurance database for information on MRSA infection, many people in the Eastern part of the state are uninsured, so Wing said it would be difficult to

05/01/2014 10:57 17174853748 LONRE SWOPE LORNE PAGE 05/08

obtain accurate information about MRSA infection rates.

He also said that while research like this is important, it often does little to change policy. The sub-therapeutic use of antibiotics has been banned in Europe for years, but a bill that would do the same in the States has failed to get passed in Congress.

"It takes a lot more involvement by the public to change policy," said Wing. "The public is who's affected by this."

Grant said he's been concerned about farming practices and community health since the early 1990s.

"In the beginning, many of these communities [where large farms are located] depended on well water, so runoff was a huge concern," Grant said.

He said that 20 years ago, it was legal for counties to pass individual ordinances on farming practices, but the most recent General Assembly passed legislation that makes it easier for the state to override them.

Though Grant doesn't have hard data on MRSA in North Carolina, he said sick communities do exist in rural pockets of the state.

"We are aware of it, and still trying to help communities get organized around the issue," he said.

05/01/2014 10:57 17174853748 LONRE SWOPE LORNE PAGE 06/08

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Hog heaven? Study finds large hog farms lower property values

Saturday, June 07, 2003

By Don Hopey, Post-Gazette Staff Writer

Factory-scale hog farms, where hundreds or even thousands of porkers produce piles and piles of manure, pollute water and air and are among the worst of neighbors, according to a land-use study by Penn State researchers.

The study, released yesterday as the third annual Sustainable Hog Farming Summit convened in Gettysburg, found that allowing a medium- or large-scale factory farm to set up shop near a residential area lowers nearby property values by more than $1,800. Using the same property for a traditional farm actually increases the value of nearby properties.

Only landfills have a worse effect on adjacent property values, according to the study of Berks County property values.

The study was conducted by Richard Ready and Charles Abdalla of Penn State's Agricultural and Environmental Economics Department and sponsored by Citizens for Pennsylvania's Future.

The study found that a sewage treatment plant has a less depressing effect on nearby housing prices than a factory farming operation.

"The Penn State study is more evidence that local communities and residents must be allowed to protect themselves from factory farms," said Jan Jarrett, PennFuture's outreach director, who is attending the summit of environmental leaders, farmers, rural community leaders, restaurant owners and chefs.

Jarrett said proposed state legislation that would limit or prohibit local county or municipal control of factory-farm locations would take away any control communities have over the massive meat factories.

"Rural communities need the ability to enact common-sense regulations to protect residents' health, peace of mind, quality of life and property values,"

05/01/2014 10:57 17174853748 LORRE SWOPE LORNE PAGE 07/08

she said.

In Pennsylvania, there are 1,000 high-density pig, cow or chicken farms, also known as Concentrated Animal Feeding Operations, already operating in 25 counties.

The biggest is in Perry County, and the most can be found in Lancaster, Lebanon and Berks counties. More than 135 are big enough to require their own water-quality pollution permits.

One hog excretes nearly 3 gallons of waste per day, or 2.5 times the average human's daily total. A 3,000-sow hog factory will produce about 25 tons of raw manure a day.

According to the U.S. Environmental Protection Agency, hog, chicken and cattle waste has polluted 35,000 miles of rivers in 22 states and contaminated groundwater in 17 states.

Big hog farms can also produce dangerous levels of such noxious gases as hydrogen sulfide, ammonia and methane, and intense odors that have been detected more than four miles from the site.

The study found that open space -- including forested acreage and grass, pasture and cropland -- located within a quarter-mile of a house had the largest positive effect on the value of that property.

The summit in Gettysburg is being held to promote sustainable farming and farm-to-market family farm initiatives, and to discuss the impacts of industrial-scale hog confinement and production practices on rural communities, human health, animal health and the environment.

Don Hopey can be reached at dhopey@post-gazette.com or 412-263-1983.

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05/01/2014 10:57 17174853748 LONRE SWOPE LORNE PAGE 08/08

To: Moody, Christina[Moody.Christina@epa.gov]
From: Bull, Nancy
Sent: Thur 2/4/2016 3:24:24 PM
Subject: Metal Twp.
20160204101913741.pdf

Good Morning Christina,

Could you offer any guidance on the attached issue? The main question this township has is in fourth paragraph. Thank you!

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Thursday, February 04, 2016 10:19 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 02.04.2016 10:19:13 (-0500)

SUBJECT/PROBLEM:

In the late 1990's Metal Township was ordered by PA DEP to build a public wastewater treatment system to service the Village of Fannettsburg, PA. Income surveys were completed revealing that over 50% of the residents were low-to-moderate income households. The Congressman's office was instrumental in securing over $1.2 million in federal grants for our project. Along with State Grants and a PENNVEST 1% interest loan of $820,687 the project was completed and became operational in 2002.

Our treatment plant equipment is deteriorating, increasing our maintenance costs. A major cost is the required PENNVEST annual CPA Audit Report. We always request proposals from CPA firms; however, the current 'agreement' will end in 4 yrs, costing $5,650 for the last year. Our PENNVEST loan runs another 16 years and we estimate the total annual audit cost will be in excess of $86,400. This amount actually exceeds all of the current funds we have.

In an attempt to cut additional costs, we sent a request (copy attached) to PENNVEST seeking a waiver of the CPA Audit. We proposed the township elected auditors perform the audit and reports; this request was denied (copy attached).

Our question is, since PENNVEST indicates that some of our funding grant involved EPA funds and thus the CAP Audit requirement, is there any options at the Federal level that would waive this requirement?

To help off-set the cash short-fall, the Board approved a $10 per month user fee increase, to start in 2016. Our fear is that the fee increase will greatly increase our delinquent account balances and cause more legal action with execution sales of customer assets.

We would be willing to discuss this matter with your staff. Our regular office hours are Mon-Wed-Fri from 8:00 am to 5:00 pm. The holiday schedule for the next two weeks is Mon-Wed, same hours. Thank you for your time and we look forward to hearing from you.

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the PENNVEST in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below:

NAME: Anna Swailes, Secretary Metal Township Supervisors
ADDRESS: 17001 Fannettsburg Rd, Box 332
Fannettsburg PA 17221

PHONE: 717-349-7452 EMAIL: localgov100@yahoo.com

SIGNATURE: _____ DATE: 12/21/2015

SOCIAL SECURITY NUMBER: EIN 25-1714248

DATE OF BIRTH: Citizen Information/Ex. 6

Please complete this form and *include a brief explanation of your problem,* then mail to:

COPY

17001 Fannettsburg Rd, Box 332
Fannettsburg, PA 17221
Phone 717-349-7452
Fax 717-349-2604

localgov100@embarqmail.com

Board of Supervisors
Roadmaster—Kenneth Miley
Secretary—Anna Swailes
Chairman—David Leab

October 26, 2015

Mr. Paul Marchetti, Executive Director
Pennsylvania Infrastructure Investment Authority
434 Forum Building, 607 South Drive
Harrisburg PA 17120

RE: Current PENNVEST Loan #P33000985-102

Dear Mr. Marchetti,

The Metal Township Municipal Authority (MTMA) Board was appointed and incorporated with Pennsylvania Department of State, to oversee operations of our public wastewater treatment plant in Fannettsburg, PA. The customer base is approximately 200 users, a majority of which falls within the low-to-moderate income category. Since the sewer system became operational in 2002 the MTMA has not increased the user rate, however; they still have dealt with many delinquent accounts by filing judgments or municipal liens, and in some situations, taking a customer through a Sheriff Sale, possessing the property, and then reselling it. In each of these cases, the MTMA incurred a financial loss but benefited by stopping increased delinquencies on these lots.

A major expense item to the MTMA is the Certified Public Accountant (CPA) requirement for the Annual Audit Report. Since 2002 the Annual Audit has cost the MTMA $64,327.30; over the remainder of the PENNVEST Loan, (16 yrs) the Annual Audit will cost another $86,400, based on the current 5-year average annual cost of $5,400. We know that projection is not accurate as the audit costs will continue to increase.

The MTMA is most grateful for the PENNVEST loan of $820,687 that was approved January 29, 2002. This low interest loan made it possible for the municipality to fulfill the PA DEP requirement to build our wastewater treatment facility. The MTMA has fulfilled all loan payments, as scheduled, even making an extra principal payment of $34,994.81 in 2005 from funds received from other grant sources. The goal of MTMA is to continue making their loan payments on the remaining loan balance in a timely manner.

17001 Fannettsburg Rd, Box 332
Fannettsburg, PA 17221
Phone 717-349-7452
Fax 717-349-2604

localgov100@embarqmail.com

Board of Supervisors
Roadmaster—Kenneth Miley
Secretary—Anna Swailes
Chairman—David Leab

The Metal Township Board of Supervisors, as Guarantor of the Loan Document listed above, and the MTMA Board Members, now find it necessary to request a waiver of the Annual CPA Audit requirement and to use our Municipal Elected Auditors to complete this report. Our estimate is that the elected auditors would perform this audit at an annual cost of $1,000, versus the current $5,400 annual cost. This change would allow the MTMA to replenish needed operating reserve to meet increasing demands for aging equipment repair/replacement and would allow the MTMA to defer a significant rate increase to our customers.

I would be glad to discuss this matter with you and answer any questions you may have. My office hours are M-W-F from 8:00 – 5:00; however, on October 30 I will be out of the office attending training and hope to return by 3:00 PM. I do look forward to hearing from you.

Sincerely,

Anna H. Swailes, Secretary
Metal Township Board of Supervisors

CC: Brion Johnson, PENNVEST Deputy Executive Director
PA Senator John Eichelberger
File

RECEIVED
METAL TOWNSHIP
DEC 21 2015
FRANKLIN COUNTY
PENNSYLVANIA

PENNVEST
PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

December 10, 2015

Anna H. Swails, Secretary
Metal Township Board of Supervisors
17001 Fannettsburg Road, Box 332
Fannettsburg, Pennsylvania 17221

Dear Ms. Swails:

I am replying to your October 26 letter requesting that PENNVEST waive the requirement that the Metal Township Municipal Authority annually submit financial statements to PENNVEST that are audited by a certified public accountant (CPA). I apologize for the delay in responding to this request but I can assure you that we have not been ignoring it. Rather, we have spent a considerable amount of time discussing this question to see if we could reach another position with which we would feel comfortable.

I regret to say that, despite arguing this point internally (not the first time by the way) and discussing it at length with our financial advisors, we have come to the conclusion that we cannot honor your request and still feel comfortable that we are adequately fulfilling our duty to protect the funds with which we have been entrusted by both the Commonwealth and the federal government. There simply is not a sufficient level of confidence in financial statements that are not audited by a CPA. In addition to satisfying our own need for assurance in the accuracy and quality of the financial statements that we receive, both the Environmental Protection Agency, from whom we get a significant amount of the funds that we lend out, as well as the agencies (e.g. Standard and Poor's) that rate the revenue bonds that we issue, expect that we annually receive CPA-audited financial statements from all of our borrowers. That is why we include this requirement in all of our loan documents.

I do want to pass along one bit of information that you may find helpful. In connection with our internal discussions of this matter, Brion Johnson of our staff did a brief survey of other borrowers to find out how much it cost them to have their financial statements audited by a CPA. What he found was that, while the cost that you cite is not necessarily out of line, a number of communities in different parts of the state were able to have this done at a considerably lower costs. It may very well be possible for you to have this service performed at a lower, and maybe much lower, cost than what you cite in your letter. I'm sure that Brion would be more than happy to share his information with you should you wish to contact him about it.

Again, I regret that we cannot in good conscience honor your request for a waiver. If you wish to discuss this further, please feel free to get in contact with me at any time.

Sincerely,

Paul K. Marchetti
Executive Director

cc: Senator John Eichelberger

Room 434 Forum Building | 607 South Drive | Harrisburg, Pennsylvania 17120 | 717.705.1657 | F 717.787.0804 | www.pennvest.pa.gov

To: Moody, Christina[Moody.Christina@epa.gov]
From: Bull, Nancy
Sent: Fri 10/13/2017 1:35:59 PM
Subject: Citizen Name/Ex. 6
20171013093122975.pdf

Re-sending case as I have not heard back on this one. Thanks Christina.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>
<http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Friday, October 13, 2017 9:31 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 10.13.2017 09:31:22 (-0400)

SUBJECT/PROBLEM:

There are high levels of ecoli in my well water, and I am requesting copies of any federal regs which indicate what acceptable levels are. Additionally, I am requesting a copy of the federal regulations or ruling or ordinance that apply to the 50 mile protected radius from Fifteen Mile Creek. (Probably old ruling) (Sideling Hill Watershed considered "pristine")

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA or Revenue or (NAME OF AGENCY) in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below: any other federal agency.

NAME: Citizen Name/Ex. 6

ADDRESS: Personal Address/Ex. 6

PHONE: Personal Phone/Ex. 6

EMAIL:

SIGNATURE: Citizen Name/Ex. 6 DATE: 09-/07/17

SOCIAL SECURITY NUMBER: SSN/Ex. 6

DATE OF BIRTH: DOB/Ex. 6

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

Phone – 717-264-8308 Fax – 717-264-0269

To: Moody, Christina[Moody.Christina@epa.gov]
From: Bull, Nancy
Sent: Wed 9/13/2017 2:17:20 PM
Subject: Citizen Information/Ex. 6
20170913101153594.pdf

Please see attached case. Is this something you can respond to? If not, please direct me. Thank you!

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Wednesday, September 13, 2017 10:12 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 09.13.2017 10:11:53 (-0400)

SUBJECT/PROBLEM:

There are high levels of ecoli in my well water, and I am requesting copies of any federal regs which indicate what acceptable levels are. Additionally, I am requesting a copy of the federal regulations or ruling or ordinance that apply to the 50 mile protected radius from Fifteen Mile Creek. (Probably old ruling) (Sideling Hill Watershed considered "pristine")

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA or Revenue or (NAME OF AGENCY) in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below: any other federal agency.

NAME:

ADDRESS: Citizen Information/Ex. 6

PHONE: Citizen Information/Ex. 6

EMAIL:

SIGNATURE: X Citizen Information/Ex. 6 DATE: 09-/07/17

SOCIAL SECURITY NUMBER: Citizen Information/Ex. 6

DATE OF BIRTH:

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
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Subject: Transmittal of the US Environmental Protection Agency's FY2016 No FEAR Act Report to Congress (Shuster)
FY16 USEPA's No FEAR Act Report to Congress .pdf
FY16_No FEAR Act RTC_Shuster.pdf

On behalf the U.S. Environmental Protection Agency, I am transmitting the FY2016 No FEAR Act Report to Congress, prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Public Law 107-174.

If you have any questions regarding this report, please contact me at 202-564-2064 or williams.thea@epa.gov.

Kind Regards,

Thea

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OFFICE OF CIVIL RIGHTS

U.S. ENVIRONMENTAL PROTECTION AGENCY

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I. EXECUTIVE SUMMARY

The U.S. Environmental Protection Agency (EPA or Agency) provides its Annual Report to Congress as required by Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174. As required, this report includes information related to the number of discrimination and retaliation cases in Federal court pending or resolved in fiscal year (FY) 2016 and, their disposition; reimbursement(s) to the Judgment Fund; and the number of employees disciplined for discrimination, retaliation and harassment, and the nature of the disciplinary action taken.

During FY 2016, there were a total of 11 discrimination and retaliation cases pending before Federal courts. Among these cases, there were eight (8) claims of violation of Title VII of the Civils Rights act of 1964, three (3) claims of violation of the Rehabilitation Act of 1973, and three (3) claims of violation of the Age Discrimination in Employment Act.[1]

In addition, the No FEAR Act requires Federal agencies to post the total number of final actions involving a finding of discrimination, along with the issues in and bases for such complaints. In 2016, EPA had no final actions involving a finding of discrimination.

EPA is dedicated to establishing and maintaining a model civil rights program that serves as an example for all Federal agencies. EPA's commitment to this goal is reflected in the subject report which the Agency respectfully submits for review.

II. BACKGROUND

On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," or, as it is more commonly known, the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws." Public Law 107-174, Summary. In support of this purpose, Congress found that "agencies cannot be run effectively, if they practice or tolerate discrimination." Public Law 107-174, Title I, General Provisions, section 101(1).

Section 203 of the No FEAR Act requires that each Federal agency submit an annual report to Congress not later than 180 days after the end of each fiscal year. Agencies must report on the number of Federal court cases pending or resolved in each fiscal year arising under each of the respective areas of law specified in the Act in which discrimination or retaliation was alleged. In connection with those cases, agencies must report their status or disposition; the amount of money required to be reimbursed to the Judgment Fund; and the number of employees disciplined in any cases, Federal court or otherwise, of discrimination, retaliation, or harassment. Agencies must also report on any policies implemented related to appropriate disciplinary actions against a Federal employee who discriminated against any individual, or committed a prohibited personnel practice; any employees disciplined under such a policy for conduct inconsistent with Federal antidiscrimination laws and whistleblower protection laws; and an analysis of the data collected relative to trends, causal analysis, and other information.

[1] Cases can multiple claims.

The Act imposes additional duties upon Federal agency employers intended to reinvigorate their longstanding obligation to provide a work environment free of discrimination and retaliation. The additional obligations contained in the No FEAR Act can be broken down into four (4) categories:

- A Federal agency must reimburse the Judgment Fund for payments made to employees, former employees, or applicants for Federal employment because of actual or alleged violations of Federal employment discrimination laws, Federal whistleblower protection laws, and retaliation claims arising from the assertion of rights under those laws.
- An agency must provide annual notice to its employees, former employees, and applicants for Federal employment concerning the rights and remedies applicable to them under the employment discrimination and whistleblower protection laws.
- At least every two (2) years, an agency must provide training to its employees, including managers, regarding the rights and remedies available under the employment discrimination and whistleblower protection laws.
- Quarterly, an agency must post on its public website summary statistical data pertaining to Equal Employment Opportunity (EEO) complaints filed with the agency.

The President delegated responsibility to the Office of Personnel Management (OPM) for issuance of regulations governing implementation of Title II of the No FEAR Act. OPM published final regulations on the reimbursement provisions of the Act on May 10, 2006. Final regulations to carry out the notification and training requirements of the Act were published on July 20, 2006, and OPM published the final regulations to implement the reporting and best practices provisions of the No FEAR Act on December 28, 2006. The EEOC published its final regulations to implement the posting requirements of Title III of the No FEAR Act on August 2, 2006. The EPA has prepared the subject report based on the provisions of the No FEAR Act in accordance with OPM and EEOC's final regulations.

III. DATA

a. Civil Cases

Section 203(a)(1) of the No FEAR Act requires that agencies include in their Annual Report "the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged." Section 724.302 of OPM's final regulations on reporting and best practices clarifies section 203 (1) of the No FEAR Act, stating that agencies report on the "number of cases in Federal Court [district and appellate] pending or resolved…arising under each of the respective provisions of the Federal Antidiscrimination Laws and Whistleblower Protection Laws applicable to them…in which an employee, former Federal employee, or applicant alleged a violation(s) of these laws, separating data by the provision(s) of law involved."

During FY 2016, there were a total of 11 of such cases pending before Federal courts. Among these cases, there were eight (8) claims of violation of Title VII of the Civil Rights Act of 1964, three (3) claims of violation of the Rehabilitation Act of 1973, and three (3) claims of violation of the Age Discrimination in Employment Act.

Of the 11 cases noted above, two (2) were settled during the reporting period. One (1) settlement involved a lump-sum payment of $25,000. The other settlement involved a total payment of $525,000, of which $250,000 was designated for the payment of attorneys' fees. Both settlement payments will be reimbursed to the Judgment Fund.[2]

Of the remaining nine (9) cases, the agency prevailed in five (5) after filing dispositive motions with the court. The agency is awaiting decisions on three (3) other cases in which it filed dispositive motions. One other case is currently in pre-trial proceedings.

b. Reimbursement to the Judgment Fund

During FY 2016, the agency was required to reimburse the Judgment Fund $550,000 as a result of settlements reached in two (2) civil cases.

c. Disciplinary Actions (5 Code of Federal Regulations (C.F.R.) § 724.302 (a)(3) & (5))

There were no employees disciplined in FY 2016, in connection with any cases described in paragraph (a) above, or for any other conduct that is inconsistent with Federal antidiscrimination laws and whistleblower protection laws or for conduct that constitutes prohibited personnel practices. Discipline as defined in § 724.102 means any one or a combination of the following actions: reprimand, suspension without pay, reduction in grade or pay, or removal.

d. Final Year-End Data Posted Under Section 301(c)(1)(B)

The final year-end data posted pursuant to section 301(c)(1)(B) of the No FEAR Act are included in Appendix 1. The final year-end data indicates that during FY 2016, there was a forty-eight percent (48%) increase in the number of formal complaints filed compared to FY 2015. In FY 2015, fifty-eight (58) formal complaints of discrimination were filed with the agency. During FY 2016, there were eighty-six (86) new formal complaints of discrimination filed by eighty-three (83) employees or applicants for employment. FY 2016 saw the second highest number of formal complaints filed since the Agency began tracking the data in accordance with the No FEAR Act.

During FY 2016, EPA's Office of Civil Rights (OCR) saw a significant decrease in the average number of days of an investigation, by twenty-one percent (21%), and five (5) year low (257.40 days in FY 2015 to 213.51 days in FY 2016).

[2] Cases can multiple claims.

FY 2016 complaint totals can be found in their entirety at Appendix 1 of this report.

e. Policy Description on Disciplinary Actions (5 C.F.R. § 724.302(a)(6))

The FY 2016 policy, addresses a variety of topics, including prohibition of discrimination in the workplace, and it includes a reminder to all employees that the agency will review any finding of discrimination and take disciplinary or corrective action, when appropriate. The EEO Policy, as well as information on addressing harassment and reasonable accommodation, was discussed in EPA's mandatory Successful Leaders Program for all new Agency supervisors. The 2016 EEO Policy can be found in its entirety at Appendix 4 of this report.

Additionally, EPA Order 3110.6B, *Adverse Actions*, EPA Order 3120.1B, *Conduct and Discipline*, EPA Order 3120.2, *Conduct and Discipline, Senior Executive Service,* and applicable collective bargaining agreements, provide guidance to managers about the type of disciplinary actions that may be taken, when appropriate, in response to a finding of discriminatory behavior or conduct. These actions may range from informal corrective actions, including oral admonishments and written warning, to more formal disciplinary actions such as a suspension without pay or removal.

EPA has an ongoing commitment to continue to include clear expectations about EEO in performance standards for managers. EPA has maintained revised Senior Executive Service standards that not only focus on preventing discrimination in hiring activities and promoting merit systems principles, but also require senior leaders to be personally involved in leading and implementing EEO and civil rights initiatives consistent with applicable laws. In addition, at the end of every performance cycle, the Director of OCR, Performance Review Board members, and Executive Review Board members evaluate management self-assessments to ensure that the respective rating is an appropriate reflection of the accomplishments listed.

f. No FEAR Act Training Plans (5 C.F.R. § 724.302 (a)(9))

No FEAR Act training was required for current agency employees in FY 2016. The Agency saw a 99% completion rate for No FEAR Act training during the reporting period. Additionally, new employees were required to take the training within their first 90 days of onboarding. The agency is committed to achieving a 100% completion rate for current employees for FY 2018.

IV. ANALYSIS OF TRENDS, CAUSAL ANALYSIS AND PRACTICAL KNOWLEDGE GAINED THROUGH EXPERIENCE (5 C.F.R. § 724.302 (a)(7))

At the conclusion of FY 2016, the bases of alleged discrimination most often raised were: (1) retaliation; (2) age; and (3) sex, which is consistent with FY 2015. The eighty-six (86) EEO complaints filed in EPA in FY 2016 contained sixty (60) allegations of retaliation, forty-one (41) allegations of age discrimination, and thirty-six (36) allegations of sex discrimination. While retaliation remains the top basis alleged in complaints filed, it should be noted that retaliation,

age and sex are the top three (3) bases most frequently alleged in discrimination complaints throughout the entire Federal workforce.[3]

The data shows that of the Agency total workforce of 15,754, only 0.52% of the agency employees have filed complaints. This percentage aligns with the last reported government-wide average of 0.5% of the workforce that filed formal complaints.[4] EPA continues to stress training as a method for ultimately reducing the number of Federal court judgments, awards, and formal complaints, by having managers and staff continuously expand their knowledge of their responsibilities to promote equal employment opportunity. Additionally, EPA promotes training to help employees understand they also have a role in creating a workplace that promotes EEO.

EPA completed investigations for complaints pending during FY 2016 with an average processing time of 213 days, a five (5) year low. As discussed in the FY 2012 No Fear Report, and implemented effectively during FY 2014 and 2015, the agency's revamped, streamlined investigative process has significantly improved the proportion of cases adjudicated within the applicable timeframes.

During FY 2016, EPA's OCR issued final agency actions in complaints pending in an average of 300.90 days, which is a 7% decrease in processing time from FY 2015(321.88 days in FY 2015). This is also a thirty-four percent (34%) decrease in processing time from FY 2011 (which was 449.95 days). EPA has consistently improved its processing time for investigations and final agency actions.

V. ADJUSTMENTS TO BUDGET (5 C.F.R. § 724.302(a)(2)(ii))

As reported, during FY 2016, the agency was required to reimburse the Judgment Fund in connection with two (2) settled cases. One settlement involved a payment of $25,000, while the other settlement involved a total payment of $525,000, $250,000 of which was designated for the payment of attorneys' fees.

VI. ACTIONS PLANNED OR TAKEN TO IMPROVE COMPLAINT OR CIVIL RIGHTS PROGRAMS (5 C.F.R. § 724.302 (a)(7)(iv))

EPA's Civil Rights program has taken several steps to strengthen EPA's commitment to civil rights and equal employment opportunity in the workplace:

- During FY 2016, the Agency issued its Anti-Harassment Procedures to prevent and address incidents of harassment in the workplace and to provide a consistent and effective procedure for responding to allegations of harassment. The procedures supplement the Agency's 2014 Anti-Harassment Policy and provide for prompt reporting of allegations of harassment; prompt inquiry into allegations of harassment, and prompt

[3] As reported in FY 2014 Report of the Federal Workforce. http://www.eeoc.gov/federal/reports/fsp2014/index.cfm.
[4] As reported in FY 2014 Report of the Federal Workforce. http://www.eeoc.gov/federal/reports/fsp2014/index.cfm.

and appropriate corrective action as necessary. The procedures in their entirety can be found at Appendix 3.

-
- OCR is focused on improving processing time in accepting/dismissing complaints. In addition to imposing time elements in its EEO professionals' performance plans, the agency has two full-time attorneys among its staff in the civil rights office to review all formal complaints for acceptance/dismissal, write all dismissal decisions, and provide EEOC case law in its analyses to support its dismissal decisions.

- In FY 2016, OCR hired a second staff attorney to assist with drafting final actions. Within thirty days of assignment to an attorney, draft final actions are forwarded to the Civil Rights and Finance Law Office (CRLFO) for review.

- In FY 2016, the EEO Counselor Training Committee, responsible for identifying and delivering EEO counselor training to maintain Counselor certification, identified and/ or delivered fourteen (14) 1.0 to 1.5-hour training sessions. Also, 254.0 credit hours were earned by 26 collateral-duty EEO Counselors, and 212.5 credit hours were credited to 25 full-time EEO employees who also participated in the training sessions.

  Topics of training included: Cultural Awareness Series: LGBT; Internal Mediation Pilot Briefing Update; Face-to-Face Interviews in a Virtual World/ Skype for Business for EEO Counselors; Dealing with Bullying in the Workplace; Unconscious Bias: Hidden Barriers; Working with Difficult People: How to Work with Aggressive People; No FEAR Act; Microbehaviors: Understanding, Harnessing and Leveraging the Power of the Unconscious Mind; CR and EPA LGBT on-line discussion; What Does the Macy Decision mean for T7?

- In FY 2016, there were noteworthy improvements in EEO informal complaint processing, despite the loss of integral alternative dispute resolution (ADR) staff. Specific areas include timely fact-finding for informal complaints of discrimination, making an offer to participate in ADR, and the number of ADR acceptances. Timeliness rates for conducting ADR increased from ninety-two percent (92%) in FY 2015 to ninety-six percent (96%) in FY 2016, ADR participation rates increased from forty-one percent (41%) in FY 2015 to forty-seven percent (47%) in FY 2016. In FY 2016, thirty-three percent (33%) of ADR cases were resolved.

  During FY 2016, OCR rolled out a pilot ADR program that shows great promise. The pilot was initiated as a means of providing additional mediators to the Agency – individuals who could mediate cases either in person or via video teleconference (VTC). Several of the Agency's Regions and Laboratories did not have access to low- or no-cost mediation services such as Shared Neutrals Programs of the local Federal Executive Boards.

In addition to providing mediators at no-cost to the Agency (vs. an average cost of $600/case when using private mediators), the use of EPA internal mediators was beneficial in these ways:

- Mediators knowledgeable of the Agency, its organizations and people;
- Decreased time for scheduling ADR sessions;
- Increased number of ADR sessions completed prior to complaints going to the formal stage;
- More time for discussion of issues, proposed settlements, etc., resulting in more cases reaching settlement and/or other resolution in the informal complaint phase.
- Uniform ADR services – scheduling, communication to participants, follow-up, etc., by utilizing an ADR Coordinator for all OCR-related mediations.

EPA will increase its efforts to market the ADR program during the informal phase of EEO counseling, via centralized EEO intake. OCR anticipates that using ADR in this way will help reduce costs associated with adjudicating formal complaints. OCR will continue using the shared neutrals programs in regions at no cost to EPA. OCR will market and promote ADR as part of overall agency policy.

- OCR will continue to monitor and evaluate its current Standard Operation Procedures for investigations and its Statement of Work with the United States Postal Service, its investigative contractor. OCR will make adjustments to promote the efficiency of the investigative process with the goal of completing investigations within the 180-day requirement.

- To meet delineated goals, OCR will reevaluate its review and routing processes to determine the most efficient methods for obtaining legal sufficiency reviews while aggressively seeking to meet the regulatory requirement for timely issuing of ROI's and Final Agency Decisions.

- Within the EPA, every member of the Senior Executive Service has had a performance standard related to equal employment opportunity and diversity in the workplace for several years. Senior managers must outline the specific related initiatives and actions they have personally undertaken and the results or effectiveness of those actions. At the end of every performance cycle, the Director of the Office of Civil Rights, Performance Review Board members, and Executive Review Board members review these managers' self-assessments to verify that the respective rating for the EEO performance standard is a reflection of the accomplishments listed.

- All EPA EEO investigators and counselors received the required annual training and/or refresher training in accordance with Management Directive 110.

- EPA works to comply with orders from Administrative Judges in a timely manner. In addition, timely compliance with court orders is a factor that is included in the

performance standard of the Assistant Director, Office of Civil Rights, Employment Complaints Resolution Staff (ECRS). In addition, EPA has established systems to ensure that the agency initiates any monetary or other relief in a timely manner.

- OCR posts all No FEAR statistics on the OCR website on a quarterly basis.

- OCR management makes presentations during the monthly new employee orientations to ensure that all new employees are notified of the rights and remedies applicable to them under the employment discrimination and whistleblower protection laws. New employees are also reminded of their obligation to complete No Fear Training within ninety (90) days of onboarding.

- The Civil Rights Director and EEO Officials across the agency participate in briefings, listening sessions, and brainstorming sessions to discuss EEO with managers, senior leaders and employees in order to identify and address any potential barriers and specific action items that can continue to improve the agency's EEO and Civil Rights program.

APPENDIX 1

Equal Employment Opportunity Data Posted Pursuant to the No Fear Act:

EPA (and below)

For 4th Quarter 2016 for period ending September 30, 2016

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
	2011	2012	2013	2014	2015	
Number of Complaints Filed	64	79	62	48	58	86
Number of Complainants	61	77	59	45	57	83
Repeat Filers	3	2	3	3	1	3

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2011	2012	2013	2014	2015	
Race	25	40	22	23	25	32
Color	10	13	7	10	11	17
Religion	2	9	4	3	5	9
Reprisal	39	44	31	28	30	60
Sex	29	42	27	14	27	36
PDA	0	0	0	0	0	0
National Origin	10	13	12	10	11	15
Equal Pay Act	2	1	1	1	2	3
Age	21	37	22	22	28	41
Disability	24	25	19	18	18	34
Genetics	0	0	0	0	1	0
Non-EEO	1	8	7	6	6	7

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	**2011**	**2012**	**2013**	**2014**	**2015**	
Appointment/Hire	1	5	5	7	5	6
Assignment of Duties	12	12	5	5	16	13
Awards	2	5	0	3	4	2
Conversion to Full Time/Perm Status	0	2	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	3	2	3	6	2	9
Suspension	3	2	6	4	0	8
Removal	1	2	0	3	2	5
Letter of Warning	0	0	0	0	0	3
Duty Hours	3	3	2	0	0	1
Perf. Eval./ Appraisal	11	21	9	5	5	21
Examination/Test	1	0	0	0	0	0
Harassment						
Non-Sexual	30	32	22	19	28	48
Sexual	1	1	2	1	3	3
Medical Examination	0	0	0	0	0	0
Pay including overtime	4	4	1	0	1	3
Promotion/Non-Selection	18	26	10	8	5	9
Reassignment						
Denied	3	3	0	2	3	1
Directed	1	5	2	2	1	6
Reasonable Accommodation Disability	8	7	9	3	4	13
Reinstatement	0	0	0	0	0	1
Religious Accommodation	0	0	0	0	0	0
Retirement	0	2	1	2	1	1
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	7

Complaints by Issue	2011	2012	2013	2014	2015	2016 Thru 09-30
Termination	9	5	4	1	1	3
Terms/Conditions of Employment	10	19	12	11	10	20
Time and Attendance	6	18	7	2	8	10
Training	4	11	2	6	6	2
Other						
User Defined - Other 1	0	0	0	0	0	0
Other	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
	2011	2012	2013	2014	2015	
Complaints pending during fiscal year						
Average number of days in investigation	274.33	326.57	311.07	245.08	257.40	213.51
Average number of days in final action	449.95	409.47	198.44	289.65	321.81	300.90
Complaint pending during fiscal yearwhere hearing was requested						
Average number of days in investigation	263.57	324.42	314.44	249.50	259.25	224.92
Average number of days in final action	0	326.57	35.00	12.00	36.00	26.27
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	312.00	328.83	306.58	233.87	253.36	198.75
Average number of days in final action	449.95	467.50	218.88	375.08	607.62	840.83

Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
	2011	2012	2013	2014	2015	
Total Complaints Dismissed by Agency	6	10	6	9	6	11
Average days pending prior to dismissal	441	212	123	258	99	130

Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	3	12	19	3	8	10

Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2016 Thru 09-30	
	2011		2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		1		1		0	
Without Hearing	0	0	1	100	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	1	100	1	100	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2016 Thru 09-30	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.	2011		2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		0		1		1		0	
Race	0	0	0	0	0	0	1	100	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	100	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	1	100	0	0	0	0
Disability	0	0	0	0	0	0	0	0	1	100	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings After Hearing	0		0		0		1		1		0	
Race	0	0	0	0	0	0	1	100	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	1	100	0	0	0	0
Disability	0	0	0	0	0	0	0	0	1	100	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		1		0		0		0		0	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	100	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2016 Thru 09-30	
	2011		2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		0		1		1		0	
Appointment/Hire	0	0	0	0	0	0	1	100	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Letter of Warning	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	1	100	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	1	100	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	1	100	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										2016 Thru 09-30	
	2011		2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%	#	%
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
User Defined - Other 1	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0		0		0		1		1		0	
Appointment/Hire	0	0	0	0	0	0	1	100	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Letter of Warning	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	1	100	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										2016 Thru 09-30	
	2011		2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%	#	%
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	1	100	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
User Defined - Other 1	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		1		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0

Findings Without Hearing	Comparative Data										2016 Thru 09-30	
	2011		2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%	#	%
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Letter of Warning	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	1	100	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0

Other - User Define												
User Defined - Other 1	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status[5]	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
	2011	2012	2013	2014	2015	
Total complaints from previous Fiscal Years	61	59	87	87	87	85
Total Complainants	48	52	79	82	78	77
Number complaints pending						
Investigation	51	20	11	3	1	5
ROI issued, pending Complainant's action	0	3	3	0	0	0
Hearing	36	38	59	65	68	48
Final Agency Action	19	12	22	20	20	39
Appeal with EEOC Office of Federal Operations	4	8	15	13	14	41

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
	2011	2012	2013	2014	2015	
Pending Complaints Where Investigations Exceed Required Time Frames	70	31	22	3	2	7

[5] This section covers active complaints that were filed in prior years that remained open during FY 2016. It does not include complaints filed in 2016.

APPENDIX 2

THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 15 2014

MEMORANDUM

SUBJECT: Anti-Harassment Policy Statement

FROM: Gina McCarthy

TO: All Employees

I want to reaffirm the U.S. Environmental Protection Agency's commitment to prohibit harassment of any kind, as clearly stated in our agency's anti-harassment policy. Harassment is unlawful when it is directed at an individual because of a lawfully protected basis and is sufficiently severe or pervasive that it creates a hostile work environment or takes the form of a tangible employment action. It is EPA policy to ensure that appropriate measures are implemented to prevent harassment, either sexual or nonsexual, in the workplace and to correct harassing conduct before it becomes severe or pervasive. EPA policy also strictly prohibits any retaliation against an employee who reports a concern about workplace harassment or assists in any inquiry about such a report.

For the purposes of this policy, unlawful harassment is defined as any unwelcome verbal or physical conduct based on race; color; sex, including pregnancy and gender identity/expression; national origin; religion; age; prior protected Equal Employment Opportunity activity; protected genetic information; sexual orientation or status as a parent when:

- the behavior can reasonably be considered to adversely affect the work environment; or
- an employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct.

Sexual harassment can be either a form of harassment based on a person's sex that need not involve conduct of a sexual nature or harassment involving any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made explicitly or implicitly a term or condition of an employee's job, pay or career;
- submission to or rejection of such conduct by an employee is used as a basis for career or employment decisions affecting that employee; or
- such conduct has the purpose or effect of unreasonably interfering with an employee's performance or creates an intimidating, hostile or offensive environment.

Sexual harassment need not involve members of the opposite sex and can be perpetrated by and against members of either sex.

Examples of workplace harassment include:

- Oral or written communications that contain offensive name calling, jokes, slurs, negative stereotyping, hostility or threats. This includes comments or jokes that are distasteful or targeted at individuals or members of the lawfully protected bases set forth above.
- Nonverbal conduct, such as staring, leering and giving inappropriate gifts.
- Physical conduct, such as assault or unwanted touching.
- Visual images, such as derogatory or offensive pictures, cartoons or drawings. Such prohibited images include those in hard copy or electronic form.

The EPA does not permit harassment by or against anyone in the workplace. This includes any employee, applicant for EPA employment, grantee, contractor, Senior Environmental Employment enrollee or Federal Advisory Committee Act member. Workplace harassment should be reported immediately by the affected person to a first-line supervisor, a higher-level supervisor or manager in her or his chain of command, the Office of Inspector General or Labor and Employee Relations staff, as appropriate. Supervisors, in consultation with their human resources or legal offices, must conduct prompt, thorough and impartial inquiries.

If necessary and to the extent possible, measures must be taken to safeguard the anonymity of employees who file complaints. If management, in consultation with legal counsel, determines that harassment has occurred, it must be corrected as soon as possible. Harassing conduct by EPA employees need not rise to the level of unlawful harassment for it to constitute misconduct subject to corrective or disciplinary action.

In addition, EPA employees or applicants for employment may also use the complaint process established by the U.S. Equal Employment Opportunity Commission to file a complaint of harassment based on race, color, sex, religion, national origin, age, disability, prior protected EEO activity and protected genetic information for individual redress. To invoke that process, EPA employees and applicants must contact an EEO counselor within 45 days of an alleged incident of harassment. Reporting harassment to a supervisor in accordance with the previous paragraph does not satisfy this requirement and does not invoke the EEOC's process. EPA employees or applicants for employment may also report harassment based on sexual orientation and status as a parent to the EPA Office of Civil Rights.

Should you have any questions or need additional information about this policy, please contact the EPA Office of Human Resources at (202) 564-4646 or the EPA Office of Civil Rights at (202) 564-7272. Additional resources are available by visiting intranet.epa.gov/civilrights/lawsandstatus.htm.

APPENDIX 3

Classification No.: 4711
Approval Date: 11/20/2015
Review Date: 11/20/2018

PROCEDURE FOR ADDRESSING ALLEGATIONS OF WORKPLACE HARASSMENT

I. PURPOSE.

All employees shall be treated fairly and equitably and without discrimination. The purpose of this order is to prevent and address incidents of harassment (as defined herein) in the U.S. Environmental Protection Agency's (EPA or agency) workplace and to provide a consistent and effective procedure for responding to allegations of harassment. This Order supplements EPA's Anti-Harassment Policy and established a procedure for:

x Prompt reporting of allegations of harassment;

x Prompt inquiry into allegations of harassment, and

x Prompt and appropriate corrective action as necessary.

II. BACKGROUND.

This order is not intended to replace or impede the Equal Employment Opportunity Commission discrimination complaint process found at Title 29 C.F.R. Part 1614, the discrimination complaint process in EPA Order 1000.31A4, *Discrimination on the Basis of Sexual Orientation, Status as a Parent, Marital Status or Political Affiliation*; the Agency's administrative grievance process set forth in EPA Order 3110.8 A2, *EPA Administrative Grievance System*; or negotiated grievance processes for employees in collective bargaining units, and it does not alter the filing deadlines for invoking those processes. This order sets forth a procedure separate from those processes. Complaints of harassment may be made under this order irrespective of whether any other applicable process is invoked, and may be made in addition to other applicable processes.

III. APPLICABILITY.

This order applies to allegations of harassment based on race, color, sex (including pregnancy, sex stereotyping, gender identity or expression), national origin, religion, age, disability, prior protected Equal Employment Opportunity activity, sexual orientation, status as a parent, marital status, political affiliation, and protected genetic information.
This order, and the procedures contained herein, also apply to other types of harassment (e.g. actions that are threatening, intimidating, bullying and/or disturbing) but not alleged to be based on the protected classes listed above.[6]

This order applies to all EPA employees and applicants for employment, and to other persons included in the definition of "affected person" described in this order, and will be used by the agency to address allegations of workplace harassment regardless of who makes them or who the alleged harasser may be.

The information contained in this order does not create any independent rights and/or obligations enforceable in law or equity in any civil or criminal matter. This order and any procedures contained herein may not be construed to limit the otherwise lawful investigative, administrative, or prosecutorial prerogatives of the agency, its Office of the Inspector General, or the U.S. Department of Justice. The information contained in this order also does not supersede existing collective bargaining agreements and/or related statutory rights.

A. RELATIONSHIP OF THE PROCEDURES PROVIDED UNDER THIS ORDER TO THE EQUAL EMPLOYMENT OPPORTUNITY AND GRIEVANCE PROCESSES.

1. The procedures provided under this order do not extend, modify or otherwise alter the procedures, including the timeframes, provided in the EEO process, the grievance processes, or any other complaint process available to agency employees, former employees or applicants for employment.

2. This order creates an administrative process for reporting, inquiring into and, as needed, taking action to address complaints of harassment, as defined in Section IV, and that process is independent of the EEO process.

3. Reports of harassment related to an EEO complaint that come to the attention of a supervisor, manager, or agency Human Resource Official, require initiation of an inquiry based upon this order and will not impact the disposition of a complaint filed in another forum. Employees reporting a claim of harassment relating to the protected EEO categories described above, should be informed of the applicable EEO process.

[6] Such as bullying of an employee based on his/her grade (GS) level or educational background, union activity, etc.

4. Affected persons may report incidents of harassment under this order even if they initiate the EEO process through the Agency's Office of Civil Rights or if they invoke any other complaint procedure.

5. For further details on how to file an EEO complaint, in addition to or independent of the procedures in this order, please consult http://www.epa.gov/civilrights/t7filecmplt.htm.

6. Affected persons who are included in bargaining units seeking information on deadlines and other procedures for filing a grievance, independent of the process provided in this Order, may consult applicable collective bargaining agreements, and consult with applicable union representatives. Federal employees not included in a bargaining unit, who are seeking information on deadlines and other procedures for filing an administrative grievance, may consult applicable procedures at http://intranet.epa.gov/ohr/rmpolicy/ads/orders/3110_8a2.pdf

B. OTHER TYPES OF HARASSMENT AND GENERAL MISCONDUCT

1. Affected persons may be subject to incidents of harassment that are not based on one of the protected classes identified in this order. These include actions that are threatening, intimidating, bullying[7] and/or disturbing but are not alleged to be or determined to be based on race, color, sex (including pregnancy, sex stereotyping, gender identity or expression), national origin, religion, age, disability, prior protected EEO activity, sexual orientation, status as a parent, marital status, political affiliation, and protected genetic information. Assignment of work by a supervisor, a difference of opinion, a disagreement on a work-related matter, or any other similar communication that is expressed in a professional manner, are not considered harassment.

2. Affected persons who believe they have been subjected to these other forms of harassment or misconduct not based on protected class should still immediately report the matter to a first- line supervisor or, if the first-line supervisor is the alleged harasser, a higher-level supervisor or manager in his or her chain of command, or an agency HR official. Such reports will be handled through procedures contained in this order.

C. THREATS OF VIOLENCE[8]

[7] Bullying may rise to the level of harassment as defined in this order

[8] Refer to EPA Order 1400.1 A2 EPA POLICY FOR PREVENTING VIOLENCE IN THE WORKPLACE.

1. All affected persons should report threats of violence, an actual assault, or any acts of violence immediately to agency security officials, local law enforcement, and the OIG.

2. All supervisors, managers, and agency HR officials must report threats of violence, and actual assault, or any acts of violence immediately to agency security officials, local law enforcement, and the OIG.

IV. DEFINITIONS.

For purposes of this order only, the following definitions apply:

A. Harassment. Any inappropriate, unwelcome conduct, verbal or physical, based on an individual's race, color, sex (including pregnancy, sex stereotyping, gender identity or expression), national origin, religion, age, disability, prior protected EEO activity, sexual orientation, status as a parent, marital status, political affiliation, protected genetic information, or other conduct that is threatening, intimidating, and/or bullying when the conduct can reasonably be considered to adversely affect the work environment or terms and conditions of the affected person's employment, or an employment decision impacting upon an affected person is based on the affected person's acceptance or rejection of such conduct. Examples of harassment may include, but are not limited to:

1. Oral or written communication related to membership in one of the groups set forth above that contains offensive name calling, jokes, slurs, negative stereotyping, hostility or threats. This includes comments or jokes that are distasteful or targeted at individuals or members of the groups set forth above.

2. Nonverbal conduct, such as staring or leering that can objectively be construed as harassment based on the categories listed above.

3. Physical conduct, such as assault or unwanted touching.

4. Distribution or display of visual images, such as derogatory or offensive pictures, cartoons or drawings. Such prohibited images include those in hard copy or electronic form.

B. Sexual Harassment. Sexual harassment is harassment that involves conduct of a sexual nature, harassment involving any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature. This occurs when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an affected person's job, pay or career (i.e. Quid Pro Quo);

2. Submission to or rejection of such conduct by an affected person is used as a basis for career or employment or other work-related decisions affecting that affected person, or

3. Such conduct has the purpose or effect of unreasonably interfering with an affected person's performance or creates an intimidating, hostile or offensive environment.

NOTE: Sexual harassment need not involve members of the opposite sex and can be perpetrated by and against members of either sex.

C. **Affected Person.** A federal employee, an applicant for employment, a grantee employee, a contractor employee, an EPA Federal Advisory Committee Act member, a Senior Environment Employee enrollee, a student volunteer or intern, or a Public Health Service Officer who believes he or she has been subjected to harassment in the course of his or her employment or performance of agency-related functions.

D. **Agency Human Resource Official.** A Human Resource Officer/Project Management Officer, a headquarters Workplace Solutions staff member, or a Labor and Employee Relations Specialist. Referred to as agency HR official.

E. **Agency Security Officials.** EPA security personnel or Federal Protective Service.

F. **Alleged Harasser.** Any person, regardless of his or her employment relationship with the Agency, who allegedly subjected an affected person to workplace harassment. An alleged harasser could be a manager or supervisor, subordinate, co-worker, or non-agency employee.

G. **Fact-finder.** A person who conducts a fact-finding inquiry under this order regarding allegations of harassment. The fact-finder must be a person who is not named in the allegation(s) of harassment and who has not witnessed the alleged incident(s) of harassment. The fact-finder must also not act as an advocate on behalf of either party. The fact-finder may be a supervisor or manager in the alleged harasser's organization, a supervisor or manager outside the alleged harasser's organization, an agency HR official, a contractor, or another uninvolved individual. The fact-finder, however, shall not be a subordinate employee to the alleged harasser.

H. **Fact-finding.** Information gathered regarding allegations of harassment in order to provide a reasonable and sufficient basis for a conclusion by a decision-maker as to whether such conduct has occurred. The nature, extent and scope of the fact-finding will vary based on the circumstances.

I. **Fact-finding Report.** A written report that may be prepared by the fact-finder depending on the nature of the fact-finding. The information contained in the fact-finding report should include a summary of all investigative steps taken and evidence gathered. The report does not render judgment on the allegations or evidence of harassment and does not contain any recommendations to the decision-maker; it merely sets forth the relevant facts, as revealed through the inquiry.

NOTE: Even when a fact-finding report is not necessary, there must be some documentation reflecting any action taken by the decision maker.

J. **Decision-maker.** A supervisor or manager (typically in the alleged harasser's supervisory chain) with authority to make determinations as to whether the alleged harassment actually occurred and, if so, to take and contemporaneously document appropriate corrective action. The decision maker should not act as the fact-finder. The decision maker should not have been named in the allegation(s) of harassment or witnessed the alleged incident(s) of harassment, and may not serve as an advocate on behalf of either party. In situations where the alleged harasser is not an agency employee (e.g., grantee or contractor employee), the decision-maker will take corrective action to the extent permitted by law or regulation. In such situations, the decisionmaker may have to coordinate with the alleged harasser's employer to ensure that prompt corrective action is taken regarding the allegations of harassment.

K. **Workplace Bullying.** Workplace bullying may include the deliberate, hurtful, negative, repeated mistreatment of one or more employees. Examples of workplace bullying include constant and unfair criticism, teasing, yelling, insulting, malicious gossiping, and aggressive behavior.

V. PROCEDURES.

A. Reporting Harassment

The individuals to whom allegations may be reported, as described in IV.A.1, IV.A.2, and IV.A.3 are supervisors, managers or agency HR officials and applies to reports of harassment by both affected person(s) and witnesses.

1. An affected person who believes he or she is being harassed should immediately report the matter to a first-line supervisor, or, if the first-line supervisor is the alleged harasser, then to the next manager in his or her chain of command, a higher-level supervisor or an agency HR official. Affected persons are required to provide a written account of such alleged conduct as soon as possible after reporting the alleged harassment.

2. Witnesses to alleged incidents of harassment may also report these incidents pursuant to the procedures contained in this order. Witnesses should report and may be expected to, provide a written description of the alleged incident(s) of harassment to his or her own supervisor or manager, to the supervisor or manager in the affected person's chain of command, or to an agency HR official.

3. In instances where an affected person designates a representative in writing, the affected employee's personal representative or union representative may report these incidents on behalf of the affected person pursuant to the procedures contained in this order. Any bargaining unit employee may request union representation at any time during these procedures in accordance with existing laws and collective bargaining agreements.

4. Any supervisor or manager or agency HR official, as described inV.A.1, V.A.2, andV.A.3 above, who receives a report of alleged harassment or otherwise becomes aware of harassment[9], or an allegation of the same, shall immediately refer the matter to the alleged harasser's first-line supervisor. If the alleged harasser's first-line supervisor is named in the allegations, the matter should be referred to a higher-level supervisor in the alleged harasser's chain of command or an agency HR official.

5. If an affected person informs a supervisor, manager or an agency HR official about alleged harassment, but asks him or her to keep the matter confidential and takes no action, the individual receiving the allegation must inform the affected person of the supervisor's, manager's or agency HR official's obligation to report the allegations to the affected person's chain of command who will take steps described in IV.B. below, consistent with this order.

6. If the allegation involves an affected person or an alleged harasser who is not an agency employee, the individual receiving the allegation shall promptly contact an agency HR official or agency legal counsel to determine the appropriate course of action, including how the appropriate employer will be notified.

B. <u>Immediate Response</u>

Any agency official (supervisor, manager, or agency HR official) who becomes aware of, or is notified of, an allegation(s) of harassment, must immediately take the following actions:

[9] EPA supervisors and managers are required to address or correct harassment regardless of whether an affected person files a complaint.

1. Coordinate with the agency HR official(s), agency legal counsel, as necessary, and an appropriate supervisor or manager in the alleged harasser's chain of command. Generally, the appropriate supervisor or manager will be the alleged harasser's first-line supervisor, unless s/he is named in the allegations. If the alleged harasser's first-line supervisor is named in the allegations, the matter should be referred to a higher-level supervisor in the alleged harasser's chain of command.

2. The supervisor or manager identified above, in coordination with agency HR official(s) and legal counsel, will promptly determine the appropriate decision-maker and fact-finder (who should not be the same person), if any, regarding the allegations. Information necessary to identify a decision maker may include the identity of the alleged harasser as well as others that may have been aware of the allegations and chose not to take action. In determining the appropriate fact-finder, management will also consider concerns or preferences expressed by the affected person (e.g. gender of the fact-finder or perceived biases regarding the designated fact-finder). Additionally, management will consider a request by the affected person for designation of a fact-finder from outside his/her chain-of-command or from outside the agency. In instances when an affected person makes such a request in writing, management will provide a written response to the affected person regarding his/her request. The affected person should be informed of the availability of the Employee Assistance Program.

3. The decision-maker, in consultation with agency legal counsel and an agency HR official, shall promptly assess the situation to determine the nature of the allegation and to identify what action(s), if any, should be immediately taken. The affected person should not be involuntarily transferred to another position pending fact-finding and review of the harassment allegations, or otherwise treated adversely in response to his/her allegations of harassment. Similarly, if the initial assessment does not indicate at least some basis to support the allegations of harassment, actions such as those listed below or any other action that would adversely impact the alleged harasser, should not be taken pending completion of the fact-finding.

   a. Immediate action will include:

1. Inform the alleged harasser that an allegation has been made, describe the nature of the allegation, and explain that the conduct, if true, must immediately cease.

2. Inform the alleged harasser of the prohibition against retaliation against any person for raising allegations of harassment, or participating in a fact-finding regarding such allegations.

3. Instruct the affected p erson and alleged harasser to refrain from initiating work-related contact with each other (in person, via email, or by telephone) pending the outcome of the fact -finding. In order to recognize that not all situations require an absolute prohibition on communications, allow managerial discretion to tailor an appropriate response to the situation at hand, and to avoid the potentially negative impact that the prior wording could possibly have. The scope and parameters of this limitation should be determined based on the severity of the allegations raised, and in consultation with agency legal counsel and the agency HR official.

4. Advise all persons involved that the confidentiality of harassment allegations and the identity of all involved, particularly the affected person(s) and alleged harasser(s), will be protected to the extent possible, and will only be revealed to persons with a need to know.

5. Inform the affected person and the alleged harasser that the agency is obligated to conduct appropriate fact-finding, including preparation of a fact-finding report (if appropriate), regardless of the manner in which the allegations came to management's attention and regardless of the affected person's desire that the allegations remain confidential or not be reported.

   NOTE: All supervisors, managers, and agency HR officials must report threats of violence, actual assaults, or any acts of violence immediately to agency security officials, local law enforcement, and the OIG.

b. Immediate action also may include:

   (1) Making work scheduling changes so as to avoid contact between the affected person and alleged harasser.

   (2) Temporarily transferring the alleged harasser.

   (3) When circumstances do not permit the physical separation of the alleged harasser and the affected perso n, pending the outcome of the fact - finding, the alleged harasser may be placed on administrative leave. When utilizing this option, managers should ensure the amount of time an employee is placed on non-disciplinary leave with pay is minimized to the extent possible and appropriate.

   (4) Where the alleged harassment involves conduct that may be criminal in nature (e.g., assault or battery), the matter should be immediately referred to an appropriate law enforcement entity including FPS and to the OIG. In situations where a law enforcement agency or the OIG initiates an investigation, any fact-finding conducted under this order

should only be conducted when coordinated with and authorized by the law enforcement agency or the OIG. In cases involving the OIG, the decision-maker, in consultation with agency legal counsel and an agency HR official, should coordinate with the OIG on other steps that may be taken to prevent further harassment to the affected person pending an OIG review or investigation into the allegations.

C. Fact-finding

Generally, the fact-finder will complete the fact-finding and, if appropriate, deliver a fact-finding report that has been reviewed by agency legal counsel and an agency HR official to the decisionmaker, within 15 business days of his or her designation. The time period for completing the fact -finding and report may be extended by the decision-maker under certain circumstances (e.g., unavailability of witnesses).

1. Prior to conducting any fact-finding, the fact-finder should develop a basic plan in coordination with agency legal counsel and an agency HR official regarding information to be gathered in the inquiry. The fact -finder should consult with agency legal counsel and an agency HR official as necessary throughout the fact finding. The fact -finder should refer to Appendix A, which contains sample interview questions that should be tailored to the particular allegation(s) at issue.

2. Fact-finding will usually include, at a minimum, interviews with:

   a. The affected person(s);

   b. The alleged harasser(s);

   c. Any witnesses to the alleged harassment, and

   d. Any other person who could reasonably be expected to have relevant information that could corroborate or refute alle gations, (e.g., the person did not witness the harassment but spoke to the affected person immediately after the alleged event and could provide useful information).

3. The fact-finder must remind the affected person, alleged harasser, and any other persons interviewed about the agency's prohibition against retaliation. Additionally, the fact-finder must advise any interviewee, prior to the start of the interview, that he or she will be required to certify the accuracy of his/her written statement, or of the interview summary prepared by the fact-finder, in accordance with Appendix C.

4. The fact-finder must complete summaries of any interviews conducted and obtain signatures from interviewed persons attesting to their accuracy, or obtain signed statements, affidavits, declarations, or transcribed interviews, under oath, as appropriate. If an interviewed person refuses to attest to the accuracy of the information he or she provides to the fact-finder that is reflected in an interview summary or other document prepared by the fact-finder, the factfinder may still include such document in the fact-finding report for consideration by the decision-maker. In such situations, the fact-finder must ask the interviewed person to explain his/her refusal for attesting to the accuracy of the document, and include such explanation in the fact-finding report.

   NOTE: Generally, an affected person or an interviewee will not be provided a copy of the fact-finding report, or other materials generated or obtained in the course of the fact-finding, with the exception of a copy of the written statement he or she provides, or the summary of his or her interview prepared by the fact-finder.

5. The fact-finding shall be confined solely to the reported allegation(s) of harassment. If additional unrelated allegations of harassment are made, or evidence of additional harassment comes to light during the fact-finding, the fact-finder shall immediately alert the decisionmaker for a determination (in consultation with agency legal counsel and an agency HR official) regarding whether the scope of the fact-finding should be expanded, or a new and separate fact-finding should occur.

6. In accordance with the applicable laws and regulations, all agency employees, including supervisors and managers, are required to cooperate in fact-findings regarding allegations of harassment. The fact-finder shall consult with agency legal counsel and an agency HR official regarding any refusal to cooperate in the fact-finding inquiry. Employees who are members of bargaining units represented by a union will be afforded any applicable rights and procedures required by law and under collective bargaining agreements during the fact-finding including the right to be represented during an interview. The fact-finder should consult with agency legal counsel and an agency HR official regarding any questions relating to an employee's right to representation.

D. <u>Decision Making</u>

1. The decision-maker must promptly:

   a. Review the results of the fact-finding;

   b. Consult with agency legal counsel and an agency HR official;

c. Determine whether the results demonstrate that any harassment occurred, and

d. Take any appropriate corrective action, in consultation with agency legal counsel and an agency HR official.

NOTE: In some circumstances, it may be difficult for a decision-maker to reach a determination because of contradictory information and a lack of documentary or eyewitness corroboration. In such cases, the decision-maker should perform a credibility assessment based on factors such as those set forth in Appendix A.

2. Corrective action, if warranted, should be designed to stop the harassment, put the affected person in the position he or she would have been in, to the extent possible, had the harassment not occurred, and ensure that the harassment does not recur. Corrective action need not be what the affected person requests or prefers, as long as it is effective. Corrective action should not adversely affect the affected person (e.g., if it is necessary to separate the parties, the affected person generally should not be moved without his or her consent).

   Corrective action, under this order, may include, but is not limited to:

   a. Restoration of leave taken because of the harassment if it is determined that leave was taken as a direct result of harassment;

   b. Offer of reinstatement to a former employee when it is determined that he or she left EPA involuntarily primarily due to harassment;

   c. Expunging negative evaluation (s) in employee's personnel file that arose from the harassment if it is determined that the negative evaluation directly resulted from harassment;

   d. Training;

   e. Reassignment of the alleged harasser, and/or,

   f. Disciplinary action[10].

   NOTE: In the event the alleged harasser is not an EPA employee, coordinate corrective action with the appropriate employer; such action may include termination of the alleged harasser's access to EPA facilities and equipment.

[10] Any disciplinary action will be taken in accordance with the applicable regulations, Agency orders, and collective bargaining agreements. The decision -maker should consult with an Agency HR official and Agency legal counsel on any disciplinary action to be taken.

3. If the decision-maker concludes that harassment has occurred, and takes corrective action, he or she shall notify the affected person that corrective action has been taken (without revealing either that any disciplinary action against the alleged harasser has occurred, or any other specific information that would violate the privacy rights of the alleged harasser), and encourage the affected person to immediately report any further harassment or retaliation.

4. If the decision-maker concludes that harassment has not occurred, the decision-maker will inform the affected person and alleged harasser that the harassment allegations were not supported by the information collected during the fact-finding.

5. Regardless of the conclusion, the decision-maker will inform the affected person and the alleged harasser of the prohibition against retaliation against anyone who reported allegations of harassment, and/or participated in the fact-finding.

6. The decision-maker shall make a record of conclusions reached and action(s) taken, if any. Records and evidence gathered during the fact-finding will be treated as confidential agency records and maintained in accordance with the applicable record retention laws, regulations and policies, including the Privacy Act.

7. The decision maker will provide the union with the same information (described in paragraphs 3 and 4 above) provided to affected persons and alleged harassers who are members of the bargaining unit.

VI. PROTECTION AGAINST RETALIATION.

Retaliation against any person who reports harassment, or who participates in a fact-finding, is prohibited and may result in disciplinary action, including dismissal.

VII. REVIEW DATE.

This order will be reviewed three (3) years from the date of approval to ensure that it is meeting its stated purpose. "Failure to conduct such review within the specified period will not void the requirements and procedures contained in the order."

VIII. TRAINING.

All managers and supervisors are required to complete training on these procedures. EPA will also ensure training is available for all employees.

IX. REFERENCES.

A. Administrator's Anti-Harassment Policy Statement

B. 29 C.F.R. Part 1614, Federal Sector Equal Employment Opportunity

C. 5 C.F.R. Part 752, Adverse Actions

D. EEOC's Enforcement Guidance: "Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors" (June 18, 1999), available at: http://www.eeoc.gov/policy/docs/harassment.html

E. EPA Order 1000.31A4, Discrimination on the Basis of Sexual Orientation, Gender Identity, Status as a Parent, Marital Status, or Political Affiliation

F. EPA Order 3110.6B, Adverse Actions

G. EPA Order 3110.8A2, EPA Administrative Grievance System

H. EPA Order 3120.1, Conduct and Discipline

I. EPA Order 3120.2, Conduct and Discipline Senior Executive Service

J. Applicable Collective Bargaining Agreements

APPENDIX 4

THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 31 2016

I am proud to affirm the U.S. Environmental Protection Agency's commitment to equal employment opportunity for all EPA employees and applicants for employment. Fostering a diverse and inclusive workplace through EEO is essential to fulfilling our mission to protect human health and the environment.

The EPA cannot and will not tolerate discrimination within the workplace based on race; color; sex, including pregnancy, gender stereotyping, gender identity or gender expression; national origin; religion; age; physical or mental disability; status as a parent; marital status; sexual orientation; transgender status; political affiliation; or protected genetic information. In addition, the EPA will not tolerate any type of harassment – either sexual or nonsexual – of any employee or applicant for employment. Employment decisions must be made in accordance with merit system principles contained in 5 U.S.C. § 2301.

EPA managers are expected to continue to provide first-class leadership in supporting the agency's EEO program by taking steps to promote EEO in all facets of employment, including recruitment, hiring, promotion, performance assessment, awards or career-development opportunities. I ask that all EPA employees, including managers and staff, take responsibility for reporting and addressing discriminatory conduct and preventing all types of discrimination, including workplace harassment.

The EPA promotes the use of alternative-dispute-resolution methods to resolve workplace disputes or EEO complaints. Managers are reminded that their participation in agency-approved alternative-dispute-resolution efforts to resolve EEO complaints is required, absent extraordinary circumstances as determined by the Office of Civil Rights' director or designee.

Any employee or applicant for employment who believes that he or she has been subjected to discrimination and elects to seek redress for discrimination must initiate the EEO complaint process within 45 days of the alleged discriminatory event by contacting the EPA's Office of Civil Rights Employment Complaints Resolution staff at (202) 564-7272 or an EEO officer at the regional or laboratory level. See also 29 CFR Part 1614, *Federal Sector Equal Employment Opportunity*, or EPA Order 1000.31A4, *Discrimination on the Basis of Sexual Orientation, Gender Identity, Status as a Parent, Marital Status, or Political Affiliation*, as applicable. In addition, an employee or applicant for employment who believes he or she was subjected to workplace harassment should also review EPA Order 4711, *Procedure for Addressing Allegations of Workplace Harassment*, for information on how to report allegations of workplace harassment.

Our success in advancing the EPA's mission hinges on a professional, productive, diverse and inclusive workplace. I appreciate your shared commitment to equal opportunity at the EPA and look forward to continuing our work together.

Gina McCarthy

This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 3 1 2017

OFFICE OF
CIVIL RIGHTS

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to submit the enclosed copy of the U.S. Environmental Protection Agency's Fiscal Year 2016 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174.

This report provides information regarding the number of cases arising under the respective areas of law cited in the No FEAR Act where discrimination was alleged; the amount of money required to be reimbursed by the EPA to the Judgment Fund in connection with such cases; the number of employees disciplined for discrimination, retaliation, harassment or any other infractions of any provision of law referred to under the No FEAR Act; an analysis of trends and knowledge gained; and accomplishments.

An identical letter has been sent to each entity designated to receive this report as listed in Section 203 of the No FEAR Act. The U.S. Attorney General, the Chair of the U.S. Equal Employment Opportunity Commission, and the Director of the U.S. Office of Personnel Management will also be sent a copy of the report.

If you have any questions, please contact me, or your staff may contact Thea J. Williams in EPA's Office of Congressional and Intergovernmental Relations at williams.thea@epa.gov or (202) 564-2064.

Sincerely,

Tanya A. Lawrence

Tanya A. Lawrence
Acting Director

Enclosure

Internet Address (URL) • http://www.epa.gov
Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Postconsumer, Process Chlorine Free Recycled Paper

To: Bull, Nancy[Nancy.Bull@mail.house.gov]
From: Moody, Christina
Sent: Wed 6/18/2014 2:37:32 PM
Subject: RE: Citizen Information/Ex. 6 Case

The letter has been received and is with the Regional office for response. You can contact that office directly at 215.814.5806.

Christina J. Moody
US Environmental Protection Agency
Moody.Christina@epa.gov

-----Original Message-----
From: Bull, Nancy [mailto:Nancy.Bull@mail.house.gov]
Sent: Wednesday, June 18, 2014 10:21 AM
To: Moody, Christina
Subject: Citizen Information/Ex. 6 Case

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

-----Original Message-----
From: Bull, Nancy
Sent: Wednesday, June 18, 2014 10:18 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 06.18.2014 10:18:19 (-0400)

To: Snyder, Raquel[Snyder.Raquel@epa.gov]
Cc: Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Thur 12/4/2014 2:35:01 PM
Subject: RE: Corsa Coal

Any update on this?

From: Joyce, Sean
Sent: Tuesday, December 02, 2014 3:12 PM
To: 'Snyder, Raquel'
Subject: RE: Corsa Coal

Hi Raquel,

Thanks for following up. The issue is somewhat long and convoluted and the consent decree is over a hundred pages long so it took me a while to get up to speed as this is out of my traditional wheelhouse. But I asked Corsa to put together a 1-pager (attached) so I could share it with you to help streamline the results.

Essentially at this point the bottom line of what they are looking for is what the amount of the fine will be, and if they can get some indication of when this will all be over. From my limited understanding they seem willing to pay the fines, but because of the broad range that it could fall on, they are just trying to pinpoint how much it might be for budgetary purposes.

So the ask:

1-timeline until this is over

2- total amount of fines being assessed

Attached is the one pager.

Thanks for your help

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Snyder, Raquel [mailto:Snyder.Raquel@epa.gov]
Sent: Tuesday, December 02, 2014 3:04 PM
To: Joyce, Sean
Subject: Corsa Coal

Hi Sean,

My colleague, Cheryl Mackay, forwarded your information to me. I understand you have a question about a consent concerning EPA and Corsa Coal? Can provide me with a little more information, I'd be happy to help.

Many thanks,

Raquel Snyder

To: Snyder, Raquel[Snyder.Raquel@epa.gov]
From: Joyce, Sean
Sent: Tue 12/2/2014 8:11:36 PM
Subject: RE: Corsa Coal
Corsa Coal Co.docx

Hi Raquel,

Thanks for following up. The issue is somewhat long and convoluted and the consent decree is over a hundred pages long so it took me a while to get up to speed as this is out of my traditional wheelhouse. But I asked Corsa to put together a 1-pager (attached) so I could share it with you to help streamline the results.

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Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

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Sent: Tuesday, December 02, 2014 3:04 PM
To: Joyce, Sean
Subject: Corsa Coal

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Many thanks,

Raquel Snyder

Corsa Coal Co., Section 308 Audit

Timeline of Events

U.S. Environmental Protection Agency's Clean Water Act Section 308 Information Request was sent March 7, 2012.

PBS provided its initial response to the Information Request on April 5, 2012, and since that date PBS has provided numerous written supplemental responses to U.S. EPA's Information Request and its various follow-up requests for additional information.

PBS has participated in multiple calls and meetings with representatives of U.S. EPA, U.S. Department of Justice and the Pennsylvania Department of Environmental Protection regarding PBS's compliance with its NPDES permitted mines over the past two and half years.

On June 19, 2014, the U.S. DOJ provided PBS with a proposed consent decree from the United States and the Commonwealth of Pennsylvania.

On September 17 and 18, 2014, U.S. EPA, U.S. DOJ and the PADEP conducted a site visit of PBS's operations, as well as met to discuss and negotiate the proposed consent decree.

Negotiations regarding the proposed consent decree are ongoing.

PBS has 2991 self-reported exceedances between March 2007 and Sept 2014. The violations are for pH, Iron, Manganese, Aluminum, and other standard mine parameters. PBS does not have Selenium issues. The majority of the exceedances (approx. 66%) are for elevated pH. It was common practice to treat water that contains manganese with high doses of lime or caustic because the pH of the water has to be elevated to at least a 10.0 for Manganese to precipitate out of solution. DEP was aware PBS was over-treating this water during this time and did not object. In 2012, PBS submitted applications for variance waivers on our NPDES permits where Manganese was an issue and DEP's Cambria DMO approved all of the requests without questions. We have several submittals into DEP's California DMO. They are still pending.

If we reevaluate the total number of exceedances, deducting the violations that now have pH waivers, the total number decreases to approx. 1991.

To: Snyder, Raquel[Snyder.Raquel@epa.gov]
From: Bull, Nancy
Sent: Mon 3/14/2016 7:28:51 PM
Subject: Metal Twp.
20160314152011244.pdf

Do you have a good email for Sasha. Her emails are being rejected. Thanks!

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>
<http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Monday, March 14, 2016 3:20 PM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 03.14.2016 15:20:11 (-0400)

SUBJECT/PROBLEM:

In the late 1990's Metal Township was ordered by PA DEP to build a public wastewater treatment system to service the Village of Fannettsburg, PA. Income surveys were completed revealing that over 50% of the residents were low-to-moderate income households. The Congressman's office was instrumental in securing over $1.2 million in federal grants for our project. Along with State Grants and a PENNVEST 1% interest loan of $820,687 the project was completed and became operational in 2002.

Our treatment plant equipment is deteriorating, increasing our maintenance costs. A major cost is the required PENNVEST annual CPA Audit Report. We always request proposals from CPA firms; however, the current 'agreement' will end in 4 yrs, costing $5,650 for the last year. Our PENNVEST loan runs another 16 years and we estimate the total annual audit cost will be in excess of $86,400. This amount actually exceeds all of the current funds we have.

In an attempt to cut additional costs, we sent a request (copy attached) to PENNVEST seeking a waiver of the CPA Audit. We proposed the township elected auditors perform the audit and reports; this request was denied (copy attached).

Our question is, since PENNVEST indicates that some of our funding grant involved EPA funds and thus the CAP Audit requirement, is there any options at the Federal level that would waive this requirement?

To help off-set the cash short-fall, the Board approved a $10 per month user fee increase, to start in 2016. Our fear is that the fee increase will greatly increase our delinquent account balances and cause more legal action with execution sales of customer assets.

We would be willing to discuss this matter with your staff. Our regular office hours are Mon-Wed-Fri from 8:00 am to 5:00 pm. The holiday schedule for the next two weeks is Mon-Wed, same hours. Thank you for your time and we look forward to hearing from you.

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the PENNVEST in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below:

NAME: Anna Swailes, Secretary Metal Township Supervisors
ADDRESS: 17001 Fannettsburg Rd, Box 332
Fannettsburg PA 17221

PHONE: 717-349-7452 EMAIL: localgov100@yahoo.com

SIGNATURE: _____ DATE: 12/21/2015

SOCIAL SECURITY NUMBER: EIN 25-1714248

DATE OF BIRTH: Citizen Information/Ex. 6

Please complete this form and *include a brief explanation of your problem,* then mail to:

COPY

17001 Fannettsburg Rd, Box 332
Fannettsburg, PA 17221
Phone 717-349-7452
Fax 717-349-2604

localgov100@embarqmail.com

Board of Supervisors
Roadmaster—Kenneth Miley
Secretary—Anna Swailes
Chairman—David Leab

October 26, 2015

Mr. Paul Marchetti, Executive Director
Pennsylvania Infrastructure Investment Authority
434 Forum Building, 607 South Drive
Harrisburg PA 17120

RE: Current PENNVEST Loan #P33000985-102

Dear Mr. Marchetti,

The Metal Township Municipal Authority (MTMA) Board was appointed and incorporated with Pennsylvania Department of State, to oversee operations of our public wastewater treatment plant in Fannettsburg, PA. The customer base is approximately 200 users, a majority of which falls within the low-to-moderate income category. Since the sewer system became operational in 2002 the MTMA has not increased the user rate, however; they still have dealt with many delinquent accounts by filing judgments or municipal liens, and in some situations, taking a customer through a Sheriff Sale, possessing the property, and then reselling it. In each of these cases, the MTMA incurred a financial loss but benefited by stopping increased delinquencies on these lots.

A major expense item to the MTMA is the Certified Public Accountant (CPA) requirement for the Annual Audit Report. Since 2002 the Annual Audit has cost the MTMA $64,327.30; over the remainder of the PENNVEST Loan, (16 yrs) the Annual Audit will cost another $86,400, based on the current 5-year average annual cost of $5,400. We know that projection is not accurate as the audit costs will continue to increase.

The MTMA is most grateful for the PENNVEST loan of $820,687 that was approved January 29, 2002. This low interest loan made it possible for the municipality to fulfill the PA DEP requirement to build our wastewater treatment facility. The MTMA has fulfilled all loan payments, as scheduled, even making an extra principal payment of $34,994.81 in 2005 from funds received from other grant sources. The goal of MTMA is to continue making their loan payments on the remaining loan balance in a timely manner.

17001 Fannettsburg Rd, Box 332
Fannettsburg, PA 17221
Phone 717-349-7452
Fax 717-349-2604

localgov100@embarqmail.com

Board of Supervisors
Roadmaster—Kenneth Miley
Secretary—Anna Swailes
Chairman—David Leab

The Metal Township Board of Supervisors, as Guarantor of the Loan Document listed above, and the MTMA Board Members, now find it necessary to request a waiver of the Annual CPA Audit requirement and to use our Municipal Elected Auditors to complete this report. Our estimate is that the elected auditors would perform this audit at an annual cost of $1,000, versus the current $5,400 annual cost. This change would allow the MTMA to replenish needed operating reserve to meet increasing demands for aging equipment repair/replacement and would allow the MTMA to defer a significant rate increase to our customers.

I would be glad to discuss this matter with you and answer any questions you may have. My office hours are M-W-F from 8:00 – 5:00; however, on October 30 I will be out of the office attending training and hope to return by 3:00 PM. I do look forward to hearing from you.

Sincerely,

Anna H. Swailes, Secretary
Metal Township Board of Supervisors

CC: Brion Johnson, PENNVEST Deputy Executive Director
PA Senator John Eichelberger
File

PENNVEST
PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

RECEIVED
METAL TOWNSHIP
DEC 21 2015
FRANKLIN COUNTY
PENNSYLVANIA

December 10, 2015

Anna H. Swails, Secretary
Metal Township Board of Supervisors
17001 Fannettsburg Road, Box 332
Fannettsburg, Pennsylvania 17221

Dear Ms. Swails:

I am replying to your October 26 letter requesting that PENNVEST waive the requirement that the Metal Township Municipal Authority annually submit financial statements to PENNVEST that are audited by a certified public accountant (CPA). I apologize for the delay in responding to this request but I can assure you that we have not been ignoring it. Rather, we have spent a considerable amount of time discussing this question to see if we could reach another position with which we would feel comfortable.

I regret to say that, despite arguing this point internally (not the first time by the way) and discussing it at length with our financial advisors, we have come to the conclusion that we cannot honor your request and still feel comfortable that we are adequately fulfilling our duty to protect the funds with which we have been entrusted by both the Commonwealth and the federal government. There simply is not a sufficient level of confidence in financial statements that are not audited by a CPA. In addition to satisfying our own need for assurance in the accuracy and quality of the financial statements that we receive, both the Environmental Protection Agency, from whom we get a significant amount of the funds that we lend out, as well as the agencies (e.g. Standard and Poor's) that rate the revenue bonds that we issue, expect that we annually receive CPA-audited financial statements from all of our borrowers. That is why we include this requirement in all of our loan documents.

I do want to pass along one bit of information that you may find helpful. In connection with our internal discussions of this matter, Brion Johnson of our staff did a brief survey of other borrowers to find out how much it cost them to have their financial statements audited by a CPA. What he found was that, while the cost that you cite is not necessarily out of line, a number of communities in different parts of the state were able to have this done at a considerably lower costs. It may very well be possible for you to have this service performed at a lower, and maybe much lower, cost than what you cite in your letter. I'm sure that Brion would be more than happy to share his information with you should you wish to contact him about it.

Again, I regret that we cannot in good conscience honor your request for a waiver. If you wish to discuss this further, please feel free to get in contact with me at any time.

Sincerely,

Paul K. Marchetti
Executive Director

cc: Senator John Eichelberger

Room 434 Forum Building | 607 South Drive | Harrisburg, Pennsylvania 17120 | 717.705.1657 | F 717.787.0804 | www.pennvest.pa.gov

To: Snyder, Raquel[Snyder.Raquel@epa.gov]
Cc: Brown-Perry, Kinshasa[Brown-Perry.Kinshasa@epa.gov]
From: Bull, Nancy
Sent: Thur 3/10/2016 5:54:38 PM
Subject: RE: Metal Twp.

Any updates on the case/reply for Metal Township?

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Snyder, Raquel [mailto:Snyder.Raquel@epa.gov]
Sent: Thursday, February 04, 2016 11:13 AM
To: Bull, Nancy
Cc: Brown, Kinshasa
Subject: RE: Metal Twp.

Hi Nancy,

Thank you and yes we can certainly look into the situation. Since this involves a local township and the PA DEP I'm including our Region 3 Congressional Liaison, Shasha Brown-Perry who can assist further.

Many thanks,

Raquel Snyder
Congressional Liaison
U.S. EPA/Office of Congressional Affairs
(202)564-9586

-----Original Message-----
From: Bull, Nancy [mailto:Nancy.Bull@mail.house.gov]
Sent: Thursday, February 04, 2016 11:05 AM
To: Snyder, Raquel <Snyder.Raquel@epa.gov>
Subject: FW: Metal Twp.

Thank you for your email Raquel,

Attached is what I emailed Christina Moody this morning. I am look for some direction on this if your office can assist. Thank you!

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

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<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Thursday, February 04, 2016 10:24 AM
To: 'moody.christina@epa.gov'
Subject: Metal Twp.

Good Morning Christina,

Could you offer any guidance on the attached issue? The main question this township has is in fourth paragraph. Thank you!

Nancy Bull
Constituent Services Representative
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-----Original Message-----
From: Bull, Nancy
Sent: Thursday, February 04, 2016 10:19 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 02.04.2016 10:19:13 (-0500)

To: Bull, Nancy[Nancy.Bull@mail.house.gov]
From: Snyder, Raquel
Sent: Mon 3/14/2016 7:50:21 PM
Subject: Re: Metal Twp.

Let me track that down for you.

Many thanks,

Raquel Snyder
Congressional Liaison
EPA/Office of Congressional Affairs
(202)564-9586

> On Mar 14, 2016, at 3:29 PM, Bull, Nancy <Nancy.Bull@mail.house.gov> wrote:
>
> Do you have a good email for Sasha. Her emails are being rejected. Thanks!
>
> Nancy Bull
> Constituent Services Representative
> Congressman Bill Shuster (PA-09)
> 100 Lincoln Way East, Suite B
> Chambersburg, PA 17201
> 717-264-8308
> 717-264-0269 (FAX)
> Nancy.Bull@mail.house.gov
>
> <https://www.facebook.com/#!/Rep.Shuster?hc_location=stream>
<https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>
>
>
> -----Original Message-----
> From: Bull, Nancy
> Sent: Monday, March 14, 2016 3:20 PM
> To: Bull, Nancy
> Subject:
>
> This E-mail was sent from "SAVIN9228" (9228).
>
> Scan Date: 03.14.2016 15:20:11 (-0400)
> <20160314152011244.pdf>

To: Bull, Nancy[Nancy.Bull@mail.house.gov]
From: Snyder, Raquel
Sent: Thur 3/10/2016 5:57:06 PM
Subject: RE: Metal Twp.

Hi Nancy,

I will let my colleague, Sasha Perry whom you cc'd, address your question since it's a regional issue.

Many thanks,

Raquel Snyder
Congressional Liaison
U.S. EPA/Office of Congressional Affairs
(202)564-9586

-----Original Message-----
From: Bull, Nancy [mailto:Nancy.Bull@mail.house.gov]
Sent: Thursday, March 10, 2016 12:55 PM
To: Snyder, Raquel <Snyder.Raquel@epa.gov>
Cc: Brown-Perry, Kinshasa <Brown-Perry.Kinshasa@epa.gov>
Subject: RE: Metal Twp.

Any updates on the case/reply for Metal Township?

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
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<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

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Subject: RE: Metal Twp.

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Many thanks,

Raquel Snyder
Congressional Liaison
U.S. EPA/Office of Congressional Affairs
(202)564-9586

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Subject: FW: Metal Twp.

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Congressman Bill Shuster (PA-09)
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<http://www.youtube.com/user/RepShuster>

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Sent: Thursday, February 04, 2016 10:24 AM
To: 'moody.christina@epa.gov'
Subject: Metal Twp.

Good Morning Christina,

Could you offer any guidance on the attached issue? The main question this township has is in fourth paragraph. Thank you!

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
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<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>
<http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Thursday, February 04, 2016 10:19 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 02.04.2016 10:19:13 (-0500)

To: Bull, Nancy[Nancy.Bull@mail.house.gov]
From: Snyder, Raquel
Sent: Thur 2/4/2016 4:20:00 PM
Subject: RE: Metal Twp.

You are welcome!

Many thanks,

Raquel Snyder
Congressional Liaison
U.S. EPA/Office of Congressional Affairs
(202)564-9586

-----Original Message-----
From: Bull, Nancy [mailto:Nancy.Bull@mail.house.gov]
Sent: Thursday, February 04, 2016 11:18 AM
To: Snyder, Raquel <Snyder.Raquel@epa.gov>
Subject: RE: Metal Twp.

Wonderful. I appreciate any assistance you or Sasha can offer. Thank you!

Nancy Bull
Constituent Services Representative
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>
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Sent: Thursday, February 04, 2016 11:13 AM
To: Bull, Nancy
Cc: Brown, Kinshasa
Subject: RE: Metal Twp.

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Scan Date: 02.04.2016 10:19:13 (-0500)

To: Bull, Nancy[Nancy.Bull@mail.house.gov]
Cc: Brown, Kinshasa[Brown.Kinshasa@epa.gov]
From: Snyder, Raquel
Sent: Thur 2/4/2016 4:13:23 PM
Subject: RE: Metal Twp.
20160204101913741.pdf

Hi Nancy,

Thank you and yes we can certainly look into the situation. Since this involves a local township and the PA DEP I'm including our Region 3 Congressional Liaison, Shasha Brown-Perry who can assist further.

Many thanks,

Raquel Snyder
Congressional Liaison
U.S. EPA/Office of Congressional Affairs
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Nancy Bull
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Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
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717-264-8308
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<http://www.youtube.com/user/RepShuster>

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From: Bull, Nancy
Sent: Thursday, February 04, 2016 10:19 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 02.04.2016 10:19:13 (-0500)

SUBJECT/PROBLEM:

In the late 1990's Metal Township was ordered by PA DEP to build a public wastewater treatment system to service the Village of Fannettsburg, PA. Income surveys were completed revealing that over 50% of the residents were low-to-moderate income households. The Congressman's office was instrumental in securing over $1.2 million in federal grants for our project. Along with State Grants and a PENNVEST 1% interest loan of $820,687 the project was completed and became operational in 2002.

Our treatment plant equipment is deteriorating, increasing our maintenance costs. A major cost is the required PENNVEST annual CPA Audit Report. We always request proposals from CPA firms; however, the current 'agreement' will end in 4 yrs, costing $5,650 for the last year. Our PENNVEST loan runs another 16 years and we estimate the total annual audit cost will be in excess of $86,400. This amount actually exceeds all of the current funds we have.

In an attempt to cut additional costs, we sent a request (copy attached) to PENNVEST seeking a waiver of the CPA Audit. We proposed the township elected auditors perform the audit and reports; this request was denied (copy attached).

Our question is, since PENNVEST indicates that some of our funding grant involved EPA funds and thus the CAP Audit requirement, is there any options at the Federal level that would waive this requirement?

To help off-set the cash short-fall, the Board approved a $10 per month user fee increase, to start in 2016. Our fear is that the fee increase will greatly increase our delinquent account balances and cause more legal action with execution sales of customer assets.

We would be willing to discuss this matter with your staff. Our regular office hours are Mon-Wed-Fri from 8:00 am to 5:00 pm. The holiday schedule for the next two weeks is Mon-Wed, same hours. Thank you for your time and we look forward to hearing from you.

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the PENNVEST in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below:

NAME: Anna Swailes, Secretary Metal Township Supervisors
ADDRESS: 17001 Fannettsburg Rd, Box 332
Fannettsburg PA 17221

PHONE: 717-349-7452 EMAIL: localgov100@yahoo.com

SIGNATURE: _____ DATE: 12/21/2015

SOCIAL SECURITY NUMBER: EIN 25-1714248

DATE OF BIRTH: Citizen Information/Ex. 6

Please complete this form and *include a brief explanation of your problem,* then mail to:

COPY

17001 Fannettsburg Rd, Box 332
Fannettsburg, PA 17221
Phone 717-349-7452
Fax 717-349-2604

localgov100@embarqmail.com

Board of Supervisors
Roadmaster—Kenneth Miley
Secretary—Anna Swailes
Chairman—David Leab

October 26, 2015

Mr. Paul Marchetti, Executive Director
Pennsylvania Infrastructure Investment Authority
434 Forum Building, 607 South Drive
Harrisburg PA 17120

RE: Current PENNVEST Loan #P33000985-102

Dear Mr. Marchetti,

The Metal Township Municipal Authority (MTMA) Board was appointed and incorporated with Pennsylvania Department of State, to oversee operations of our public wastewater treatment plant in Fannettsburg, PA. The customer base is approximately 200 users, a majority of which falls within the low-to-moderate income category. Since the sewer system became operational in 2002 the MTMA has not increased the user rate, however; they still have dealt with many delinquent accounts by filing judgments or municipal liens, and in some situations, taking a customer through a Sheriff Sale, possessing the property, and then reselling it. In each of these cases, the MTMA incurred a financial loss but benefited by stopping increased delinquencies on these lots.

A major expense item to the MTMA is the Certified Public Accountant (CPA) requirement for the Annual Audit Report. Since 2002 the Annual Audit has cost the MTMA $64,327.30; over the remainder of the PENNVEST Loan, (16 yrs) the Annual Audit will cost another $86,400, based on the current 5-year average annual cost of $5,400. We know that projection is not accurate as the audit costs will continue to increase.

The MTMA is most grateful for the PENNVEST loan of $820,687 that was approved January 29, 2002. This low interest loan made it possible for the municipality to fulfill the PA DEP requirement to build our wastewater treatment facility. The MTMA has fulfilled all loan payments, as scheduled, even making an extra principal payment of $34,994.81 in 2005 from funds received from other grant sources. The goal of MTMA is to continue making their loan payments on the remaining loan balance in a timely manner.

17001 Fannettsburg Rd, Box 332
Fannettsburg, PA 17221
Phone 717-349-7452
Fax 717-349-2604

localgov100@embarqmail.com

Board of Supervisors
Roadmaster—Kenneth Miley
Secretary—Anna Swailes
Chairman—David Leab

The Metal Township Board of Supervisors, as Guarantor of the Loan Document listed above, and the MTMA Board Members, now find it necessary to request a waiver of the Annual CPA Audit requirement and to use our Municipal Elected Auditors to complete this report. Our estimate is that the elected auditors would perform this audit at an annual cost of $1,000, versus the current $5,400 annual cost. This change would allow the MTMA to replenish needed operating reserve to meet increasing demands for aging equipment repair/replacement and would allow the MTMA to defer a significant rate increase to our customers.

I would be glad to discuss this matter with you and answer any questions you may have. My office hours are M-W-F from 8:00 – 5:00; however, on October 30 I will be out of the office attending training and hope to return by 3:00 PM. I do look forward to hearing from you.

Sincerely,

Anna H. Swailes, Secretary
Metal Township Board of Supervisors

CC: Brion Johnson, PENNVEST Deputy Executive Director
PA Senator John Eichelberger
File

PENNVEST
PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

RECEIVED
METAL TOWNSHIP
DEC 21 2015
FRANKLIN COUNTY
PENNSYLVANIA

December 10, 2015

Anna H. Swails, Secretary
Metal Township Board of Supervisors
17001 Fannettsburg Road, Box 332
Fannettsburg, Pennsylvania 17221

Dear Ms. Swails:

I am replying to your October 26 letter requesting that PENNVEST waive the requirement that the Metal Township Municipal Authority annually submit financial statements to PENNVEST that are audited by a certified public accountant (CPA). I apologize for the delay in responding to this request but I can assure you that we have not been ignoring it. Rather, we have spent a considerable amount of time discussing this question to see if we could reach another position with which we would feel comfortable.

I regret to say that, despite arguing this point internally (not the first time by the way) and discussing it at length with our financial advisors, we have come to the conclusion that we cannot honor your request and still feel comfortable that we are adequately fulfilling our duty to protect the funds with which we have been entrusted by both the Commonwealth and the federal government. There simply is not a sufficient level of confidence in financial statements that are not audited by a CPA. In addition to satisfying our own need for assurance in the accuracy and quality of the financial statements that we receive, both the Environmental Protection Agency, from whom we get a significant amount of the funds that we lend out, as well as the agencies (e.g. Standard and Poor's) that rate the revenue bonds that we issue, expect that we annually receive CPA-audited financial statements from all of our borrowers. That is why we include this requirement in all of our loan documents.

I do want to pass along one bit of information that you may find helpful. In connection with our internal discussions of this matter, Brion Johnson of our staff did a brief survey of other borrowers to find out how much it cost them to have their financial statements audited by a CPA. What he found was that, while the cost that you cite is not necessarily out of line, a number of communities in different parts of the state were able to have this done at a considerably lower costs. It may very well be possible for you to have this service performed at a lower, and maybe much lower, cost than what you cite in your letter. I'm sure that Brion would be more than happy to share his information with you should you wish to contact him about it.

Again, I regret that we cannot in good conscience honor your request for a waiver. If you wish to discuss this further, please feel free to get in contact with me at any time.

Sincerely,

Paul K. Marchetti
Executive Director

cc: Senator John Eichelberger

Room 434 Forum Building | 607 South Drive | Harrisburg, Pennsylvania 17120 | 717.705.1657 | F 717.787.0804 | www.pennvest.pa.gov

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Snyder, Raquel
Sent: Thur 12/4/2014 2:37:10 PM
Subject: RE: Corsa Coal

Hi Sean,

I'm checking with our Region 3 office right now and hope to hear something soon. As soon as I do, I will let you know.

Many thanks,

Raquel Snyder

Congressional Liaison

U.S. EPA/Office of Congressional Affairs

(202)564-9586

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Thursday, December 04, 2014 9:35 AM
To: Snyder, Raquel
Cc: Mackay, Cheryl
Subject: RE: Corsa Coal

Any update on this?

From: Joyce, Sean
Sent: Tuesday, December 02, 2014 3:12 PM
To: 'Snyder, Raquel'
Subject: RE: Corsa Coal

Hi Raquel,

Thanks for following up. The issue is somewhat long and convoluted and the consent decree is over a hundred pages long so it took me a while to get up to speed as this is out of my traditional wheelhouse. But I asked Corsa to put together a 1-pager (attached) so I could share it with you to help streamline the results.

Essentially at this point the bottom line of what they are looking for is what the amount of the fine will be, and if they can get some indication of when this will all be over. From my limited understanding they seem willing to pay the fines, but because of the broad range that it could fall on, they are just trying to pinpoint how much it might be for budgetary purposes.

So the ask:

1-timeline until this is over

2- total amount of fines being assessed

Attached is the one pager.

Thanks for your help

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Snyder, Raquel [mailto:Snyder.Raquel@epa.gov]
Sent: Tuesday, December 02, 2014 3:04 PM
To: Joyce, Sean
Subject: Corsa Coal

Hi Sean,

My colleague, Cheryl Mackay, forwarded your information to me. I understand you have a question about a consent concerning EPA and Corsa Coal? Can provide me with a little more information, I'd be happy to help.

Many thanks,

Raquel Snyder

To: Joyce, Sean[Sean.Joyce@mail.house.gov]
From: Snyder, Raquel
Sent: Tue 12/2/2014 8:16:40 PM
Subject: Re: Corsa Coal

Hi Sean,

Thank you so much for the background and one pager. Let me reach out to my enforcement folks to see what they have and get back to you as soon as I hear.

Many thanks,

Raquel

From: Joyce, Sean <Sean.Joyce@mail.house.gov>
Sent: Tuesday, December 2, 2014 3:11 PM
To: Snyder, Raquel
Subject: RE: Corsa Coal

Hi Raquel,

Thanks for following up. The issue is somewhat long and convoluted and the consent decree is over a hundred pages long so it took me a while to get up to speed as this is out of my traditional wheelhouse. But I asked Corsa to put together a 1-pager (attached) so I could share it with you to help streamline the results.

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Raquel Snyder

To: Ganesan, Arvin[Ganesan.Arvin@epa.gov]; Vaught, Laura[Vaught.Laura@epa.gov]; 'bittleman.sarah@epa.gov'[bittleman.sarah@epa.gov]
From: Simmons, Anne
Sent: Mon 2/25/2013 5:26:16 PM
Subject: FW: Coalition Letter re: Personal and Business Information on Thousands of Livestock and Poultry Farmers
cwa-foia13.0222.pdf

In case this hasn't made its way to you yet.

Anne

From: Ryan Farley [mailto:ryanf@fb.org]
Sent: Monday, February 25, 2013 11:26 AM
To: Barnett, Chelsea; Solem, Rebekah; Boone, Jamie; Meyer, Rachel; Tully, Emily; Shimkus,Eddie; chris_adamo@ag.senate.gov; daniel_ulmer@cochran.senate.gov; joaquin_esquivel@boxer.senate.gov; chris_stanley@vitter.senate.gov; josh_klein@cardin.senate.gov; zachary_hartman@boozman.senate.gov
Subject: Coalition Letter re: Personal and Business Information on Thousands of Livestock and Poultry Farmers

The following Senators and Representatives are CC'ed on the attached letter to EPA:

Rep. Frank Lucas

Rep. Collin Peterson

Rep. Bill Shuster

Rep. Nick Rahall

Rep. Bob Gibbs

Rep. Timothy Bishop

Sen. Debbie Stabenow

Sen. Thad Cochran

Sen. Barbara Boxer

Sen. David Vitter

Sen. Benjamin Cardin

Sen. John Boozman

Ryan Farley

Public Policy Assistant
American Farm Bureau Federation®

600 Maryland Ave SW, 1000W
Washington, DC 20024
(202) 406-3689 (phone)
(202) 406-3604 (fax)
ryanf@fb.org

The Honorable Bob Perciasepe
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

To EPA Acting Administrator

We are writing as representatives of the nation's agricultural community to express our deep concern, and our members' outrage, over the recent actions of the Environmental Protection Agency (EPA) to publicly release a significant amount of personal and business information about thousands of livestock and poultry farmers across the country. It is our understanding that this information was gathered from more than 30 state permitting authorities and simply transmitted as raw data to the Natural Resources Defense Council (NRDC), Earth Justice and the Pew Charitable Trusts as part of two separate Freedom of Information Act requests.

It is our understanding that EPA released the information without undertaking a review of the data to protect against the release of private or confidential business information that may have been improperly included in the states' submissions. There appears to have been a presumption by EPA that *all* data submitted by the states was publicly and readily available and therefore afforded no protection from disclosure under any federal laws.

From the farmer's perspective, the agency has collected and released details of peoples' private lives to NRDC and the others. The data included information on livestock and poultry farms and ranches of all sizes, from large CAFOs to the smallest of farms, many of which are maintained in state databases solely under state laws. The overwhelming majority of those farms are owned and operated by *families*. These are farmers who are honorably engaged in honest work to produce livestock and poultry to support themselves, their families, their communities, our country and consumers around the world. In most instances, farmers and ranchers live and raise their children in very close proximity to their animals. We object in the strongest terms possible to the release of this data for possible use by groups who oppose our members' businesses and way of life for reasons largely, if not entirely, unrelated to the honorable goals and objectives of the Clean Water Act.

We are deeply concerned that EPA is also actively developing from this, and similarly collected data for, a comprehensive, national and public database of every livestock and poultry operation in this nation, regardless of whether the facility holds a Clean Water Act permit. We stand ready to work with EPA and other appropriate government entities on creative and serious ways to help support these farmers and ranchers in meeting the goals of the Clean Water Act. But we, as representatives of the agricultural community, cannot see in these efforts a legitimate role for such a national, comprehensive database that does not also carry serious and unacceptable risks for farmers and ranchers and their families, and we would consequently oppose any such effort by EPA.

The specific reasons for our opposition are detailed in the lengthy comments we submitted to EPA and OIRA in 2011 opposing EPA's proposed Section 308 rule. In those comments we

expressed our concerns regarding the privacy and security implications of EPA's collection and release of individual farmer information. We went to great lengths to explain our concerns and justify the need to handle this type of information with the greatest of care. We emphasized that the information EPA sought to collect was not merely a business address, but a vital link in the nations' food systems, so vital in fact, that the Department of Homeland Security considers livestock critical infrastructure an important national resource. We also pointed out that many locations were also the address of a family's home. Yet, despite our very public efforts to sensitize EPA, agency staff made the unilateral decision that these concerns were not credible.

Going forward, it is critical that EPA reconsider the depth and seriousness of rural America's concerns and act responsibly to avoid any further release of sensitive information that could cause harm, not only to individual farmers and ranchers but to the nations' food supply.

Sincerely,

American Farm Bureau Federation
National Cattlemen's Beef Association
National Council of Farmer Cooperatives
National Chicken Council
National Pork Producers Council
National Turkey Federation
United Egg Producers
US Poultry and Egg Association

CC:
Rep. Frank Lucas
Rep. Collin Peterson
Rep. Bill Shuster
Rep. Nick Rahall
Rep. Bob Gibbs
Rep. Timothy Bishop
Sen. Debbie Stabenow
Sen. Thad Cochran
Sen. Barbara Boxer
Sen. David Vitter
Sen. Benjamin Cardin
Sen. John Boozman

To: Greuel, Justin[Greuel.Justin@epa.gov]
Cc: Vaught, Laura[Vaught.Laura@epa.gov]; Lewis, Josh[Lewis.Josh@epa.gov]; Orehowsky, Gregory[Orehowsky.Gregory@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]; Haman, Patricia[Haman.Patricia@epa.gov]; Mackay, Cheryl[Mackay.Cheryl@epa.gov]
From: Joyce, Sean
Sent: Thur 10/9/2014 8:03:07 PM
Subject: RE: Congressman Shuster Constituent Letter

;;;;;;;;
Justin, Cheryl,

Just wanted to check in since we hit the 30 day window that you said would be able to respond within. Is there any update that I can share with Chairman Shuster?

Thanks,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

From: Greuel, Justin [mailto:Greuel.Justin@epa.gov]
Sent: Monday, September 22, 2014 4:47 PM
To: Joyce, Sean
Cc: Vaught, Laura; Lewis, Josh; Orehowsky, Gregory; Bunker, Byron; Haman, Patricia
Subject: RE: Congressman Shuster Constituent Letter

Sean,

We are currently in the process of reviewing Go Green APU's September 8th request. Specifically, our hardship relief regulations require applicants to demonstrate that they are not at fault for any impending violations under our regulations, which includes providing details on the amount of time they had to redesign their equipment to accommodate complying engines and the steps that they've taken to do so. One of my staff contacted Go Green on September 16th with a request for additional information on these points. We also expect to follow up with additional questions to better document the severity of the economic impact on Go Green if we do not grant the exemption. Receipt of these pieces of information will help form a basis for our decision on whether or not to grant relief. Once we get these details that form a complete application, we should be able to move toward a final decision within 30 days.

Should have any additional questions, please don't hesitate to contact me.

Best regards,

Justin G. Greuel

Director, Diesel Engine Compliance Center
U.S. Environmental Protection Agency
Office of Transportation & Air Quality
1200 Pennsylvania Ave, NW
Mailcode 6405A
Washington, DC 20460
Phone (202) 343-9891
Fax (202) 343-2804

Courier Address (UPS, FedEx, etc.):

1200 Pennsylvania Ave, NW

Room 5512D, WJC Building North

Washington, DC 20460

From: Joyce, Sean [mailto:Sean.Joyce@mail.house.gov]
Sent: Monday, September 22, 2014 3:13 PM
To: Greuel, Justin
Cc: Vaught, Laura; Lewis, Josh
Subject: Congressman Shuster Constituent Letter

Good afternoon,

A constituent of ours reached out about the attached letter last week. Congressman Shuster was looking for an update into this letter on behalf of Go Green APU LLC. Any insights you could provide into this inquiry would be greatly appreciated.

Best regards,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

To: Mccarthy, Gina[McCarthy.Gina@epa.gov]
Cc: Stoner, Nancy[Stoner.Nancy@epa.gov]; Vaught, Laura[Vaught.Laura@epa.gov]; Frank, Joyce[Frank.Joyce@epa.gov]; Distefano, Nichole[DiStefano.Nichole@epa.gov]; Kaiser, Sven-Erik[Kaiser.Sven-Erik@epa.gov]
From: Pawlow, Jon
Sent: Wed 3/5/2014 4:27:16 PM
Subject: *** Congressional Letter re: Clean Water Act WOTUS Rule
2014-03-05 - WFS and Gibbs to President Obama_Congressional Letter to POTUS on WOTUS Rule.pdf

Attached is an electronic (PDF) copy of a letter from Chairmen Shuster and Gibbs to President Obama regarding the draft rule entitled *"Definition of 'Waters of the United States' Under the Clean Water Act."*

Administrator McCarthy is copied on the letter.

Would you please be sure that Administrator McCarthy receives this letter, and would you please provide a copy to Acting Assistant Administrator Stoner.

A hard copy of the letter is being sent to Administrator McCarthy by US Mail.

Please contact me if there are any questions about the letter.

Thank you.

Best regards,

Jon

Jon Pawlow

Jonathan R Pawlow, Esq.
Counsel
Subcommittee on Water Resources and Environment
Committee on Transportation and Infrastructure
U.S. House of Representatives
B-370A Rayburn House Office Building
Washington, D.C. 20515
(202) 225-4360 *(telephone)*
(202) 226-6303 *(direct)*
Jon.Pawlow@mail.house.gov

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

Bill Shuster
Chairman

Nick J. Rahall, II
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

March 5, 2014

President Barack Obama
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Obama:

We are deeply concerned with your recent push to dramatically expand federal jurisdiction over waters and wet areas in the United States. These actions are yet another example of a disturbing pattern of an imperial presidency that seeks to use brute force and executive action while ignoring Congress.

Unilaterally broadening the scope of the Clean Water Act and the federal government's reach into our everyday lives would adversely affect the nation's economy, threaten jobs, invite costly litigation, and significantly restrict the ability of landowners to make decisions about their property and the rights of state and local governments to plan for their own development. This massive federal jurisdiction grab was the subject of failed legislation in the 110th and 111th Congresses that strong bipartisan opposition prevented from moving forward.

On September 17, 2013, the Environmental Protection Agency and Corps of Engineers sent to the Office of Information and Regulatory Affairs of the Office of Management and Budget, for regulatory review, a draft rule entitled *Definition of 'Waters of the United States' Under the Clean Water Act*. This rule ostensibly aims to "clarify" which waterbodies are subject to Federal jurisdiction under the Clean Water Act.

We are extremely concerned that there are serious deficiencies with this rulemaking. The draft rule misconstrues and manipulates the legal standards announced in the two Supreme Court holdings relevant to this rule, and there are substantial flaws in the economic and scientific foundations upon which the rule is based. Further, the sequence and timing of the actions that the Agencies have been taking to develop this rule undermine the credibility of the rule and the process to develop it.

Regulation of the nation's waters must be done in a manner that responsibly protects the environment without an unnecessary and costly expansion of the federal government in order to

prevent unreasonable and burdensome regulations and to protect small businesses, farmers, and families.

Sincerely,

Bill Shuster
Chairman
Committee on Transportation and Infrastructure

Bob Gibbs
Chairman
Subcommittee on Water Resources and Environment

cc: Sylvia Mathews Burwell, Director, Office of Management and Budget
Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works)
Gina McCarthy, Administrator, U.S. Environmental Protection Agency

To: Greuel, Justin[Greuel.Justin@epa.gov]
Cc: Vaught, Laura[Vaught.Laura@epa.gov]; Lewis, Josh[Lewis.Josh@epa.gov]
From: Joyce, Sean
Sent: Mon 9/22/2014 7:13:17 PM
Subject: Congressman Shuster Constituent Letter
GGAPU EPA Hardship Letter (2).pdf

Good afternoon,

A constituent of ours reached out about the attached letter last week. Congressman Shuster was looking for an update into this letter on behalf of Go Green APU LLC. Any insights you could provide into this inquiry would be greatly appreciated.

Best regards,

Sean Joyce

Legislative Director

Office of Congressman Bill Shuster (PA-9)

GO GREEN APU

September 8, 2014

VIA EMAIL: greuel.justin@epa.gov

Justin Greuel

Office of Transportation and Air Quality
Certification and Compliance Division
Engine Compliance Program Group
US Environmental Protection Agency
Ariel Rios Building (6405J)
Washington DC 20460
Tel: (202) 343-9891

RE: Go Green APU LLC REQUEST FOR APPROVAL FOR THE ECONOMIC HARDSHIP EXEMPTION FOR ENGINES PRODUCED UNDER THE TPEM (TRANSITIONAL PROGRAM FOR EQUIPMENT MANUFACTURERS) PROVISIONS OF PART 1068.255 Tier 4 ***FOR - CALENDAR YEAR 2015***

Dear Mr. Greuel,

Go Green APU LLC hereby applies to the U.S. EPA (Environmental Protection Agency) for continued usage of the Yanmar Industrial engine number 2TNV70-KBR for the purpose of manufacturing alternative power units (APU) for the long haul trucking industry of the United States. Attached please find our GoGreenAPU model AY240 information flyer.

The specific Yanmar engine noted above is used as the power unit for the model AY240 alternative power unit in its capacity as an anti-idling device. The use of an APU unit allows the long haul truck driver to turn off the large diesel truck engine in idling situations and employ the GoGreenAPU Model AY240 to realize a significant fuel savings and decreased carbon emissions as compared to idling the truck's engine.

GoGreenAPU utilizes a customized Yanmar two cylinder diesel engine for its AY240 because engine provided without a bell housing and with a modified oil sump. In addition, the frame kit is custom made for this particular custom Yanmar engine.

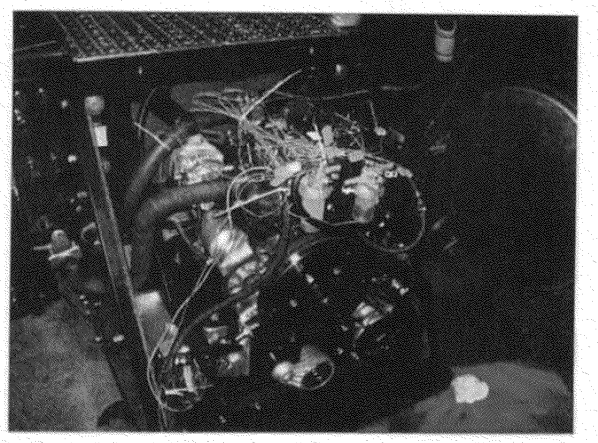
YANMAR
Authorized Yanmar Industrial Engine Service Dealer

GO GREEN APU
The APU with Power, Performance, and Reliability

1052 Mill Run Road, Altoona, PA 16601
Phone - 814-942-9407 Fax - 814-942-3354 Website - www.gogreenapu.com

ATT: Mr. Justin Greuel

September 8, 2014



Model AY240 with Yanmar two cylinder engine number 2TNV70-KBR without back plate

As requested under section 1068.255:

1. Go Green APU LLC seeks an exemption for 400 Yanmar engines for the year 2015. Go Green APU has never received any EPA violations or Notices of Violations and will sign an affidavit stating this, if necessary.
2. Go Green APU LLC will face serious economic hardship if this exemption is not granted and possible business termination. Go Green APU is a 4 year old small business that employees 6 people in a small community.
3. Go Green APU LLC received notification of the omissions changes in the 4th quarter of 2012, however, due to the large investment required to redesign and extensive testing, we were unable to afford the necessary capital investment. Go Green APU LLC will not be unable to endure a disruption in the supply chain for Yanmar Engines in 2015. The reengineering and testing that would be needed could take up to a year at an expense of $250,000, it includes simulated vibration testing, noise testing, climate testing and complete redesign of the power distribution module and electronic control unit.
4. A breach of contract by our supplier did not occur because we received grandfathered two year exemtion. We do have any contractual breaches, we procure the engines via Purchase Orders and pay in advance with a 5 -6 month lead time.
5. Go Green APU LLC holds a small market share of the USA APU sales per year because we are a small company. In our opinion, there is a potential for market disruption because up to 75% of the manufacturers of APU's for the long haul trucking industry in the USA utilize similar Yanmar Engines.

F:\Desktop - Main\economichardshipexemption.docx

ATT: Mr. Justin Greuel

September 8, 2014

It is understood that shipped volumes for these engines will be reported annually by Yanmar to the EPA (Environmental Protection Agency) and CARB (California Air Resources Board) as required. This letter shall further serve as written assurance to EPA that the Yanmar engines will be installed in the United States on equipment and vehicles that are participating in the Transition Program for Equipment Manufacturers and for no other improper or prohibited purpose under 40 CFR Parts 1039 and 1068 or the Clean Air Act as recorded as of the date this letter.

TPEM Engine Information				
Engine Model	Carry Over (Yes or No) **	Emission Family	Engine Output	Equipment Model
2TNV70-KBR	YES	CYDXL0.57V2N	13.7 HP (10.2 kW) @ 3600 rated rpm	AY237/AY252

** "Yes" means this same engine model was applied for the 2013 calendar year TPEM provision.

Further justification for this exemption is based on the environmental benefits of the APU as an anti-idling device. By turning off the large truck engine and employing a GoGreenAPU AY240, a diesel fuel savings of 4/5 of one gallon per hour is realized along with the accompanying reduction in carbon emissions. During the 2015 year, Go Green APU LLC will attempt to find an alternative power source for the AY240 that meets our custom specifications and the EPA regulations for which we are requesting an exemtion

The signature below is the managing person and representative of Go Green APU LLC with the authority to bind the company to the terms of these provisions. Your immediate review and approval is requested, due to the 5-6 month lead time to import the Yanmar engine, orders must be submitted as soon as possible and at present Yanmar will not accept any orders from Go Green APU, LLC without an approved hardship exemption.

F:\Desktop - Main\economichardshipexemption.docx

ATT: Mr. Justin Greuel

September 8, 2014

Best Regards,

Harry K. Benjamin
Managing Partner
Go Green APU LLC

Enclosure: Flyer
cc: Alan Parker via email: ARParker@yanmar.com
Environmental Regulatory Compliance / Yanmar America Corporation
101 International Parkway, Adairsville, GA 30103

F:\Desktop - Main\economichardshipexemption.docx

To: Williams, Thea[Williams.Thea@epa.gov]
From: Bull, Nancy
Sent: Fri 10/13/2017 1:52:59 PM
Subject: Citizen Information/Ex. 6
20171013093122975.pdf

This case was originally sent to Christina Moody on 9/13/17 with no response.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster>
<http://www.youtube.com/user/RepShuster>

-----Original Message-----
From: Bull, Nancy
Sent: Friday, October 13, 2017 9:31 AM
To: Bull, Nancy
Subject:

This E-mail was sent from "SAVIN9228" (9228).

Scan Date: 10.13.2017 09:31:22 (-0400)

SUBJECT/PROBLEM:

There are high levels of ecoli in my well water, and I am requesting copies of any federal regs which indicate what acceptable levels are. Additionally, I am requesting a copy of the federal regulations or ruling or ordinance that apply to the 50 mile protected radius from Fifteen Mile Creek. (Probably old ruling) (Sideling Hill Watershed considered "pristine")

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA or Revenue or (NAME OF AGENCY) in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below: any other federal agency.

NAME:

ADDRESS: Citizen Information/Ex. 6

PHONE: Citizen Information/Ex. 6

EMAIL:

SIGNATURE: X Citizen Information/Ex. 6 DATE: 09-/07/17

SOCIAL SECURITY NUMBER: Citizen Information/Ex. 6

DATE OF BIRTH:

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

Phone – 717-264-8308 Fax – 717-264-0269

To: Williams, Thea[Williams.Thea@epa.gov]
From: Bull, Nancy
Sent: Fri 10/13/2017 1:51:44 PM
Subject: Citizen Information/Ex. 6
20171013093122975.pdf

This case was originally sent to Christina Moody on 9/13/17.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

<https://www.facebook.com/#!/Rep.Shuster?hc_location=stream> <https://twitter.com/RepBillShuster> <http://www.youtube.com/user/RepShuster>

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NAME:

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SIGNATURE: X Citizen Information/Ex. 6 DATE: 09-/07/17

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DATE OF BIRTH:

Please complete this form and *include a brief explanation of your problem,* then mail to:

Congressman Bill Shuster
100 Lincoln Way East, Suite B
Chambersburg, PA 17201

Phone – 717-264-8308 Fax – 717-264-0269

To: Bull, Nancy[Nancy.Bull@mail.house.gov]
From: Williams, Thea
Sent: Fri 10/13/2017 6:27:48 PM
Subject: RE: Citizen Information/Ex. 6

Hi Nancy: I am in receipt of your inquiry. Please give me a call so we can chat. Thanks, Thea
---
Thea J. Williams
Office of Congressional Relations, USEPA
202-564-2064

-----Original Message-----
From: Bull, Nancy [mailto:Nancy.Bull@mail.house.gov]
Sent: Friday, October 13, 2017 9:52 AM
To: Williams, Thea <Williams.Thea@epa.gov>
Subject: Citizen Information/Ex. 6

This case was originally sent to Christina Moody on 9/13/17.

Nancy Bull
Deputy District Director
Congressman Bill Shuster (PA-09)
100 Lincoln Way East, Suite B
Chambersburg, PA 17201
717-264-8308
717-264-0269 (FAX)
Nancy.Bull@mail.house.gov

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<http://www.youtube.com/user/RepShuster>

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