Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 5/9/2018 9:25:39 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Emailing: Presentation AEM 5.151.18.pptx
Attachments: Presentation AEM 5.151.18.pptx

Your message is ready to be sent with the following file or link attachments:

Presentation AEM 5.151.18.pptx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Message

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 5/9/2018 9:00:47 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Hull, George [Hull.George@epa.gov]
CC: Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Subject: Audit Policy Press

From InsideEPA.

Daily News

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

May 07, 2018

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities.

Once finalized, the draft would replace a default presumption under the current 2008 audit policy that new owners have 60 days to correct environmental violations they discover. More flexible language in the new plan allows the agency and the owner to negotiate the timeframe for proposed fixes.

The agreement, however, does call on participating companies to correct some violations within 60 days or seek an extension, including emissions violations "unrelated to engineering and/or design issues," according to its text.

The policy appears aimed at equipment leaks that could release emissions of both ozone-forming volatile organic compounds and the potent greenhouse gas methane, with several direct references to storage tanks or related equipment.

The draft policy, on which EPA is seeking public comment until June 4, follows through with prior indications from EPA officials that they are looking for ways to strike a more collaborative tone with the oil and gas industry.

That includes past statements from EPA officials that the 2008 audit policy is better tailored to a few individual facilities, not hundreds of operations now changing ownership within the oil and gas sector.

"We think it would be wise to take that policy and create a stand-alone program on the side for use only in the oil and gas sector -- at this point at least -- to streamline the new owner audit policy," said EPA enforcement official Patrick Traylor during a March 20 meeting of the Environmental Council of the States.

The new policy would use a standard oil and gas audit informed by a prior agreement with Texas gas producer Range Resources Corporation.

That move also is in line with prior statements by EPA enforcement chief Susan Bodine, as reported by E&E News in April. She said that deal to resolve Clean Air Act violations took a substantial amount of agency resources to negotiate and thus it "makes sense to use that case as a model agreement for other companies."

While Range Resources was given three years to complete all phases of its audit for 390 facilities it had newly acquired, the draft policy also notes that the audit and compliance schedule for companies participating in the

agreement "will be primarily based on the number of facilities subject to the agreement and the scope of the audit."

One observer says that assuming the policy goes final, it is "too early to tell" what its effect will be until it is implemented, in part because even current polices do not entirely preclude longer time frames for resolving noncompliance.

'Responsible' Production

The new draft policy states that the oil and gas exploration and production sector is a "dynamic energy producing industry where facilities are routinely transferred in asset sales and other business transactions."

"Auditing newly acquired oil and natural gas exploration and production facilities' compliance with environmental laws and regulations is a key way in which oil and natural gas exploration and production companies can help ensure responsible domestic energy production," the document says.

The draft policy includes a requirement that participating companies notify EPA within six months of the date of acquisition of the new facilities, in contrast to the existing policy which specified a nine-month timeline to either disclose violations or enter into an audit agreement with EPA.

As the policy is still draft, however, it includes language taking into account when the policy may go final. Specifically, it says companies must notify EPA within six months of acquiring a new asset or within six months of when the new policy goes final -- but with a maximum of one year having passed between when a facility was acquired and agency finalization of the audit program.

The agreement also includes language differentiating between violations unrelated to engineering or design issues and those attributed to them, laying out with respect to the former a default presumption that a participating company "shall correct" each violation and take steps needed to prevent recurrence within 60 days. The company can request an extension which is subject to EPA's approval, and that approval "shall not be unreasonably withheld."

The draft policy also states that if a company becomes aware of immediate and substantial endangerment to public health, welfare or the environment, it agrees -- "not withstanding any other language in the Agreement to the contrary" -- to address the conditions at all facilities "as expeditiously as possible."

Other components of the draft policy include timelines for modeling emissions from vapor control systems, doing field surveys, and addressing emissions from such systems, beginning with an instruction that a company using the policy submit a draft modeling guideline to EPA not later than 60 days after the effective date of the agreement. -- *Doug Obey* (dobey@iwpnews.com)

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/16/2018 2:39:22 PM
To: Kenney, James [Kenney.James@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: Susan's email in word
Attachments: Document3.docx

Message

From: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Sent: 12/19/2018 1:58:59 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Subject: Re: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

I have a conflict as well.

Rosemarie

On Dec 19, 2018, at 8:11 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> I have mandatory manager training that conflicts so I won't be able to make the call. I will catch up with one of you.
> Thanks.
>
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|
>
> **From:** Kenney, James
> **Sent:** Wednesday, December 19, 2018 7:58 AM
> **To:** Mia, Marcia <Mia.Marcia@epa.gov>
> **Cc:** Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
> **Subject:** RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call
>
> Invite coming soon and please feel free to forward as needed among EPA folks.
> Thanks,
> Jim
> Desk/Mobile Personal Phone / Ex. 6
>
> **From:** Mia, Marcia
> **Sent:** Monday, December 17, 2018 11:25 AM
> **To:** Kenney, James <Kenney.James@epa.gov>
> **Cc:** Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
> **Subject:** RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call
>
> Hi Jim,
> Would you be able to add Apple Chapman. Rob Lischinsky and Rosemarie Kelley to this month's invite? They may be interested in hearing Patrick speak about the WY Self-Audit Agreement. Thanks.
>
> Marcia B Mia
> Air Branch
> Office of Compliance
> 2227A WJCS
> U.S. Environmental Protection Agency
> 202-564-7042

This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments.

-----Original Appointment-----
From: Kenney, James
Sent: Monday, December 17, 2018 11:47 AM
To: Passe, Loraine; Turk, David; Kirby, Kevin; Parikh, Pooja; Elliott, Ross; Moskal, John; White, Terri-A; Smith, Brian; Hall, Richard; Jann, Stephen; Lawrence, Rob; Hildebrandt, Kurt; Albright, David; Werntz, James; Davis, Alison; Gray, David; Devito, Steve; Dressel, Paul; Letendre, Daisy; Coffman, Joel; Matuszko, Jan; Curtis, Jennifer; Hambrick, Amy; Teichman, Kevin; Bates, William; Mia, Marcia; Kobelski, Bruce; Remnek, Alexandre; Baca, Andrew; Hanson, Andrew; Pritts, Jesse; Barbery, Andrea; Beeler, Cindy; Benevento, Douglas; Bohan, Suzanne; Byrne, Andrew; Chapman, Apple; Cozzie, David; Dominguez, Alexander; Egidi, Philip; Eisele, Adam; Fite, Mark; Forsgren, Lee; Gude, Karen; Idsal, Anne; Mitchell, Ken; Morales, Monica; Patefield, Scott; Topinka, Natalie; Traylor, Patrick; Wagner, Kenneth; Woods, Clint; michael.abraczinskas@ncdenr.gov; Jesse.D.Adkins@wv.gov; Baker Allen; dallas_baker@deq.state.ms.us; andrea.balkenbush@dnr.mo.gov; Kim.Bannerman2@state.nm.us; jbarkley@mdeq.ms.gov; Bill.Bartling@conservation.ca.gov; gary.baughman@state.co.us; johnbaza@utah.gov; Lawrence Bengal; tbetz@pa.gov; alicia.boss@nebraska.gov; allan.brockenbrough@deq.virginia.gov; David Bunn; gary burdette; dennis.burling@nebraska.gov; craig.butler@epa.ohio.gov; ccain@nd.gov; Rick Calhoon; chuck.brown@la.gov; jchambers@mt.gov; lchambers@pa.gov; ryan.channell@ncdenr.gov; Wayne Christian; Kim Christy; chris.colclasure@state.co.us; Rick Cooper; grant.cope@calepa.ca.gov; Loraine Cory; Christi.craddick@rrc.texas.gov; tracy.davis@ncdenr.gov; Dawson, Scott, EMNRD; catherine.dickert@dec.ny.gov; ldorman@pa.gov; michael.dowd@deq.virginia.gov; adunn@slo.state.nm.us; Durham, William F; wcaefta@wibauxcounty.net; lisa.ehrhart@deq.virginia.gov; bfield@nycap.rr.com; laura.finley@deq.ok.gov; donna.fisher@ks.gov; fitchh@michigan.gov; Cathy Foerster; Joe.Francis@nebraska.gov; elsie.franklin@deq.virginia.gov; jeffrey.fretwell@maryland.gov; Lavonne Garrison; kira.gillette@state.co.us; dglatt@nd.gov; steve.goans@nebraska.gov; phillip.goetze@state.nm.us; nathan.graber@dec.ny.gov; SullivanGraham, Jeri, EMNRD; ralph.gruebel@state.nm.us; Ben Grumbles; sean.hackett@state.co.us; Jim Halvorson; lacey.hardin@tn.gov; Kenneth Harris; lhelms@nd.gov; Kristen Hendricks; leo.henning@ks.gov; minor.hibbs@tceq.texas.gov; tom.higgins@state.mn.us; bridget.hill1@wyo.gov; robert.hodanbosi@epa.ohio.gov; r.hoffman_kcc.ks.gov; sheila.holman@ncdenr.gov; Homer, Pamela, NMENV; jennifer.hower@state.nm.us; justin.hsu@maryland.gov; michelle.hunter_state.nm.us; Derric.Iles@usd.edu; karen.irons@maryland.gov; james jarrett; mark.jones@state.nm.us; tiffani.kavalec@epa.ohio.gov; Dwight Keen; Shane Khoury; lloyd.kirk@deq.ok.gov; Klemp, David; scott.kudlas@deq.virginia.gov; kent.kuster@state.co.us; Butch.Lambert@dmme.virginia.gov; ed.larrimore@maryland.gov; lawrenced6@michigan.gov; shelly.lemon@state.nm.us; Richard.Ieyoub@la.gov; tlivers@mt.gov; ann.lowery@state.ma.us; jim.macy@nebraska.gov; scott.g.mandirola@wv.gov; mike.mankowski@illinois.gov; Teresa.Marks@cdpr.ca.gov; james.a.martin@wv.gov; emartin@slo.state.nm.us; leah.martland@state.co.us; amatheson@utah.gov; Michael McClellan; pmcdonnell@pa.gov; tami.mcmullin@state.co.us; ken.mcqueen@state.nm.us; marian.mergist@la.gov; alec.messina@illinois.gov; julie.murphy@state.co.us; Personal Email / Ex. 6 ; lboliver@nd.gov; osborne@adep.state.ar.us; todd.parfitt@wyo.gov; david.paylor@deq.virginia.gov; rmperry@minerals.nv.gov; scperry@pa.gov; larry.pierce@dnr.mo.gov; jmpotter@utah.gov; ronald.price@ky.gov; rretherford@dnr.in.gov; Riley, Heather, EMNRD; sectyrodriquez@calepa.ca.gov; Gary.Ross@la.gov; martha.rudolph@state.co.us; Krystal Rudolph; chona.sarte@calepa.ca.gov; Sayer, Matthias, EMNRD; dan.seamount@alaska.gov; bryan.shaw@tceq.texas.gov; Keith Sheedy; fred.shimp@dnr.state.oh.us; jesshirley@pa.gov; rick.simmers@dnr.state.oh.us; kathleen.staks@state.co.us; jstefanko@pa.gov; laurie.stevenson@epa.ohio.gov; john.stine@state.mn.us; Rene Stucky; William Sydow; Rachael.Tadlock@conservation.ca.gov; Personal Email / Ex. 6 ; Larryc.taylor@ky.gov; Kenneth.B.Taylor@ncdenr.gov; ee@ee.ok.gov; ntew@gsa.state.al.us; ethamke@mt.gov; Mick Thomas; sthomas@mt.gov; scott.thompson@deq.ok.gov; j.david.thornton@state.mn.us; butch.tongate@state.nm.us;

tegan.treadaway@la.gov; brandy.valdezmurphy@state.co.us; kara.valentine@nebraska.gov; nancy.vehr1@wyo.gov; Chris.vierrether@dnr.mo.gov; mvisher@minerals.nv.gov; michelle.b.walker@tn.gov; mwallen@mhp.energy; mark.watson@wyo.gov; chrisw@weiser-brown.com; deborah.wells@la.gov; Jwilliams@nccommerce.com; john.wood@ferc.gov; Personal Email / Ex. 6; vickie.woods@ncdenr.gov; lori.wrotenbery@rrc.texas.gov; wyganta@michigan.gov; Bruce.Yurdin@state.nm.us; zimmern6@michigan.gov; danyaibe@ZiaPueblo.org; info@standingrock.org; kirbya@utetribe.com; CAtcitty@taospueblo.com; fazure@fortpecktribes.net; edmundbaker@mhanation.com; csage@southernute-nsn.gov; hbarnes@blackfeetnation.com; russellbegaye@navajo-nsn.gov; donbenn@navajo-nsn.gov; andy.bessler@nau.edu; tbonnette@tunica.org; pbritton@cahtotribe-nsn.gov; jbrown@easternshoshone.org; dinoc@santaclarapueblo.org; paul.clarke@jemezpueblo.org; sclow@utemountain.org; hcuthair@utemountain.org; luked@utetribe.com; aduran@pojoaque.org; chairmanfox@mhanation.com; dean.goggles@northernarapaho.org; alan.hatch@santaana-nsn.gov; jannhayman@osagenation-nsn.gov; chood@mhanation.com; mhutson@southernute-nsn.gov; gjojola@lagunapueblo-nsn.gov; environment_picurispueblo.org; Personal Email / Ex. 6 william.lynn@osagenation-nsn.gov; dmartinez@puebloofacoma.org; rmartinez@sanipueblo.org; allison.mclaughlin@quinault.org; POI36871@Isletapueblo.com; smountainflower; cnaha@kewa-nsn.us; inperce@ftbelknap.org; Boyd.Nystedt@enipc.org; bpargeets@utetribe.com; tammy.parker@ashiwi.org; jacob_pecos@pueblodecochiti.org; Personal Email / Ex. 6 larry.phillips@ohkay.org; eugeniaquintana@navajo-nsn.gov; srydeen@nambepueblo.org; tonys@utetribe.com; ootc@osagenation-nsn.gov; pstout@sfpueblo.com; Personal Email / Ex. 6; atwobears@standingrock.org; lvetter@standingrock.org; Personal Email / Ex. 6; cwagon@easternshoshone.org; Personal Email / Ex. 6 Weeks, Ashley; andy.werk@ftbelknap.org; pawilson@easternshoshone.org; ronaldw@utetribe.com; gerry baker; Harry Birdwell; Amy Childers; jgadret@westar.org; Tom Moore; Personal Email / Ex. 6; mpaque@gwpc.org; Lia Parisien; hannah.phan@iogcc.state.ok.us; mike@iogcc.state.ok.us; Richardson, RobinH; Bowles, Jack; Grantham, Nancy; Davis, Patrick; Kler, Denis; clarrick@utemountain.org; Garvey, Megan; Laplante - CDPHE, Christopher; Samuel Short; Marks, Allison, EMNRD
Cc: Stephen Lee; Ewart, Emily; rithompson@mt.gov; Vinson, Toby; Martig, Anton (Tony); Jimmy Sparks; Paul Dubois; James Harcourt; Chancellor, Erin; Carey Doyle; Charlie Bock; marty.link@nebraska.gov; Mark Williams; Morlock, Nancy; Hesterlee, Craig
Subject: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call
When: Wednesday, December 19, 2018 11:00 AM-12:00 PM (UTC-07:00) Mountain Time (US & Canada).
Where: Dial: Conference Phone / Ex. 6, Conference ID: Conference Phone / Ex. 6

Hello all,
We are pleased to offer a slightly expanded agenda for our state and tribal bi-monthly call this week:

1. Welcome and announcements (Jim Kenney, Senior Policy Advisor for Oil and Gas, Office Congressional and Intergovernmental Relations, ~5 minutes)

2. EPA Self-Audit Agreement with State of Wyoming discussion (Patrick Traylor, Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance, ~15 mins)

3. Update on the Resource Conservation and Recovery Act consent decree (Civil Action No. 16-842 (JDB)) which requires the EPA to review the Subtitle D criteria regulations, 40 C.F.R. Part 257, for wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy (oil and gas wastes) and determine if regulatory updates are necessary by March 15, 2019. (Ross Elliott, Associate Division Director, Materials Recovery and Waste Management Division, Office of Land and Emergency Management, ~30 minutes)

4. Recap of action items and adjourn (Jim Kenney, ~5 mins)

You may join the call up to 15 minutes prior to the scheduled start time. To join the conference line, dial: Conference Phone / Ex. 6. Please provide the operator with the following conference ID: Conference Phone / Ex. 6. If you need assistance during the call, use the following keypad commands on your phone: *0 - Operator assistance or *6 - Self mute/unmute.

Sincerely,
Jim Kenney
--

James C. Kenney | Senior Policy Advisor for Oil and Gas
Office of Congressional and Intergovernmental Relations | Office of the Administrator | U.S. EPA
Desk/Mobile: Personal Phone / Ex. 6 | *Email:* kenney.james@epa.gov

---

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*

This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/16/2018 3:13:23 AM
To: Binder, Jonathan [Binder.Jonathan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Kenney, James [Kenney.James@epa.gov]
Subject: Resending FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry

Reply to this version:

Please review the draft email below and get me any comments you may have by 11:30 am tomorrow.
Let me know if you need more time.

Susan

Susan E. O'Keefe, Senior Counsel

Crosscutting Policy Staff

Office of Civil Enforcement

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

202-564-4021

okeefe.susan@epa.gov

****

DRAFT EMAIL TO BE SENT FROM ROSEMARIE TO SUSAN B, PATRICK AND LARRY

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Deliberative Process / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

ROSEMARIE

<Tribal Consultation Policy May 2011.pdf>

<OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf>

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/16/2018 12:29:47 AM
To: Binder, Jonathan [Binder.Jonathan@epa.gov]; Jim Kenney [kenney.jim@gmail.com]; Chapman, Apple [Chapman.Apple@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
CC: OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: FOR YOUR COMMENT: Draft email for Rosemarie to send to Susan B, Patrick and Larry
Attachments: Tribal Consultation Policy May 2011.pdf; OECA Consultation Decision Framework for Policies and Guidance July 2013.pdf

Flag: Flag for follow up

Please review the draft email below and get me any comments you may have by 11:30 am tomorrow. Let me know if you need more time.

Susan

Susan E. O'Keefe, Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-4021
okeefe.susan@epa.gov

****

DRAFT EMAIL TO BE SENT FROM ROSEMARIE TO SUSAN B, PATRICK AND LARRY

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/15/2018 10:44:19 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Stakeholder Engagement

I can make Thursday afternoon work and likely Friday too.
Thanks,
Jim

--
Jim
Desk/Mobile Personal Phone / Ex. 6

From: Sullivan, Tim
Sent: Tuesday, May 15, 2018 2:42 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Stakeholder Engagement

Thanks for the info, Jim – very helpful.

I am open Thursday afternoon and I am available until 2 pm eastern on Friday.

I hope the AEM Meeting goes well, Apple.

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Chapman, Apple
Sent: Tuesday, May 15, 2018 2:17 PM
To: Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Stakeholder Engagement

Jim,

Thanks for kicking this off and for reaching out to Tim. I appreciate the assistance. I am free this week on Thursday at 5 EST (should be home by then from the AEM) or Friday any time before 3:30PM to discuss further. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Are you guys in on Friday or do you want to try and talk on Thursday?

Apple

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Kenney, James
Sent: Tuesday, May 15, 2018 4:05 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Stakeholder Engagement

Hi Tim and Apple –

Deliberative Process / Ex. 5

Thanks,
Jim

--

Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Kenney, James
Sent: Tuesday, May 8, 2018 12:55 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: Re: Meeting

Yes, I did introduce you to Roger in Denver.

Deliberative Process / Ex. 5

Thanks,
Jim

James C. Kenney | Senior Policy Advisor | Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 Email: kenney.james@epa.gov

On May 8, 2018, at 1:09 PM, Traylor, Patrick <traylor.patrick@epa.gov> wrote:

I believe you may have introduced me to Roger at the Denver roundtable meeting.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Sunday, May 6, 2018 8:44 AM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: Re: Meeting

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Sent from my iPhone

On May 6, 2018, at 6:39 AM, Traylor, Patrick <traylor.patrick@epa.gov> wrote:

I've received this request for a meeting, largely to discuss the new audit policy.

Deliberative Process / Ex. 5

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

Begin forwarded message:

From: Roger Kelley <Roger.Kelley@clr.com>
Date: May 5, 2018 at 3:12:38 PM CDT
To: "Traylor, Patrick" <traylor.patrick@epa.gov>
Subject: RE: Meeting

Patrick,

I would like to talk about the audit program and the interaction with the state agencies. These are the major issues with some minor sidebars. Thanks.

Roger K.

J Roger Kelley
Director of Regulatory Affairs

Continental Resources, Inc.
20 N. Broadway
OKC, OK 73102
P/
C: Personal Phone / Ex. 6
Roger.kelley@clr.com
www.clr.com

Mailing:
P.O. Box 269000
OKC, OK 73126

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Saturday, May 5, 2018 1:19 PM
To: Roger Kelley <Roger.Kelley@clr.com>
Subject: {EXTERNAL}- Re: Meeting

External email – beware of links and attachments

Roger:

It's good to hear from you. What do you have on your mind to discuss?

Warm regards,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

On May 4, 2018, at 6:00 PM, Roger Kelley <Roger.Kelley@clr.com> wrote:

> Patrick,
>
> I will be in DC the week of May 15th and would like to visit. I will have Pete Regan with me from the Domestic Energy Producers Alliance. Let me know what your availability and what day and time would be best for you. Thanks for your consideration.
>
> Roger K.
>
> Roger Kelley
> Continental Resources, Inc
>
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corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message which arise as a result of e-mail transmission.

Message

From: Jonesi, Gary [Jonesi.Gary@epa.gov]
Sent: 5/15/2018 5:57:21 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Agreed

--Gary

Be kind to the environment.
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Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Porter, Amy
Sent: Tuesday, May 15, 2018 1:25 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Great suggestions, Phil. Thank you.

From: Milton, Philip
Sent: Tuesday, May 15, 2018 1:22 PM
To: Porter, Amy <Porter.Amy@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Agency Deliberative Process – Please do not release

Munsel et. al. –

I think the pages look pretty good. I have a couple of comments. I would recommended posting, if the OECA IO is ok with the format on the Audit Policy Page.

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Porter, Amy
Sent: Tuesday, May 15, 2018 9:02 AM
To: Norris, Munsel <Norris.Munsel@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

I'd like to wait until Phil can review as well please. He should be able to review later today.

Thank you

From: Norris, Munsel
Sent: Monday, May 14, 2018 1:48 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages
Importance: High

Here are the draft links to the revised pages. Please let me know what link to add to the first bullet, review and I will post after approval.

Internal urls / Ex. 6

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 - *iphone*

From: Milton, Philip
Sent: Thursday, May 10, 2018 2:54 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

Here are three files that reflect placing the hi-level summary at the top of the eDisclosure, New Owner, and Audit Policy webpages. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

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Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Both are also revised to make all hyperlinks blue.

--Gary

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Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 5/15/2018 5:04:55 PM
To: Porter, Amy [Porter.Amy@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Importance: High

Phil,
Per our discussion, I have revised the pages and they are ready for your review.

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 - *iphone*

From: Porter, Amy
Sent: Tuesday, May 15, 2018 9:02 AM
To: Norris, Munsel <Norris.Munsel@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
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Information Technology Specialist
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Personal Phone / Ex. 6 *- iphone*

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Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

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Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Jonesi, Gary
Sent: Thursday, May 10, 2018 1:25 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Both are also revised to make all hyperlinks blue.

--Gary

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Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/24/2018 12:52:07 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Re: New Owner Audit program for O&G

Sounds good

Sent from my iPhone

On May 24, 2018, at 8:51 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

I'm going to put something together and I will run it by you. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Sent from my iPhone

On May 24, 2018, at 8:48 AM, Porter, Amy <Porter.Amy@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On May 24, 2018, at 8:27 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Amy/Phil
I talked to Lee Fuller yesterday with Independent Petroleum Association of America (IPAA). IPAA is one of the trade associations we have frequent contact with regarding oil and gas issues (rules, enforcement, policy, etc). He indicated that there is a lot of confusion among his members about how this new program interacts with the 2008 New Owner policy and the 2000 audit policy. I Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 5/24/2018 12:45:40 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
CC: Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: New Owner Audit program for O&G

Good Morning Apple

Yes the refresh piece is live as of last Tuesday (May 15). See Refresh statement

Deliberative Process / Ex. 5

I would be happy to review any language that you draft to explain this.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Thursday, May 24, 2018 8:28 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: New Owner Audit program for O&G

Amy/Phil
I talked to Lee Fuller yesterday with Independent Petroleum Association of America (IPAA). IPAA is one of the trade associations we have frequent contact with regarding oil and gas issues (rules, enforcement, policy, etc). He indicated that there is a lot of confusion among his members about how this new program interacts with the 2008 New Owner policy and the 2000 audit policy. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/24/2018 12:39:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Re: New Owner Audit program for O&G

Thanks, Apple. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Phil, pls send)

Sent from my iPhone

On May 24, 2018, at 8:27 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Amy/Phil
I talked to Lee Fuller yesterday with Independent Petroleum Association of America (IPAA). IPAA is one of the trade associations we have frequent contact with regarding oil and gas issues (rules, enforcement, policy, etc). He indicated that there is a lot of confusion among his members about how this new program interacts with the 2008 New Owner policy and the 2000 audit policy Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/24/2018 3:48:31 AM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Draft Qs&As
Attachments: OGNO Program Stakeholder Meetings - QsAs_Draft (JCK).docx

Some thoughts in red. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,
Jim

From: Sullivan, Tim
Sent: Wednesday, May 23, 2018 1:35 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Draft Qs&As
Importance: High

Here is a Word doc so redlining will be easier.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Sullivan, Tim
Sent: Wednesday, May 23, 2018 1:14 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <kenney.james@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Draft Qs&As

Apple and Jim:

Here are draft responses for your review.

Deliberative Process / Ex. 5

Thanks –

Tim

Qs&As

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
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Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/23/2018 9:58:42 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5 Thanks so much, Tim, for checking.

Susan

Sent from my iPhone

On May 23, 2018, at 4:21 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

Deliberative Process & Attorney-Client / Ex. 5

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
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From: Chapman, Apple
Sent: Wednesday, May 23, 2018 1:36 PM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

The tribal meeting will be separate.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 Personal Matters / Ex. 6 and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Binder, Jonathan" <Binder.Jonathan@epa.gov>
> **Date:** May 23, 2018 at 12:04:20 PM EDT
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Cc:** "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Subject: RE: stakeholder meetings**
>
> Thanks for the update. I've got two thoughts:
>
> Deliberative Process / Ex. 5
>
> **From:** Chapman, Apple
> **Sent:** Wednesday, May 23, 2018 11:57 AM

To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/23/2018 8:21:35 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Letter to Tribal Leaders

Deliberative Process & Attorney-Client / Ex. 5

Thanks –

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Subject: RE: Letter to Tribal Leaders

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Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

The tribal meeting will be separate.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 Personal Matters / Ex. 6 and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/23/2018 7:57:33 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Re: Letter to Tribal Leaders

Thanks for getting back to me. The draft you just sent looks great.

Sent from my iPhone

On May 23, 2018, at 3:35 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

See my responses below in red.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks! Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
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Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

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To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 Personal Matters / Ex. 6 and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Binder, Jonathan" <Binder.Jonathan@epa.gov>
> **Date:** May 23, 2018 at 12:04:20 PM EDT
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Cc:** "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Subject: RE: stakeholder meetings**

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

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Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 mobile)|

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/23/2018 7:55:54 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Re: Letter to Tribal Leaders

Do you want to send to Rosemarie?

Sent from my iPhone

On May 23, 2018, at 3:54 PM, OKeefe, Susan <OKeefe.Susan@epa.gov> wrote:

> This looks great, Apple!! Thanks!
>
> Sent from my iPhone
>
> On May 23, 2018, at 3:46 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow.

Jonathan or I will send you the revised draft in Word ASAP. If the logistics have not been nailed down, the letter could go out now but I hope we could get back to the tribes by email very soon with date, time, etc. Also, it would be helpful if the call is held at last 7-10 before the end of the comment period.

In addition, I want to to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. (

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Sent: Wednesday, May 23, 2018 1:05 PM
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Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

<Draft Letter to 11 Tribes Re Draft New Owner Audit Program Agrmt 5.22.18.(AC).docx>

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/23/2018 7:42:37 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]
Subject: Fwd: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas
Attachments: image001.jpg; ATT00001.htm; Draft Letter to 11 Tribes Re Draft New Owner Audit Program Agreement 5.17.18.docx; ATT00002.htm

Apple - Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Let Amy and me know if you'd like to talk further about this.

[Excerpt from email I sent you on 5/18]

Deliberative Process / Ex. 5

SOK

Sent from my iPhone

Begin forwarded message:

> **From:** "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Date:** May 18, 2018 at 7:07:30 PM EDT
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>
> **Cc:** "Kelley, Rosemarie" <Kelley.Rosemarie@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>
> **Subject: OCE General and Follow Up on Outreach to Tribes on Draft New Owner Program Agreement for Oil & Natural Gas**
>
> Apple and Jim – Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Attached for your review and comment is a first draft of the letter that would go to the tribal leaders. Please review and provide additional information on the program, as suggested in the draft, to be included in the second paragraph. It would be great if you can get me your revisions by 2:00 or so on Monday so we can get a draft to Rosemarie by COB. We then can shoot to get a revised draft letter to Susan B, et al. by Tuesday or Wed. With a little luck and not much more work, the letters can go out by the end of next week.

I hope you had a good meeting in Philly, Apply, and that both of you have a great weekend (even though it's supposed to continue raining in our area).

Susan

Susan E. O'Keefe, Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-4021
okeefe.susan@epa.gov

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/23/2018 7:35:23 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Draft Qs&As
Attachments: OGNO Program Stakeholder Meetings - Qs&As_Draft.docx

Importance: High

Here is a Word doc so redlining will be easier.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

From: Sullivan, Tim
Sent: Wednesday, May 23, 2018 1:14 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <kenney.james@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Draft Qs&As

Apple and Jim:

Here are draft responses for your review.

Deliberative Process / Ex. 5

Thanks –

Tim

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
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Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/23/2018 6:41:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: OKeefe, Susan [OKeefe.Susan@epa.gov]
Subject: RE: Letter to Tribal Leaders
Attachments: Draft Letter to 11 Tribes Re Draft New Owner Audit Program Agrmt 5.22. 18.docx

See attached.

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 1:38 PM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: RE: Letter to Tribal Leaders

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

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Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

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To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 mobile) |

Message

From: Portmess, Jessica [Portmess.Jessica@epa.gov]
Sent: 5/25/2018 4:31:26 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; North, Alexis [North.Alexis@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Portmess, Jessica [Portmess.Jessica@epa.gov]
Subject: FW: Bruin Audit - Follow-up
Attachments: Anderson VCS Report - IFR.PDF; VCS 002 - 14 oz - One Steffes LP Ball Flare_Rev 0.pdf; Wilson VCS Datasheet.pdf

Jessica Portmess, Attorney
Regulatory Enforcement Unit
Legal Enforcement Program (8ENF-L)
USEPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-7026
Portmess.Jessica@epa.gov

From: William Getschow [mailto:wgetschow@bruinep.com]
Sent: Monday, May 21, 2018 4:21 PM
To: Portmess, Jessica <Portmess.Jessica@epa.gov>
Subject: RE: Bruin Audit - Follow-up

Jess:

As a follow up to the design and engineering procedures, please see attached a recent design report Bruin had done for our Anderson pad on the FBIR.

I wanted to confirm if these procedures would be acceptable for the design and engineering procedures to be attached to the EPA/Bruin New Purchaser Audit letter agreement.

If so, I will ask Bruin's operations group to prepare a standardized procedure based on the attached that we could use as Appendix B to the letter agreement and Bruin will ask ENGlobal to outline a time frame to provide the attached for each of Bruin's well pads.

Thank you.

William M. Getschow
Bruin E&P Operating, LLC
General Counsel
Ph: (281) 990 6953
Cell: Personal Phone / Ex. 6

From: William Getschow
Sent: Thursday, May 17, 2018 2:11 PM

To: 'Portmess, Jessica' <Portmess.Jessica@epa.gov>
Subject: RE: Bruin Audit - Follow-up

Jess:

Please see attached Bruin's proposed interim report for the new purchaser audit program. I have also attached some proposed comments to the EPA/Bruin letter agreement. My thought would be to add Appendix B to the letter agreement but we are very flexible on the EPA's preferred approach for engineering and design analysis.

I can also set up a call with our operational group (Dustin Grosulak, Justin Plummer and Kennon Doyal who were all at our meeting in Denver) to discuss the proposed interim report if that is helpful.

Thank you and please let me know if you have any questions.

William M. Getschow
Bruin E&P Operating, LLC
General Counsel
Ph: (281) 990 6953
Cell: Personal Phone / Ex. 6

From: Portmess, Jessica [mailto:Portmess.Jessica@epa.gov]
Sent: Wednesday, May 16, 2018 3:40 PM
To: William Getschow <wgetschow@bruinep.com>
Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>
Subject: Bruin Audit - Follow-up

William,

As we discussed, here is the link to the EPA's new owner audit program for oil and gas: https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

You'll see a link to the draft agreement at the bottom of the page.

Jess

Jessica Portmess, Attorney
Regulatory Enforcement Unit
Legal Enforcement Program (8ENF-L)
USEPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-7026
Portmess.Jessica@epa.gov

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This e-mail and any documents contained herein are only for the intended recipient(s) and may contain privileged, confidential or proprietary information. Unauthorized use, copying or distribution of this e-mail or

any of the documents contained herein, in whole or in part, is strictly prohibited. If you are not an intended recipient of this e-mail, please notify the sender by return e-mail and delete this e-mail. Nothing in this e-mail is intended to create a binding or enforceable contract or agreement between you or your company and Bruin E&P Operating, LLC or any of its affiliates ("Bruin") except to the extent of an attached document with the signature of an authorized representative of Bruin.

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/25/2018 1:06:33 PM
To: Milton, Philip [Milton.Philip@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, James [Sullivan.James@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: Re: More recent Q&A document.

Thanks, Phil!!

Sent from my iPhone

On May 25, 2018, at 8:33 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Friday, May 25, 2018 8:08 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release

Dear AED

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: OKeefe, Susan
Sent: Thursday, May 24, 2018 2:01 PM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Date:** May 23, 2018 at 3:35:53 PM EDT
> **To:** "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Cc:** "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James"

<Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks!

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In addition, I want to to respond to 2 of your comments/questions:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

The tribal meeting will be separate.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 but I Personal Matters / Ex. 6 and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Binder, Jonathan" <Binder.Jonathan@epa.gov>
> **Date:** May 23, 2018 at 12:04:20 PM EDT
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Cc:** "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Subject: RE: stakeholder meetings**
>
> Thanks for the update. I've got two thoughts:
>
> Deliberative Process / Ex. 5
>
> ---
>
> **From:** Chapman, Apple
> **Sent:** Wednesday, May 23, 2018 11:57 AM
> **To:** Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
> **Subject:** stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 | Personal Phone / Ex. 6 (mobile) |

<Questions and Answers on Second FR July 31.doc>

<Questions and Answers on Interim Approach FR August 1, 2008.doc>

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 5/25/2018 11:41:21 AM
To: OKeefe, Susan [OKeefe.Susan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, James [Sullivan.James@epa.gov]; Kenney, James [Kenney.James@epa.gov]
CC: Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: Letter to Tribal Leaders
Attachments: Questions and Answers on Second FR July 31.doc

Agency Deliberative Process – Please do not release

Dear AED

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: OKeefe, Susan
Sent: Thursday, May 24, 2018 2:01 PM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Letter to Tribal Leaders

Phil -

Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Date:** May 23, 2018 at 3:35:53 PM EDT
> **To:** "OKeefe, Susan" <OKeefe.Susan@epa.gov>

Cc: "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>
Subject: RE: Letter to Tribal Leaders

See my responses below in red.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

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Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks! I Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Sent from my iPhone

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> Susan,
> I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General.
>
> Deliberative Process / Ex. 5
>
> Deliberative Process / Ex. 5
>
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>
> The tribal meeting will be separate.
>
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 Personal Matters / Ex. 6 and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

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> **Date:** May 23, 2018 at 12:04:20 PM EDT
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Cc:** "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Subject: RE: stakeholder meetings**
>
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>
> Deliberative Process / Ex. 5
>
> **From:** Chapman, Apple
> **Sent:** Wednesday, May 23, 2018 11:57 AM

To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 Personal Phone / Ex. 6
(office) | 202-841-6076 (mobile) |

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 5/24/2018 8:50:52 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Bruin E&P - New Owner Audit (Milton's Comments)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Glad to see there is a draft.

From: Chapman, Apple
Sent: Thursday, May 24, 2018 4:21 PM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: Bruin E&P - New Owner Audit (Milton's Comments)

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 mobile)|

From: Sullivan, Tim
Sent: Tuesday, May 22, 2018 5:53 PM
To: Portmess, Jessica <Portmess.Jessica@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Figur, Charles <Figur.Charles@epa.gov>; North, Alexis <North.Alexis@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Bruin E&P - New Owner Audit (Milton's Comments)

Hi, Jess.

I added some edits and comments (also attributed to author) into the attached draft response.

With regard to your questions:

Deliberative Process & Attorney-Client / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

From: Milton, Philip
Sent: Monday, May 21, 2018 7:08 AM
To: Portmess, Jessica <Portmess.Jessica@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Figur, Charles <Figur.Charles@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; North, Alexis <North.Alexis@epa.gov>
Subject: FW: Bruin E&P - New Owner Audit (Milton's Comments)

DRAFT - Agency Deliberative Process – Please do not release

Good Morning Jess –

Deliberative Process & Attorney-Client / Ex. 5

Thank you for providing me an opportunity to review the draft letter.

V/r

Phil

Philip L. Milton, National Audit Policy Coordinator
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Portmess, Jessica
Sent: Friday, May 18, 2018 4:38 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Figur, Charles <Figur.Charles@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: North, Alexis <North.Alexis@epa.gov>; Portmess, Jessica <Portmess.Jessica@epa.gov>
Subject: Bruin E&P - New Owner Audit

All,

Deliberative Process & Attorney-Client / Ex. 5

Thanks,
Jess

Jessica Portmess, Attorney
Regulatory Enforcement Unit
Legal Enforcement Program (8ENF-L)
USEPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-7026
Portmess.Jessica@epa.gov

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Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 6/7/2018 6:04:29 PM
To: Williams, Christopher [Williams.Christopher@epa.gov]; Burke, Shaun [Burke.Shaun@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Frigerio, Lorry [Frigerio.Lorry@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: FW: FINAL FY 2018 Workforce Deployment Funds Awards
Attachments: WDF 2018 Final Awards 06 04 18.xlsx

Hi Chris/Shaun,

Deliberative Process / Ex. 5

Thanks.

Rob

From: Mckeever, Michele
Sent: Tuesday, June 05, 2018 4:18 PM
To: Segall, Martha <Segall.Martha@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Vizard, Elizabeth <Vizard.Elizabeth@epa.gov>; Saenz, Diana <Saenz.Diana@epa.gov>; amend, carol <amend.carol@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Denton, Loren <Denton.Loren@epa.gov>; Dart, Denny <Dart.Denny@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Bahk, Benjamin <Bahk.Benjamin@epa.gov>; Kenknight, Jeff <Kenknight.Jeff@epa.gov>; Sullivan, Greg <Sullivan.Greg@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Cobb, David <cobb.david@epa.gov>
Cc: Kabler, Lauren <Kabler.Lauren@epa.gov>; Gargas, Toni <Gargas.Toni@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Frigerio, Lorry <Frigerio.Lorry@epa.gov>; Guerra, Lidia <guerra.lidia@epa.gov>; Abbott, David <Abbott.David@epa.gov>; Ammons, Brad <Ammons.Brad@epa.gov>; Annicella, Alan <Annicella.Alan@epa.gov>; Armstrong, Joan <Armstrong.Joan@epa.gov>; Arvizu, Christy <Arvizu.Christy@epa.gov>; Azad, Ava <Azad.Ava@epa.gov>; Bahr, Ryan <bahr.ryan@epa.gov>; Banner, Ellen <Banner.Ellen@epa.gov>; Beckley, Patrick <Beckley.Patrick@epa.gov>; Beers, Samantha <Beers.Samantha@epa.gov>; Belke, Jim <Belke.Jim@epa.gov>; Bellot, Michael <Bellot.Michael@epa.gov>; Bendik, Kaitlyn <bendik.kaitlyn@epa.gov>; Berg, Elizabeth <Berg.Elizabeth@epa.gov>; Bohan, Suzanne <bohan.suzanne@epa.gov>; Bookman, Robert <Bookman.Robert@epa.gov>; Browne, Nancy <Browne.Nancy@epa.gov>; Bruce, Susan <Bruce.Susan@epa.gov>; Bruno, Jodi <Bruno.Jodi@epa.gov>; Buckner, Edwin <Buckner.Edwin@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Burnett, Michael <Burnett.Michael@epa.gov>; Buterbaugh, Kristin <Buterbaugh.Kristin@epa.gov>; Campbell, Gwen <Campbell.Gwen@epa.gov>; Canzler, Erica <Canzler.Erica@epa.gov>; Cardile, Joseph <Cardile.Joseph@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>; Chavez, Kimberly <Chavez.Kimberly@epa.gov>; Chow, Emily <Chow.Emily@epa.gov>; Chrzaszcz, Monika <chrzaszcz.monika@epa.gov>; Couch, Jim <Couch.Jim@epa.gov>; Cox, John <cox.john@epa.gov>; Crane, Rebecca <crane.rebecca@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Cullen, Raymond <cullen.raymond@epa.gov>; Cunningham, Caitlin <cunningham.caitlin@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; DeJong, Stephanie <DeJong.Stephanie@epa.gov>; Dever, Mary <Dever.Mary@epa.gov>; Dickens, Brian <dickens.brian@epa.gov>; Dixon, Chelsea <Dixon.Chelsea@epa.gov>; Dixon, Douglas <Dixon.Douglas@epa.gov>; Dunn, Michael <dunn.michael@epa.gov>; EL-Zoobi, Majd <El-Zoobi.Majd@epa.gov>; Fentress, Robert <Fentress.Robert@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Freyre, Dominique <Freyre.Dominique@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Garcia, David <Garcia.David@epa.gov>; Garvey, Melanie <Garvey.Melanie@epa.gov>; Ghaffari, Mozafar <Ghaffari.Mozafar@epa.gov>; Gilley, Anne <Gilley.anne@epa.gov>; Greenberg, Ken <Greenberg.Ken@epa.gov>; Greenwald, Kathryn

<Greenwald.Kathryn@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Handler, Neil <Handler.Neil@epa.gov>; Harsh, Chad <Harsh.Chad@epa.gov>; Haugen, Lisa <Haugen.Lisa@epa.gov>; Hayes, Sharon <Hayes.Sharon@epa.gov>; Herrera, Esteban <Herrera.Esteban@epa.gov>; Housman, Van <Housman.Van@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Hunt, Stuart <Hunt.Stuart@epa.gov>; Ireland, Laurie <Ireland.Laurie@epa.gov>; Ireland, Sean <Ireland.Sean@epa.gov>; Johnstone, Jeremy <Johnstone.Jeremy@epa.gov>; Jones, Laurie <JONES.LAURIE@EPA.GOV>; Jurevis, John <Jurevis.John@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Kline, James <Kline.James@epa.gov>; Krausz, Brian <Krausz.Brian@epa.gov>; Kremer, Fran <Kremer.Fran@epa.gov>; Kuefler, Patrick <kuefler.patrick@epa.gov>; Kulpan, Bruce <Kulpan.Bruce@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Lawrence, Kathryn <Lawrence.Kathryn@epa.gov>; Levo, Brian <Levo.Brian@epa.gov>; Lindsey, William <Lindsey.William@epa.gov>; Llamozas, Emilio <Llamozas.Emilio@epa.gov>; Long, David <Long.David@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Marshall, Paul <Marshall.Paul@epa.gov>; Mathews, Kaye <Mathews.Kaye@epa.gov>; McDowell, Justin <McDowell.Justin@epa.gov>; Mceathron, Kimberly <McEathron.Kimberly@epa.gov>; McFadden, Kelly <McFadden.Kelly@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Menen, Christopher <menen.chris@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Miles, James <miles.james@epa.gov>; Modigliani, Justine <Modigliani.Justine@epa.gov>; Moore, Letitia (Separated 5/18/18) <Moore.Letitia@epa.gov>; Morgan, James <Morgan.James@epa.gov>; Nanda, Sushila <Nanda.Sushila@epa.gov>; Nicholson, Timothy <Nicholson.Timothy@epa.gov>; O'Donnell, Mary Jane <Odonnell.Maryjane@epa.gov>; Oif, Leslie <Oif.Leslie@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Osbourne, Margaret <osbourne.margaret@epa.gov>; Palomo, Silvia <palomo.silvia@epa.gov>; Peters, Carol <Peters.Carol@epa.gov>; Pickrel, Jan <Pickrel.Jan@epa.gov>; Pollard, Stephen <Pollard.Stephen@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Raack, Melissa <Raack.Melissa@epa.gov>; Ramirez, Steven A <ramirez.stevena@epa.gov>; Rapp, Steve <Rapp.Steve@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>; Russell, Bethany <Russell.Bethany@epa.gov>; Saunders, Jerry <Saunders.Jerry@epa.gov>; Schefski, Kenneth <Schefski.Kenneth@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Seligman, Andrew <Seligman.Andrew@epa.gov>; Seltzer, Mark <Seltzer.Mark@epa.gov>; Senkayi, Abu <Senkayi.Abu@epa.gov>; Simpson, Andrea <simpson.andrea@epa.gov>; Skelley, Dana <Skelley.Dana@epa.gov>; Smith, Catherine <smith.catherine@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Stucky, Marie <Stucky.Marie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Tates, Samuel <Tates.Samuel@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>; Tierney, Meghan <Tierney.Meghan@epa.gov>; Triantafillou, Kathy <triantafillou.kathy@epa.gov>; Tucker, Colby <Tucker.WilliamC@epa.gov>; Vanlerberghe, Daren <Vanlerberghe.Daren@epa.gov>; VanTil, Barbara <vantil.barbara@epa.gov>; Wahlstrom-Ramler, Meghan <Wahlstrom-Ramler.Meghan@epa.gov>; Wasem, Russell <Wasem.Russell@epa.gov>; Weekley, Erin <weekley.erin@epa.gov>; Weiss, Cynthia <Weiss.Cynthia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Welsh, Mike <Welsh.Mike@epa.gov>; Wilk, John <Wilk.John@epa.gov>; Wilson, Dane <Wilson.Dane@epa.gov>; Wilson, Scott <Wilson.Js@epa.gov>; Ziegel, Dean <Ziegel.Dean@epa.gov>; Zimmer, Andrea <Zimmer.Andrea@epa.gov>; Zolandz, Mark <Zolandz.Mark@epa.gov>
Subject: FINAL FY 2018 Workforce Deployment Funds Awards

Hello to NEI Steering Committee Representatives:

Deliberative Process / Ex. 5

We also wish to thank the evaluation panel - - which included Martha Segall, Lauren Kabler, and Toni Gargas - - for their time and effort.

If you have any questions, please let me or Lorry (564-4931) know.

I may have missed a few people on SITs as the memberships change over time so please share this news with your SITS. Thanks.

Michele McKeever
Branch Chief, National Planning and Measures Branch
Office of Enforcement and Compliance Assurance
1200 Pennsylvania Ave., NW, Washington, DC 20460
202-564-3688

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/22/2018 9:28:53 PM
To: Binder, Jonathan [Binder.Jonathan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: RE: Pueblo Information - DOI

Deliberative Process / Ex. 5

Thanks,
Jim

From: Kenney, James
Sent: Tuesday, May 22, 2018 12:53 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: Pueblo Information - DOI

Thanks Jonathan. I speak to Rob multiple times a day and will chat will call him. Apple, is that ok with you?

Deliberative Process / Ex. 5

Thanks,
Jim
--
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Binder, Jonathan
Sent: Tuesday, May 22, 2018 11:30 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>
Subject: RE: Pueblo Information - DOI

Apple & Jim

Deliberative Process / Ex. 5

Jonathan

From: Chapman, Apple
Sent: Tuesday, May 22, 2018 1:10 PM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: RE: Pueblo Information - DOI

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Tuesday, May 22, 2018 12:41 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Cc: Binder, Jonathan <Binder.Jonathan@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Pueblo Information - DOI

Deliberative Process / Ex. 5

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Binder, Jonathan" <Binder.Jonathan@epa.gov>
> **Date:** May 22, 2018 at 12:02:12 PM EDT
> **To:** "Lawrence, Rob" <Lawrence.Rob@epa.gov>
> **Cc:** "Kenney, James" <Kenney.James@epa.gov>, "Chapman, Apple" <Chapman.Apple@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Subject: Pueblo Information - DOI**

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

Tribal Engagement List.xlsx

Deliberative Process / Ex. 5

Please let me know if you have any questions.

Jonathan

Jonathan Binder
Attorney Advisor
Senior Indian Program Manager
Office of Environmental and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-2516
binder.jonathan@epa.gov

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 6/6/2018 3:42:29 PM
To: Speir, Jeffrey [speir.jeffrey@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Got yours and Apple's. Thanks.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Speir, Jeffrey
Sent: Wednesday, June 06, 2018 11:23 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I also edited the document, **Deliberative Process / Ex. 5**

Jeffrey Speir, Attorney-Adviser
U.S. Environmental Protection Agency
OECA – OCE – Water Enforcement Division
(202) 564-0872

From: Chapman, Apple
Sent: Wednesday, June 06, 2018 11:13 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I made edits directly to the document. Hopefully it saved.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Mia, Marcia
Sent: Wednesday, June 06, 2018 9:20 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Thank you Jeff and Apple for your comments **Deliberative Process / Ex. 5**

Dan or Rob -any comments?

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Mia, Marcia
Sent: Tuesday, June 05, 2018 3:10 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Lischinsky, Robert <lischinsky.robert@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Here is a first stab. I will leave it open for editing on my onedrive so we have one version. If you have problems with that, feel free to comment in the way most convenient for you.

Deliberative Process / Ex. 5

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Chapman, Apple
Sent: Tuesday, June 05, 2018 2:53 PM
To: Kenney, James <Kenney.James@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Jim
Thanks for flagging this. **Deliberative Process / Ex. 5** **Deliberative Process / Ex. 5**

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) **Personal Phone / Ex. 6** (mobile)|

From: Kenney, James
Sent: Tuesday, June 05, 2018 12:24 PM
To: Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Importance: High

Hi John,

Deliberative Process / Ex. 5

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

---

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

From: Senn, John
Sent: Tuesday, June 5, 2018 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I'll defer to Jim for review & input on this one since he is OECA's lead on this…thanks,
John

From: Daguillard, Robert
Sent: Tuesday, June 5, 2018 8:18 AM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS
PAMELA KING
DDL FRIDAY JUNE 8

Good morning,

Wondering if either of your offices could contribute to a combined agency response to the following inquiry (please see attached). The reporter has agreed to extend her deadline by a week, to this coming Friday, June 8. Thanks in advance for letting us know what's feasible.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Personal Phone / Ex. 6 (M)

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 6/6/2018 3:42:00 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Yes. I have yours.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Chapman, Apple
Sent: Wednesday, June 06, 2018 11:13 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I made edits directly to the document. Hopefully it saved.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Mia, Marcia
Sent: Wednesday, June 06, 2018 9:20 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Thank you Jeff and Apple for your comments - **Deliberative Process / Ex. 5**

Dan or Rob -any comments?

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Mia, Marcia
Sent: Tuesday, June 05, 2018 3:10 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Lischinsky, Robert <lischinsky.robert@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Here is a first stab. I will leave it open for editing on my onedrive so we have one version. If you have problems with that, feel free to comment in the way most convenient for you.

Deliberative Process / Ex. 5

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Chapman, Apple
Sent: Tuesday, June 05, 2018 2:53 PM
To: Kenney, James <Kenney.James@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Jim
Thanks for flagging this. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Kenney, James
Sent: Tuesday, June 05, 2018 12:24 PM
To: Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Importance: High

Hi John,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

From: Senn, John
Sent: Tuesday, June 5, 2018 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I'll defer to Jim for review & input on this one since he is OECA's lead on this…thanks,
John

From: Daguillard, Robert
Sent: Tuesday, June 5, 2018 8:18 AM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS
PAMELA KING
DDL FRIDAY JUNE 8

Good morning,

Wondering if either of your offices could contribute to a combined agency response to the following inquiry (please see attached). The reporter has agreed to extend her deadline by a week, to this coming Friday, June 8. Thanks in advance for letting us know what's feasible.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Personal Phone / Ex. 6 (M)

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 6/6/2018 1:21:55 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: letter

thanks

From: Chapman, Apple
Sent: Wednesday, June 6, 2018 8:16 AM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: RE: letter

Sure.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

From: Binder, Jonathan
Sent: Wednesday, June 06, 2018 8:14 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: letter

Good morning Apple. I'm reviewing all the letters now. A

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Jonathan Binder
Attorney Advisor
Senior Indian Program Manager
Office of Environmental and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-2516
binder.jonathan@epa.gov

Message

From: Binder, Jonathan [no-reply@sharepointonline.com]
Sent: 6/6/2018 12:35:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Davis, CatherineM [Davis.CatherineM@epa.gov]
CC: Binder, Jonathan [Binder.Jonathan@epa.gov]
Subject: Binder, Jonathan has shared 'Draft Final Letter to Tribes Re New Owner Audit Program Agrmt 6 5 18'

Good monring Chatherine. Thank you again for contininuing to work on these letters. They are now updated to include the July 9, 2018 date and ready for printing/pdf/signature. Please let me know when you start to work on the next steps. I know you're busy today on the weekly. Jonathan

Open Draft Final Letter to Tribes Re New Owner Audit Program Agrmt 6 5 18.docx

See more related to Binder, Jonathan in Delve.

Get the SharePoint mobile app!

Message

From: Norris, Munsel [Norris.Munsel@epa.gov]
Sent: 6/5/2018 9:03:43 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Oil and Gas Audit Program Invitation

Sure, didn't realize it was in 2 places.

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 - *iphone*

On Jun 5, 2018, at 4:29 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> Thanks. Can you also change the date here. It still says June 4.
>
> https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production
>
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Federal law prohibits disclosure / Ex. 3 (mobile)|
>
> **From:** Norris, Munsel
> **Sent:** Saturday, June 02, 2018 9:24 AM
> **To:** Chapman, Apple <Chapman.Apple@epa.gov>
> **Subject:** RE: Oil and Gas Audit Program Invitation
>
> It is complete.
>
> https://www.epa.gov/compliance/epas-audit-policy
>
> Thanks,
> *Munsel Norris*
> *Information Technology Specialist*
> *OECA/OCE/RMS*
> *(202) 564-6659 – office phone*
> Personal Phone / Ex. 6 - *iphone*
>
> **From:** Chapman, Apple
> **Sent:** Friday, June 01, 2018 10:29 PM
> **To:** Norris, Munsel <Norris.Munsel@epa.gov>
> **Subject:** Re: Oil and Gas Audit Program Invitation
>
> Monday, July 2. Thanks.

Sent from my iPhone

On Jun 1, 2018, at 9:38 PM, Norris, Munsel <Norris.Munsel@epa.gov> wrote:

Hi Apple,
The extended date is July weekend 2nd, correct?

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 *- iphone*

On Jun 1, 2018, at 7:10 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Munsel,
Here is one of three emails Patrick sent on Friday. Can you please update the web page with the new date for submitting comments. Thank you!

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

From: Traylor, Patrick
Sent: Friday, June 01, 2018 6:16 PM
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: Oil and Gas Audit Program Invitation

On May 4, 2018, the EPA made available for public comment a draft standard audit program agreement tailored for new owners of oil and natural gas exploration and production facilities.
At that time, we stated that we would be accepting stakeholder comments on the draft agreement until Monday, June 4, 2018, and conducting outreach to seek individual feedback from states, tribes, the regulated community, environmental NGOs, and other stakeholders. EPA is pleased to announce we are extending the comment period until Monday, July 2, 2018, and we are hosting in-person opportunities to engage on the draft agreement.

On Thursday, June 28, from 9:30 a.m. to 12:00 p.m. (EDT), EPA staff will be hosting a stakeholder meeting in Washington, DC at 1200 Pennsylvania Avenue NW in the William Jefferson Clinton South Building, Room 5213. The purpose of the meeting is to afford stakeholders with the opportunity to provide individual, verbal feedback on the draft agreement directly to EPA staff. During the meeting, EPA staff may provide some clarifications on

the draft agreement as necessary to help understand your verbal comments. However, EPA staff will not discuss the merits of the draft agreement, negotiate specific changes, or respond to verbal comments. You may participate in this stakeholder meeting for Industry Stakeholders in-person or by conference call (see registration details below). If you are unable to participate in this stakeholder meeting at this date and time, you are encouraged to provide written comments to EPA by Monday, July 2, 2018. EPA is providing all segments of the oil and natural gas stakeholder community with this opportunity and cannot offer make-up sessions. If you participate at the meeting or provide comments, EPA requests that you do so on an individual basis.

While EPA has made every attempt to inform interested parties of the opportunity to provide individual written comments on the draft agreement and provide verbal comments, we encourage you to share this email with your colleagues in the oil and natural gas stakeholder community.

To register for the in-person meeting please send an email to Apple Chapman at chapman.apple@epa.gov by 5:00 p.m. (EDT) on Friday, June 22. The subject line of the email should say "Oil and Natural Gas Program Registration." In the body of the email please indicate if you plan to participate in person or by teleconference. Apple will provide you with additional logistics and information in an upcoming message. We have also prepared the attached Q&A document with information regarding meeting logistics. If you have questions about the in-person stakeholder meeting, please contact Apple by email.

We look forward to your participation.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

<OGNO Program Stakeholder Meetings Q&A Document.docx>

Message

From: Nayyar, Vani [nayyar.vani@epa.gov]
Sent: 6/5/2018 8:42:39 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Materials

Dear Apple,

Thank you for sending this over. I will look everything over and work with Angelica to start reviewing the comments.

Thank you,
Vani Nayyar

Law Clerk
Air Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

Office: (202) 564-0873
Email: Nayyar.vani@epa.gov

From: Chapman, Apple
Sent: Tuesday, June 5, 2018 4:28 PM
To: Nayyar, Vani <nayyar.vani@epa.gov>
Cc: Spina, Providence <Spina.Providence@epa.gov>
Subject: Materials

Vani,

These links include the materials we discussed. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

This link includes all of the EPA audit policies and the draft agreement we are developing.

https://www.epa.gov/compliance/epas-audit-policy

Here is the link for the New Owner Audit Policy from 2008.

https://www.epa.gov/compliance/epas-interim-approach-applying-audit-policy-new-owners

This link goes directly to the oil and gas draft agreement we are asking for comment on.

https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Ayres, Sara [Ayres.Sara@epa.gov]
Sent: 6/5/2018 8:41:50 PM
To: augustine, bruce [augustine.bruce@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Buenning, Hans [Buenning.Hans@epa.gov]; Buettner, Robert [Buettner.Robert@epa.gov]; Cardile, Joseph [Cardile.Joseph@epa.gov]; Chan, Janice [Chan.Janice@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Dickens, Brian [dickens.brian@epa.gov]; Dixon, Chelsea [Dixon.Chelsea@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Frank, Nathan [frank.nathan@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Ghaffari, Mozafar [Ghaffari.Mozafar@epa.gov]; Hall, Kristen [hall.kristen@epa.gov]; Jones, Joel E. [Jones.Joel@epa.gov]; LaVigna, Gaetano [LaVigna.Gaetano@epa.gov]; Lonergan, Ralph [Lonergan.Ralph@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Maldonado, Zelma [Maldonado.Zelma@epa.gov]; Marshall, Sarah [marshall.sarah@epa.gov]; McClintock, Katie [McClintock.Katie@epa.gov]; McNeal, Dave [Mcneal.Dave@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; Osbourne, Margaret [osbourne.margaret@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Harish [Patel.Harish@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Rutherford, Nancy [Rutherford.Nancy@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Sansevero, Christine [Sansevero.Christine@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]
Subject: FW: FINAL FY 2018 Workforce Deployment Funds Awards
Attachments: WDF 2018 Final Awards 06 04 18.xlsx

FYI.

Sara Ayres
Air Branch
USEPA / OECA / OC / MAMPD
ayres.sara@epa.gov
(312) 353-6266

From: Fite, Mark
Sent: Tuesday, June 5, 2018 3:37 PM
To: Ayres, Sara <Ayres.Sara@epa.gov>
Subject: FW: FINAL FY 2018 Workforce Deployment Funds Awards

Do you mind sharing this with the folks who submitted proposals and the SIT?

Thanks!

Mark J. Fite
Technical Authority for CAA, TSCA, FIFRA, & EPCRA
Office of Enforcement Coordination
U.S. EPA Region 4
61 Forsyth St., SW
Atlanta, GA 30303
fite.mark@epa.gov
404.562.9740

From: Mckeever, Michele
Sent: Tuesday, June 05, 2018 4:18 PM
To: Segall, Martha <Segall.Martha@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Vizard, Elizabeth <Vizard.Elizabeth@epa.gov>; Saenz, Diana <Saenz.Diana@epa.gov>; amend, carol <amend.carol@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Chapman, Apple

<Chapman.Apple@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Denton, Loren <Denton.Loren@epa.gov>; Dart, Denny <Dart.Denny@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Bahk, Benjamin <Bahk.Benjamin@epa.gov>; Kenknight, Jeff <Kenknight.Jeff@epa.gov>; Sullivan, Greg <Sullivan.Greg@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Cobb, David <cobb.david@epa.gov>
Cc: Kabler, Lauren <Kabler.Lauren@epa.gov>; Gargas, Toni <Gargas.Toni@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Frigerio, Lorry <Frigerio.Lorry@epa.gov>; Guerra, Lidia <guerra.lidia@epa.gov>; Abbott, David <Abbott.David@epa.gov>; Ammons, Brad <Ammons.Brad@epa.gov>; Annicella, Alan <Annicella.Alan@epa.gov>; Armstrong, Joan <Armstrong.Joan@epa.gov>; Arvizu, Christy <Arvizu.Christy@epa.gov>; Azad, Ava <Azad.Ava@epa.gov>; Bahr, Ryan <bahr.ryan@epa.gov>; Banner, Ellen <Banner.Ellen@epa.gov>; Beckley, Patrick <Beckley.Patrick@epa.gov>; Beers, Samantha <Beers.Samantha@epa.gov>; Belke, Jim <Belke.Jim@epa.gov>; Bellot, Michael <Bellot.Michael@epa.gov>; Bendik, Kaitlyn <bendik.kaitlyn@epa.gov>; Berg, Elizabeth <Berg.Elizabeth@epa.gov>; Bohan, Suzanne <bohan.suzanne@epa.gov>; Bookman, Robert <Bookman.Robert@epa.gov>; Browne, Nancy <Browne.Nancy@epa.gov>; Bruce, Susan <Bruce.Susan@epa.gov>; Bruno, Jodi <Bruno.Jodi@epa.gov>; Buckner, Edwin <Buckner.Edwin@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Burnett, Michael <Burnett.Michael@epa.gov>; Buterbaugh, Kristin <Buterbaugh.Kristin@epa.gov>; Campbell, Gwen <Campbell.Gwen@epa.gov>; Canzler, Erica <Canzler.Erica@epa.gov>; Cardile, Joseph <Cardile.Joseph@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>; Chavez, Kimberly <Chavez.Kimberly@epa.gov>; Chow, Emily <Chow.Emily@epa.gov>; Chrzaszcz, Monika <chrzaszcz.monika@epa.gov>; Couch, Jim <Couch.Jim@epa.gov>; Cox, John <cox.john@epa.gov>; Crane, Rebecca <crane.rebecca@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Cullen, Raymond <cullen.raymond@epa.gov>; Cunningham, Caitlin <cunningham.caitlin@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; DeJong, Stephanie <DeJong.Stephanie@epa.gov>; Dever, Mary <Dever.Mary@epa.gov>; Dickens, Brian <dickens.brian@epa.gov>; Dixon, Chelsea <Dixon.Chelsea@epa.gov>; Dixon, Douglas <Dixon.Douglas@epa.gov>; Dunn, Michael <dunn.michael@epa.gov>; EL-Zoobi, Majd <El-Zoobi.Majd@epa.gov>; Fentress, Robert <Fentress.Robert@epa.gov>; Foley, Patrick <Foley.Patrick@epa.gov>; Freyre, Dominique <Freyre.Dominique@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Garcia, David <Garcia.David@epa.gov>; Garvey, Melanie <Garvey.Melanie@epa.gov>; Ghaffari, Mozafar <Ghaffari.Mozafar@epa.gov>; Gilley, Anne <Gilley.anne@epa.gov>; Greenberg, Ken <Greenberg.Ken@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Handler, Neil <Handler.Neil@epa.gov>; Harsh, Chad <Harsh.Chad@epa.gov>; Haugen, Lisa <Haugen.Lisa@epa.gov>; Hayes, Sharon <Hayes.Sharon@epa.gov>; Herrera, Esteban <Herrera.Esteban@epa.gov>; Housman, Van <Housman.Van@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Hunt, Stuart <Hunt.Stuart@epa.gov>; Ireland, Laurie <Ireland.Laurie@epa.gov>; Ireland, Sean <Ireland.Sean@epa.gov>; Johnstone, Jeremy <Johnstone.Jeremy@epa.gov>; Jones, Laurie <JONES.LAURIE@EPA.GOV>; Jurevis, John <Jurevis.John@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Kline, James <Kline.James@epa.gov>; Krausz, Brian <Krausz.Brian@epa.gov>; Kremer, Fran <Kremer.Fran@epa.gov>; Kuefler, Patrick <kuefler.patrick@epa.gov>; Kulpan, Bruce <Kulpan.Bruce@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>; Lawrence, Kathryn <Lawrence.Kathryn@epa.gov>; Levo, Brian <Levo.Brian@epa.gov>; Lindsey, William <Lindsey.William@epa.gov>; Llamozas, Emilio <Llamozas.Emilio@epa.gov>; Long, David <Long.David@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Marshall, Paul <Marshall.Paul@epa.gov>; Mathews, Kaye <Mathews.Kaye@epa.gov>; McDowell, Justin <McDowell.Justin@epa.gov>; Mceathron, Kimberly <McEathron.Kimberly@epa.gov>; McFadden, Kelly <McFadden.Kelly@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Menen, Christopher <menen.chris@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Miles, James <miles.james@epa.gov>; Modigliani, Justine <Modigliani.Justine@epa.gov>; Moore, Letitia (Separated 5/18/18) <Moore.Letitia@epa.gov>; Morgan, James <Morgan.James@epa.gov>; Nanda, Sushila <Nanda.Sushila@epa.gov>; Nicholson, Timothy <Nicholson.Timothy@epa.gov>; O'Donnell, Mary Jane <Odonnell.Maryjane@epa.gov>; Oif, Leslie <Oif.Leslie@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>; Osbourne, Margaret <osbourne.margaret@epa.gov>; Palomo, Silvia <palomo.silvia@epa.gov>; Peters, Carol <Peters.Carol@epa.gov>; Pickrel, Jan <Pickrel.Jan@epa.gov>; Pollard, Stephen <Pollard.Stephen@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Raack, Melissa <Raack.Melissa@epa.gov>; Ramirez, Steven A <ramirez.stevena@epa.gov>; Rapp, Steve <Rapp.Steve@epa.gov>; Regna, Jean <Regna.Jean@epa.gov>; Russell, Bethany <Russell.Bethany@epa.gov>; Saunders, Jerry <Saunders.Jerry@epa.gov>; Schefski, Kenneth <Schefski.Kenneth@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>; Seligman, Andrew <Seligman.Andrew@epa.gov>; Seltzer, Mark <Seltzer.Mark@epa.gov>; Senkayi, Abu <Senkayi.Abu@epa.gov>; Simpson, Andrea <simpson.andrea@epa.gov>; Skelley, Dana <Skelley.Dana@epa.gov>; Smith, Catherine <smith.catherine@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Stucky, Marie <Stucky.Marie@epa.gov>;

Sullivan, Tim <Sullivan.Tim@epa.gov>; Tates, Samuel <Tates.Samuel@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>; Tierney, Meghan <Tierney.Meghan@epa.gov>; Triantafillou, Kathy <triantafillou.kathy@epa.gov>; Tucker, Colby <Tucker.WilliamC@epa.gov>; Vanlerberghe, Daren <Vanlerberghe.Daren@epa.gov>; VanTil, Barbara <vantil.barbara@epa.gov>; Wahlstrom-Ramler, Meghan <Wahlstrom-Ramler.Meghan@epa.gov>; Wasem, Russell <Wasem.Russell@epa.gov>; Weekley, Erin <weekley.erin@epa.gov>; Weiss, Cynthia <Weiss.Cynthia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Welsh, Mike <Welsh.Mike@epa.gov>; Wilk, John <Wilk.John@epa.gov>; Wilson, Dane <Wilson.Dane@epa.gov>; Wilson, Scott <Wilson.Js@epa.gov>; Ziegel, Dean <Ziegel.Dean@epa.gov>; Zimmer, Andrea <Zimmer.Andrea@epa.gov>; Zolandz, Mark <Zolandz.Mark@epa.gov>
Subject: FINAL FY 2018 Workforce Deployment Funds Awards

Hello to NEI Steering Committee Representatives:

I am pleased to let you know that the Executive Board has reached final decisions on the 2018 Workforce Deployment Funds awards. These awards are detailed in the attached Excel spreadsheet. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you have any questions, please let me or Lorry (564-4931) know.

I may have missed a few people on SITs as the memberships change over time so please share this news with your SITS. Thanks.

Michele McKeever
Branch Chief, National Planning and Measures Branch
Office of Enforcement and Compliance Assurance
1200 Pennsylvania Ave., NW, Washington, DC 20460
202-564-3688

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 6/5/2018 7:10:21 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

<!--[if lte mso 15 || CheckWebRef]-->

Mia, Marcia has shared a OneDrive for Business file with you. To view it, click the link below.

EENews_Fracking_June4_EEPI_SIT.docx

<!--[endif]-->

Here is a first stab. I will leave it open for editing on my onedrive so we have one version. If you have problems with that, feel free to comment in the way most convenient for you.

Jeff, I left you a VM Deliberative Process / Ex. 5

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Chapman, Apple
Sent: Tuesday, June 05, 2018 2:53 PM
To: Kenney, James <Kenney.James@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Jim
Thanks for flagging this. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: Kenney, James
Sent: Tuesday, June 05, 2018 12:24 PM
To: Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Importance: High

Hi John,

Deliberative Process / Ex. 5

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 || **Email:** kenney.james@epa.gov

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

From: Senn, John
Sent: Tuesday, June 5, 2018 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I'll defer to Jim for review & input on this one since he is OECA's lead on this…thanks,
John

From: Daguillard, Robert
Sent: Tuesday, June 5, 2018 8:18 AM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS
PAMELA KING
DDL FRIDAY JUNE 8

Good morning,

Wondering if either of your offices could contribute to a combined agency response to the following inquiry (please see attached). The reporter has agreed to extend her deadline by a week, to this coming Friday, June 8. Thanks in advance for letting us know what's feasible.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Personal Phone / Ex. 6 (M)

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 6/5/2018 6:58:01 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]; Germann, Sandy [Germann.Sandy@epa.gov]; Hull, George [Hull.George@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: Re: OECA/OP: EE News - Fracking - DDL Friday, June 8

Thanks Apple. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,
Jim

Sent from my iPhone

On Jun 5, 2018, at 12:52 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Jim
Thanks for flagging this. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Kenney, James
Sent: Tuesday, June 05, 2018 12:24 PM
To: Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Importance: High

Hi John,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 **Email:** kenney.james@epa.gov

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

From: Senn, John
Sent: Tuesday, June 5, 2018 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

I'll defer to Jim for review & input on this one since he is OECA's lead on this…thanks,
John

From: Daguillard, Robert
Sent: Tuesday, June 5, 2018 8:18 AM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS
PAMELA KING
DDL FRIDAY JUNE 8

Good morning,

Wondering if either of your offices could contribute to a combined agency response to the following inquiry (please see attached). The reporter has agreed to extend her deadline by a week, to this coming Friday, June 8. Thanks in advance for letting us know what's feasible.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Personal Phone / Ex. 6 (M)

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 6/5/2018 5:59:52 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Deliberative Process / Ex. 5 More up to date anyway.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Mia, Marcia
Sent: Tuesday, June 05, 2018 1:50 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Deliberative Process / Ex. 5 Thanks.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Chapman, Apple
Sent: Tuesday, June 05, 2018 1:49 PM
To: Mia, Marcia <Mia.Marcia@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Yes, that would be great. Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Mia, Marcia
Sent: Tuesday, June 05, 2018 1:46 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

Do you want me to take a first stab and circulate for the SIT to look at? I have some time today.

Marcia B Mia

Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Kenney, James
Sent: Tuesday, June 05, 2018 12:24 PM
To: Senn, John <Senn.John@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Importance: High

Hi John,

Deliberative Process / Ex. 5

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).

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From: Senn, John
Sent: Tuesday, June 5, 2018 9:04 AM
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Cc: Kenney, James <Kenney.James@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

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John

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Sent: Tuesday, June 5, 2018 8:18 AM
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Cc: Kenney, James <Kenney.James@epa.gov>
Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS
PAMELA KING
DDL FRIDAY JUNE 8

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Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Personal Phone / Ex. 6 (M)

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 6/5/2018 4:24:22 PM
To: Senn, John [Senn.John@epa.gov]
CC: Daguillard, Robert [Daguillard.Robert@epa.gov]; Germann, Sandy [Germann.Sandy@epa.gov]; Hull, George [Hull.George@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8
Attachments: EENews_Fracking_June4.docx

Importance: High

Hi John,

Deliberative Process / Ex. 5

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).
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From: Senn, John
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Cc: Kenney, James <Kenney.James@epa.gov>
Subject: RE: OECA/OP: EE News - Fracking - DDL Friday, June 8

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John

From: Daguillard, Robert
Sent: Tuesday, June 5, 2018 8:18 AM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: OECA/OP: EE News - Fracking - DDL Friday, June 8

EE NEWS
PAMELA KING
DDL FRIDAY JUNE 8

Good morning,

Wondering if either of your offices could contribute to a combined agency response to the following inquiry (please see attached). The reporter has agreed to extend her deadline by a week, to this coming Friday, June 8. Thanks in advance for letting us know what's feasible.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
+1 Personal Phone / Ex. 6 (M)

Message

From: Li, Angelica [li.angelica@epa.gov]
Sent: 6/5/2018 2:28:42 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Audit Program Comments

Hi Apple,

Are there any sets of comments in particular that I should focus on reading before the meeting on Thursday, or should I review all of the ones on OneDrive?

Angelica

Law Clerk
Air Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

Message

From: Johnson, Catherine M. [johnson.catherinem@epa.gov]
Sent: 6/5/2018 2:28:09 PM
To: Binder, Jonathan [Binder.Jonathan@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Tribal Letters
Attachments: Final Letter to 11 Tribes Re Draft New Owner Audit Program Agrmt (002).docx

Good morning. These are the finals. Please review and let me know what edits are need. Also, am I supposed to be preparing letters for the individuals on the Tribal Contact Information as of 5/10/18 chart?

Catherine M. Johnson
Executive Assistant
NOWCC SEE Enrollee
Office of Enforcement and Compliance Assurance/OCE (MC 2241A)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone (202) 564-1106

Message

From: Lawrence, Rob [Lawrence.Rob@epa.gov]
Sent: 5/15/2018 2:32:13 PM
To: Bill Stevens - Wind River Associates (bill@windriverassociatesllc.com) [bill@windriverassociatesllc.com]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Proposed new owner audit program

Bill – good speaking with you this morning. For detail questions on the proposal, I suggest that you contact Apple Chapman (chapman.apple@epa.gov or 202.564.5666). Sorry you didn't get to meet her in Oklahoma City at the IOGCC meeting.

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

Message

From: Jonesi, Gary [Jonesi.Gary@epa.gov]
Sent: 5/14/2018 8:26:01 PM
To: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Yes, I tried. Something flashed up as if it had content but then disappeared after a second. Can I come by your desk?

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Kelley, Rosemarie
Sent: Monday, May 14, 2018 4:23 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

Did you try signing in when prompted? I just signed in and could view the content.

Rosemarie

From: Jonesi, Gary
Sent: Monday, May 14, 2018 4:19 PM
To: Norris, Munsel <Norris.Munsel@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

I cannot access the pages hyperlinked below and Phil is out.

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Norris, Munsel
Sent: Monday, May 14, 2018 1:48 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages
Importance: High

Here are the draft links to the revised pages. Please let me know what link to add to the first bullet, review and I will post after approval.

Internal urls / Ex. 6

Thanks,
Munsel Norris
Information Technology Specialist
OECA/OCE/RMS
(202) 564-6659 – office phone
Personal Phone / Ex. 6 *- iphone*

From: Milton, Philip
Sent: Thursday, May 10, 2018 2:54 PM

To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: RE: Audit Refresh - proposed revisions - proposed placement on webpages

DRAFT – AGENCY DELIBERATIVE PROCESS

Amy, Gary, Munsel and Apple

Here are three files that reflect placing the hi-level summary at the top of the eDisclosure, New Owner, and Audit Policy webpages. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Jonesi, Gary
Sent: Thursday, May 10, 2018 1:25 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: FW: Audit Refresh - proposed revisions

Below is a proposed clean draft of the hi-level summary, and attached is a clean Refresh piece Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Both are also revised to make all hyperlinks blue.

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

Deliberative Process / Ex. 5

Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/14/2018 5:41:56 PM
To: Kenney, James [Kenney.James@epa.gov]; OKeefe, Susan [OKeefe.Susan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
Subject: RE: Discuss Tribal Engagement in Audit Policy For New Oil & Gas Facility Owners

Thanks. I had seen this list.

From: Kenney, James
Sent: Monday, May 14, 2018 1:33 PM
To: Binder, Jonathan <Binder.Jonathan@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: Discuss Tribal Engagement in Audit Policy For New Oil & Gas Facility Owners

See figure 5, page 5 of the attached which has 11 reservations listed:
https://www.indianaffairs.gov/sites/bia.gov/files/assets/as-ia/ieed/ieed/pdf/DEMD_OG_Oil_Gas_Outlook_508.pdf

Thanks,
Jim
--
Jim
Desk/Mobile: Personal Phone / Ex. 6

-----Original Appointment-----
From: Binder, Jonathan
Sent: Friday, May 11, 2018 11:02 AM
To: Binder, Jonathan; OKeefe, Susan; Chapman, Apple; Kenney, James; DCRoomARS3142/DC-ARIEL-RIOS-OECA-OCE; Jonesi, Gary; Porter, Amy
Subject: Discuss Tribal Engagement in Audit Policy For New Oil & Gas Facility Owners
When: Monday, May 14, 2018 12:30 PM-1:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3142 South and Personal Phone / Ex. 6 or Personal Phone / Ex. 6 Extension: Personal Phone / Ex. 6 Code: Personal Phone / Ex. 6

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

May 07, 2018

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities.

Once finalized, the draft would replace a default presumption under the current 2008 audit policy that new owners have 60 days to correct environmental violations they discover. More flexible language in the new plan allows the agency and the owner to negotiate the timeframe for proposed fixes.

The agreement, however, does call on participating companies to correct some violations within 60 days or seek an extension, including emissions violations "unrelated to engineering and/or design issues," according to its text.

The policy appears aimed at equipment leaks that could release emissions of both ozone-forming volatile organic compounds and the potent greenhouse gas methane, with several direct references to storage tanks or related equipment.

The draft policy, on which EPA is seeking public comment until June 4, follows through with prior indications from EPA officials that they are looking for ways to strike a more collaborative tone with the oil and gas industry.

That includes past statements from EPA officials that the 2008 audit policy is better tailored to a few individual facilities, not hundreds of operations now changing ownership within the oil and gas sector.

"We think it would be wise to take that policy and create a stand-alone program on the side for use only in the oil and gas sector -- at this point at least -- to streamline the new owner audit policy," said EPA enforcement official Patrick Traylor during a March 20 meeting of the Environmental Council of the States.

The new policy would use a standard oil and gas audit informed by a prior agreement with Texas gas producer Range Resources Corporation.

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 5/14/2018 3:40:57 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Mia, Marcia [Mia.Marcia@epa.gov]
Subject: FW: Draft Slides for AEM
Attachments: Energy Extraction Presentation.pptx

Hi Apple,

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Monday, May 14, 2018 11:22 AM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: Draft Slides for AEM

This is what I am thinking. Any thoughts or comments?

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 |(mobile)|

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 12/12/2018 3:31:46 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: New Owner Program - Revised Draft Agreement Template and Compare Draft

Hi Apple – Can you please have your staff work with mine (Gary/Phil/David) to review the memo?

Thanks
Amy

From: Chapman, Apple
Sent: Friday, December 07, 2018 4:45 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: New Owner Program - Revised Draft Agreement Template and Compare Draft

Thank you. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

We are still working on the issuance memo.

Have a good weekend.

Apple

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Traylor, Patrick
Sent: Friday, December 07, 2018 4:30 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: New Owner Program - Revised Draft Agreement Template and Compare Draft

Apple:

Thanks for the chance to take one last look at the document, and thanks to the whole team for the work that you put in to this project. I think it looks very good. I'm looking forward to seeing the issuance memorandum.

Deliberative Process / Ex. 5

Patrick

Patrick Traylor
Deputy Assistant Administrator

Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
Personal Phone / Ex. 6 (m)
202.564.5238 (o)

From: Chapman, Apple
Sent: Monday, December 3, 2018 5:38 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: New Owner Program - Revised Draft Agreement Template and Compare Draft

Patrick,
Attached for your review and approval is the revised draft of the New Owner Audit Agreement for Oil and Gas Production Facilities. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please let us know how you would like to proceed briefing this up to Susan for approval.
Thanks!
Apple

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Anderson, Joyce [anderson.joyce@epa.gov]
Sent: 6/27/2018 11:16:39 PM
To: Myers, Kevin [Myers.Kevin@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; SecurityOfficers [Personal Email / Ex. 6 OARM-OA-HQ-OB Personal Email / Ex. 6
CC: Stewart, JamesL [Stewart.JamesL@epa.gov]; Bellerose, William [Bellerose.William@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: Meeting with outside parties (Oil and Natural Gas New Owner Audit Stakeholder Meeting)- attendees arriving at 9:00 a.m. on June 28

Received

From: Myers, Kevin
Sent: Wednesday, June 27, 2018 7:00 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; SecurityOfficers < Personal Email / Ex. 6 - Personal Email / Ex. 6 OARM-OA-HQ-OB < Personal Email / Ex. 6 >
Cc: Stewart, JamesL <Stewart.JamesL@epa.gov>; Bellerose, William <Bellerose.William@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Meeting with outside parties (Oil and Natural Gas New Owner Audit Stakeholder Meeting)- attendees arriving at 9:00 a.m. on June 28

Maj. Brunson-

Please be advised that the Air Enforcement Division will be hosting a stakeholder meeting in the WJCS on June 28 from 9:30am-4pm (room 5213). The list of attendees is below. All attendees must be processed through screening and be escorted. Apple Chapman will be the POC Personal Phone / Ex. 6 (please contact if escorts are not present).

Maxine Joselow – E&E News – In Person

Kathleen Sgamma, Western Energy Alliance – In Person

Edmund "Ned" Brose, Sidley Austin – In Person

Lee Fuller, IPAA – In Person

Mike Sherman, Range Resources – In Person

Vanessa Ryan, Chevron – In Person

Anthony J. "A.J." Ferate – In Person

Randy Dann, Davis Graham & Stubbs – In Person

John Noel, Clean Water Action – In Person

Leann Leiter, Earthworks – In Person

Matthew Todd, API – In Person

Wayne D'Angelo, API – In Person

Roger Kelley, Continental Resources – In Person

Adrienne Sandoval, Andeavor – In Person

Matthew Morrison, Pillsbury Winthrop Shaw Pittman – In Person

Thank you-

Kevin Myers
HQ Operations

Message

From: Chapman, Apple [Chapman.Apple@epa.gov]
Sent: 6/27/2018 9:38:56 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Meeting Agenda
Attachments: Agenda Afternoon Session.docx

Thank you again for participating in the stakeholder meeting tomorrow from 1:30 p.m. – 4:00 p.m. Attached is the agenda.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 |mobile)|

Oil and Natural Gas New Owner Audit Program

Stakeholder Meeting AGENDA

June 28, 2018

1:30 p.m. – 4:00 p.m.

Conference Line: 1- Personal Phone / Ex. 6

Conference Code:

- Welcome and EPA Staff Introductions (5 minutes)
- Ground Rules (5 minutes)
- FACA Reminders (5 minutes)
- Housekeeping (5 minutes)
- Questions (5 minutes)
- Begin Verbal Input (1:55 p.m. – 3:00 p.m.)
- 10-minute break (return by 3:10 p.m.)
- 3:10 p.m. – Resume Stakeholder Comments
- End Session (4:00 p.m.)

Message

From: Chapman, Apple [Chapman.Apple@epa.gov]
Sent: 6/27/2018 9:35:32 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Meeting Agenda
Attachments: Agenda Morning Session.docx

Thank you again for participating in the stakeholder meeting tomorrow from 9:30 a.m. – 12:00 p.m. Attached is the agenda.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Oil and Natural Gas New Owner Audit Program

Stakeholder Meeting AGENDA

June 28, 2018

9:30 a.m. – 12:00 p.m.

Conference Line: 1 Personal Phone / Ex. 6

Conference Code:

- Welcome and EPA Staff Introductions (5 minutes)
- Ground Rules (5 minutes)
- FACA Reminders (5 minutes)
- Housekeeping (5 minutes)
- Questions (5 minutes)
- Begin Verbal Input (9:55 a.m. – 11:00 a.m.)
- 10-minute break (return by 11:10 a.m.)
- 11:10 a.m. – Resume Stakeholder Comments
- End Session (12:00 p.m.)

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/11/2018 10:03:22 PM
To: Mastro, Donna [Mastro.Donna@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buenning, Hans [Buenning.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Tates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]
CC: Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]; Newhouse, Rebecca [newhouse.rebecca@epa.gov]
Subject: RE: Monthly ATW Call

HQ Folks, I reserved 7140 WJCS for the meeting. See you then!

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments.

-----Original Appointment-----
From: Mia, Marcia
Sent: Tuesday, December 04, 2018 5:49 PM
To: Mastro, Donna; Lischinsky, Robert; Fite, Mark; Mia, Marcia; Adams, Sydnee; Apple Chapman; Au, Doreen; augustine, bruce; Basinger, David; Beeler, Cindy; Bellairs, Katharina; Branning, Amy; Breneman, Sara; Buenning, Hans; Campbell, Jean; Cheever, Robert; Chew, Andrew; Daniel, Kevin; Dubose, Dick; Eisele, Adam; Flores, Carlos; Fried, Gregory; Glowacki, Joanna; Groendyke, Todd; Haas, Craig; Hamre, Martha; Herrera, Esteban; Hoffman, Jocelyn; Hunt, Mary; Iatropulos, Jamie; Jones, John-L; Kaleri, Cynthia; Kler, Denis; Kline, James; Landsman, Allison; Larson, Darrin; Law, Nicole; Lawrence, Kathryn; Loiacono, Sara; Loukeris, Constantinos; Lundelius, Diana; Magyar, Raymond; Makepeace, Caroline; Malave, Maria; McFadden, Angela; Messina, Edward; morris, makeba; Muller, Sheldon; Ostrand, Laurie; Patefield, Scott; Patel, Shilpa; Paul Wentworth; Peter Fulweiler; Prout, Susan; Radford, Nicole; Rapp, Steve; Reed, Wendell; Rieck, Stephen; Robledo, Tony; Root, Kathleen; Rountree, Marthea; Salazar, Matt; Smith, Claudia; Smith, Kristi; Smith, Mark A.; Sorrell, Virginia; Stovern, Michael; Sullivan, Tim; Suriano, Elaine; Tates, Samuel; Taylor, Kevin; Thompson, Steve; Tong, Stanley; Topinka, Natalie; Triantafillou, Kathy; Vyas, Himanshu; Welsh, Mike; Werner, Leslye; Willard, Erin; Wilwerding, Joseph; Zafonte, Charles
Cc: Theis, Joseph; Pollins, Mark; Beers, Samantha; Anderson, Andrew; Speir, Jeffrey; Russo, Todd; Spagg, Beverly; Elkins, Timothy; Saunders, Jerry; Chadwick, Dan; Thurmon, Clarke; Piantanida, David; Denton, Loren; Tidmore, Guy; Eckhart, Jeanne; Newhouse, Rebecca
Subject: Monthly ATW Call
When: Wednesday, December 12, 2018 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call Number: Conference Line/Code / Ex. 6

We are only going to have an hour for this month's call.

Deliberative Process / Ex. 5

2019 Recurring Monthly Meeting.
Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Message

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 5/9/2018 4:44:27 PM
To: Brooks, Phillip [Brooks.Phillip@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: O&G CAA New Owner Audit Program
Attachments: image2019-05-10-125233.pdf

Phill:

Here are my handwritten talking points I've been using in interviews and meetings on the new program.

Best,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

OBG CAA NEW OWNER AUDIT PROGRAM TALKING POINTS

NATIONAL ENFORCEMENT INITIATIVE FOR ENERGY EXTRACTION IDENTIFIED WIDESPREAD EXCESS EMISSIONS RELATED TO THE DESIGN OF VAPOR CONTROLS AT STORAGE TANKS AT OIL & GAS EXPLORATION AND PRODUCTION FACILITIES.

FORMAL ENFORCEMENT HAS GENERATED A NUMBER OF SETTLEMENTS COVERING OVER A THOUSAND WELL PADS (PDC, SLAWSON, XTO, DEVON, NOBLE).

2008 NEW OWNER AUDIT POLICY — IF QUALIFIES & CORRECTS, EPA CAN WAIVE PENALTIES, AVOID THE ~~CO~~ DELAYS ASSOCIATED W/ FORMAL ENFORCEMENT, GET TO COMPLIANCE, AND PROVIDE REPOSE

A NUMBER OF NEW OWNERS HAVE USED TO 2008 NEW OWNER POLICY. WE HAVE LEARNED THAT THE 2008 POLICY WORKS BEST FOR SINGLE/SEVERAL SITES, BUT HAS SIGNIFICANT INEFFICIENCIES WHEN HUNDREDS OF FAR-FLUNG FACILITIES ARE INVOLVED.

ED_002311A_00002281-00001

THESE INEFFICIENCIES RESULTED IN SPENDING A GREAT DEAL OF TIME NEGOTIATING CUSTOMIZED AUDIT AGREEMENTS AND MODIFYING AUDIT TOOLS MEANT FOR A SMALL # OF FACILITIES INTO THOSE THAT WOULD WORK FOR MANY FACILITIES.

THIS INEFFICIENCY AND UNCERTAINTY MADE IT MORE DIFFICULT FOR WOULD-BE AUDITING COMPANIES TO KNOW THAT THEY COULD COME IN, COME INTO COMPLIANCE, AND RESOLVE THEIR RISK OF ENFORCEMENT.

THAT'S A POOR OUTCOME FOR COMPANIES THAT WANT TO CORRECT THEIR PREDECESSORS' NON-COMPLIANCE.

SO WE DECIDED TO IMPROVE OUR PROCESS. THAT'S THIS NEW OWNER AUDIT PROGRAM FOR O&G SECTOR.

BEFORE I GET INTO THE DETAILS, I WANT TO SAY TWO THINGS THAT ARE VERY IMPORTANT

FIRST, THIS NEW PROGRAM DOES NOT ~~SUBSTITUTE FORMAL~~ TAKE THE PLACE OF FORMAL ENFORCEMENT. OECA REGULATORY ENFORCEMENT HAS TWO STRATEGIC GOALS — FOSTER COMPLIANCE AND CORRECT NON-COMPLIANCE. BOTH ARE ESSENTIAL. AND BOTH HAVE COMPLIANCE AS THE DESIRED OUTCOME SO WE'LL USE THE MOST APPROPRIATE TOOL TO GET TO COMPLIANCE. IF IT CAN BE A NEW OWNER AUDIT, GREAT — THAT'S EASIER FOR EVERYONE. BUT IF IT NEEDS TO BE, FORMAL ENFORCEMENT, WE HAVEN'T BEEN AND WON'T BE SHY ABOUT BRINGING CASES.

NEW PROGRAM

SECOND, THIS HAS BEEN LED BY CAREER STAFF FROM THE BEGINNING. THE SAME STAFF WHO ARE ZEALOUS ADVOCATES FOR COMPLIANCE IN FORMAL ENFORCEMENT ARE ALSO THE ONES THAT WILL WORK COOPERATIVELY W/ COMPANIES WHO APPROACH US IN GOOD FAITH TO RESOLVE PAST NON-COMPLIANCE. GREAT STAFF.

NOW THE DETAILS

1. WE'VE CRAFTED A STANDARD TEMPLATE AUDIT AGREEMENT.
   - AVOIDS CUSTOM AGREEMENTS
   - THE REGULATED COMMUNITY KNOWS THE ~~RULES~~ BEFORE THEY WALK IN
     REQUIREMENTS & BENEFITS

2. COS HAVE 6 MONTHS AFTER AN ACQUISITION TO COME IN. WE'D EXPECT A QUICK TEMPLATE AGREEMENT SO THE WORK CAN START.

3. TRANSITION RULE WILL COVER ACQUISITIONS THAT CLOSED UP TO 12 MONTHS BEFORE WE FINALIZE THE ~~THE~~ NEW PROGRAM.

4. FOCUSED ON ASSESSING WHETHER VARIOUS CONTROLS ARE DESIGNED PROPERLY — CO CAN AUDIT ANYTHING ELSE ~~UNFORTUNATE~~ IT WOULD LIKE, BUT NO LESS THAN VARIOUS CONTROLS DESIGN

ED_002311A_00002281-00004

(5) WILL WORK OUT THE TIMING OF THE AUDIT AND CORRECTIVE ACTION DEPENDING ON THE # OF FACILITIES.

(6) AFTER NON-COMPLIANCE IS CORRECTED, EPA WILL ISSUE A FINAL DETERMINATION THAT RESOLVES THE COMPANY'S LIABILITY. WE WOULD EXPECT THAT THERE WOULD BE NO-PENALTY RESOLUTIONS, NO CULPABILITY FOR PAST, PRE-ACQUISITION NON-COMPLIANCE.

(7) TECHNICAL REQUIREMENTS
- MODELING GUIDELINE
- ENGINEERING DESIGN STANDARDS
- FIELD SURVEY / ENGINEERING EVALUATION
- VCS MOD / VERIFICATION

FINALLY, THIS IS NOT A TAKE IT OR LEAVE IT PROPOSITION — THE 2000 AND 2008 POLICIES ARE STILL IN PLACE FOR APPROPRIATE SELF-DISCLOSURES, THOUGH IN OGC, THIS NEW PROGRAM IS THE PRESUMPTIVE APPROACH.

Message

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 5/24/2018 8:44:46 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]
Subject: Fwd: Bruin Audit - Follow-up
Attachments: Anderson VCS Report - IFR.PDF; ATT00001.htm; VCS 002 - 14 oz - One Steffes LP Ball Flare_Rev 0.pdf; ATT00002.htm; Wilson VCS Datasheet.pdf; ATT00003.htm

Begin forwarded message:

From: "North, Alexis" <North.Alexis@epa.gov>
To: "Williams, Christopher" <Williams.Christopher@epa.gov>
Subject: FW: Bruin Audit - Follow-up

Remember how I said it would be MONTHS till we got an engineering document to review…

Alexis North, Environmental Scientist
Office of Enforcement, Compliance & Environmental Justice
EPA Region 8
1595 Wynkoop Street (8ENF-AT)
Denver, CO 80202-1129
Phone: 303-312-7005
Email: north.alexis@epa.gov

From: Portmess, Jessica
Sent: Thursday, May 24, 2018 9:31 AM
To: North, Alexis <North.Alexis@epa.gov>
Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>
Subject: FW: Bruin Audit - Follow-up

Haven't even looked at this yet but wanted to get it to you while I dig out of email a bit more.

Jessica Portmess, Attorney
Regulatory Enforcement Unit
Legal Enforcement Program (8ENF-L)
USEPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-7026
Portmess.Jessica@epa.gov

From: William Getschow [mailto:wgetschow@bruinep.com]
Sent: Monday, May 21, 2018 4:21 PM
To: Portmess, Jessica <Portmess.Jessica@epa.gov>
Subject: RE: Bruin Audit - Follow-up

Jess:

As a follow up to the design and engineering procedures, please see attached a recent design report Bruin had done for our Anderson pad on the FBIR.

I wanted to confirm if these procedures would be acceptable for the design and engineering procedures to be attached to the EPA/Bruin New Purchaser Audit letter agreement.

If so, I will ask Bruin's operations group to prepare a standardized procedure based on the attached that we could use as Appendix B to the letter agreement and Bruin will ask ENGlobal to outline a time frame to provide the attached for each of Bruin's well pads.

Thank you.

William M. Getschow
Bruin E&P Operating, LLC
General Counsel
Ph:
Cell: Personal Phone / Ex. 6

From: William Getschow
Sent: Thursday, May 17, 2018 2:11 PM
To: 'Portmess, Jessica' <Portmess.Jessica@epa.gov>
Subject: RE: Bruin Audit - Follow-up

Jess:

Please see attached Bruin's proposed interim report for the new purchaser audit program. I have also attached some proposed comments to the EPA/Bruin letter agreement. My thought would be to add Appendix B to the letter agreement but we are very flexible on the EPA's preferred approach for engineering and design analysis.

I can also set up a call with our operational group (Dustin Grosulak, Justin Plummer and Kennon Doyal who were all at our meeting in Denver) to discuss the proposed interim report if that is helpful.

Thank you and please let me know if you have any questions.

William M. Getschow
Bruin E&P Operating, LLC
General Counsel
Ph:
Cell: Personal Phone / Ex. 6

From: Portmess, Jessica [mailto:Portmess.Jessica@epa.gov]
Sent: Wednesday, May 16, 2018 3:40 PM
To: William Getschow <wgetschow@bruinep.com>
Cc: Portmess, Jessica <Portmess.Jessica@epa.gov>
Subject: Bruin Audit - Follow-up

William,

As we discussed, here is the link to the EPA's new owner audit program for oil and gas: https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

You'll see a link to the draft agreement at the bottom of the page.

Jess

Jessica Portmess, Attorney
Regulatory Enforcement Unit
Legal Enforcement Program (8ENF-L)
USEPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-7026
Portmess.jessica@epa.gov

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/11/2018 2:52:11 PM
To: Williams, Christopher [Williams.Christopher@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Stakeholder Meeting Follow Up

Works for me as well.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Williams, Christopher
Sent: Wednesday, July 11, 2018 8:11 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Stakeholder Meeting Follow Up

That works for me.

Thanks,

Chris

From: Chapman, Apple
Sent: Wednesday, July 11, 2018 10:08 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: FW: Stakeholder Meeting Follow Up

I am going to recommend the week **Personal Matters / Ex. 6** That will also give you time to put together more complete responses to the issues he made. Does that work for you?

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Wednesday, July 11, 2018 8:46 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: John Wagner <Wagner@api.org>; 'Wayne D'Angelo' <wdangelo@kelleydrye.com>
Subject: RE: Stakeholder Meeting Follow Up

Apple,

You mentioned a willingness to get together again to review some of the questions that API raised in advance of the meeting on June 28th. Is there a time that makes sense for you? I have a few afternoons that are generally open next week (Tues – Thurs) and Friday morning.

Thank you.

Matt

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Monday, July 2, 2018 12:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Nayyar, Vani <nayyar.vani@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Stakeholder Meeting Follow Up

Thank you for participating in the Oil and Natural Gas new Owner Audit Program Stakeholder meeting on June 28, 2018 and for providing valuable input on the proposed program. Once we have received all written comments we will prepare a summary of the comments, both written and verbal, and that summary will be emailed directly to all meeting participants and will also be posted *here*. As I indicated at the meeting, if you are unable to submit written comments by today's deadline, we will accept them until 5:00 p.m. EST on Thursday, July 5. EPA will consider all comments received, and may make appropriate changes to the Draft Agreement based on those comments.
Attached is a copy of the sign in sheet for both sessions.
Please do not hesitate to contact me or Tim Sullivan (303-312-6196) if you have questions.
Thank you.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/10/2018 4:56:56 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Nayyar, Vani [nayyar.vani@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Article - Report Predicts Surge in O&G M&A in late 2018

https://www.chron.com/business/energy/article/Report-Oil-and-gas-M-A-to-surge-in-late-2018-13062765.php?utm_source=newsletter&utm_medium=email&utm_campaign=Chron_fuelfix

Note: BHP Billiton conducted a multimedia new owner audit of the Eagle Ford and Haynesville facilities the company acquired from Petrohawk in 2011.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 12/19/2018 12:27:09 AM
To: Porter, Amy [Porter.Amy@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Jonesi, Gary [Jonesi.Gary@epa.gov]; Smith-Watts, David [Smith-Watts.David@epa.gov]; Miller, Anthony [Miller.Anthony@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner program
Attachments: OG New Owner Program - Cover Memo Attachment_Draft.docx; OG New Owner Program - Cover Memo_Draft.docx

Importance: High

Thanks, Apple and Amy.

In addition to the cover memo attachment Apple previously shared, I am circulating the attached cover memo for review and comment. I am sharing it with the Audit Policy Team concurrent with AED in an effort to streamline the review process.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Porter, Amy
Sent: Tuesday, December 18, 2018 1:25 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Miller, Anthony <Miller.Anthony@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: New Owner program

Thanks, Apple. I'm adding Phil Milton. He is the only one of the audit team who isn't out for the rest of the week so hopefully he can provide comments.

From: Chapman, Apple
Sent: Tuesday, December 18, 2018 9:36 AM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>; Miller, Anthony <Miller.Anthony@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: New Owner program

Deliberative Process / Ex. 5

Attached is Tim's first draft of the implementation memo. In the interest of time Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 I am sharing it with you before AED staff have fully reviewed/commented because I intend on sharing it with Rosemarie this week.
Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/3/2018 7:37:45 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner Audit Program
Attachments: Transferability Provision (May 3, 2018).docx

Got it – will include.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Thursday, May 3, 2018 1:34 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: New Owner Audit Program

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 | (mobile) |

From: Traylor, Patrick
Sent: Thursday, May 03, 2018 3:31 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: New Owner Audit Program

Here are my edits Deliberative Process and Attorney-Client / Ex. 5 Happy to discuss.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Thursday, May 3, 2018 1:18 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: New Owner Audit Program
Importance: High

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Wednesday, May 02, 2018 10:57 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: New Owner Audit Program
Importance: High

Deliberative Process and Attorney-Client / Ex. 5

Apple and Chris (and maybe Greg): I will talk to you at 10 am eastern.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 12/18/2018 4:41:28 PM
To: Bahk, Benjamin [Bahk.Benjamin@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]; Teter, Royan [Teter.Royan@epa.gov]; Presler, Amos [presler.amos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]
CC: Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Saenz, Diana [Saenz.Diana@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Miles, James [miles.james@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]
Subject: FW: DRAFT 2019 Audit Policy FAQs [FOR REVEIEW]
Attachments: Draft Audit Policy FAQs 12-13-2018v1.2.docx

DRAFT AGENCY DELIBERATIVE PROCESS – PLEASE DO NOT RELEASE

Dear OCE Branch Chiefs

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Several OCE staff participate on the ACT:

John Connell, AED,
Dean Ziegel, Tony Ellis, and Phil Milton, WCED, and
Gary Jonesi and David Smith-Watts, XPS.

We invite you to add other staff to participate as we implement Refresh. We would like to have representation from each Divisions, so a WED contact would be particularly helpful.

Very respectfully,

Phil Milton

Philip L. Milton, National Audit Policy Coordinator
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Tuesday, December 18, 2018 11:20 AM
To: Barnes, Betty <Barnes.Betty@epa.gov>; Wilson, Jodi <wilson.jodi@epa.gov>; Moncrieffe, Marcia <Moncrieffe.Marcia@epa.gov>; Murray, Julie <Murray.Julie@epa.gov>; 'anna.thode@usdoj.gov' <anna.thode@usdoj.gov>; Morgan, James <Morgan.James@epa.gov>; Hollimon, Shelia <Hollimon.Shelia@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Anderson, Julie <Anderson.Julie@epa.gov>; Chin, William <chin.bill@epa.gov>; McClintock, Katie <McClintock.Katie@epa.gov>; Figur, Charles <Figur.Charles@epa.gov>; Boudrot, Diane <boudrot.diane@epa.gov>
Cc: Gorman, John <Gorman.John@epa.gov>; McCool, Catherine <Mccool.Catherine@epa.gov>; Esposito, Bevin

<Esposito.Bevin@epa.gov>; Smith, Kevin B. <Smith.Kevin@epa.gov>; Steketee, John <steketee.john@epa.gov>; Ruple, Rhonda <ruple.rhonda@epa.gov>; Ellis, Tony <Ellis.Tony@epa.gov>; Ziegel, Dean <Ziegel.Dean@epa.gov>; Gardner, Allison <Gardner.Allison@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Barthol, Kevin <Barthol.Kevin@epa.gov>; Schulz, Susan <Schulz.Susan@epa.gov>; Haugen, Lisa <Haugen.Lisa@epa.gov>; Connell, John <Connell.Johnc@epa.gov>; Talton, Adolphus <talton.adolphus@epa.gov>; Wells, Ellen <Wells.EllenP@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Freyre, Dominique <freyre.dominique@epa.gov>
Subject: DRAFT 2019 Audit Policy FAQs [FOR REVEIEW]

DRAFT AGENCY DELIBERATIVE PROCESS – PLEASE DO NOT RELEASE

Dear ACT –

Deliberative Process / Ex. 5

Enjoy your holidays, we look forward to working with you on these Qs in the New Year.

V/r

Phil

Philip L. Milton, National Audit Policy Coordinator
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

Message

From: Matthew Todd [ToddM@api.org]
Sent: 5/18/2018 1:21:34 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: New Owner CAA Audit Program for Oil and Gas

Dear Apple,

I staff a committee at API that is interested in reviewing the draft template that was announced recently for the oil and gas sector. My members are interested in providing feedback but I see that the deadline for comments is June 4th. Have there been any other requests to extend this deadline to allow additional time for review? Is the agency amenable to providing more time?

Thank you for considering this request.

Matt

Matthew Todd
API
Personal Phone / Ex. 6

Message

From: Hoyt, Daniel [Hoyt.Daniel@epa.gov]
Sent: 8/20/2018 6:27:09 PM
To: Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

9/7 works for me

Daniel Hoyt, Environmental Engineer
US Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office of Civil Enforcement - Air Enforcement Division
(202) 564-7898
1200 Pennsylvania Ave, NW
WJC-S, MC 2242A
Washington, DC 20460 (mail) or 20004 (courier)

From: Williams, Christopher
Sent: Monday, August 20, 2018 2:21 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Re: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

I have a technical settlement call with PNA Glass from 3-5 PM on Sept 7, but otherwise I am available.

If on the odd chance that 3-5 is the only time we are all available, then I can look into rescheduling the call.

Chris

On Aug 20, 2018, at 2:14 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

> Are you all available on Friday, September 7th for the meeting with API? Outlook indicates that Patrick is essentially available all day. If that does not work, we are on to the week of the 10th.
>
> Thanks –
>
> ---
>
> Timothy J. Sullivan
> Air Enforcement Division
> Office of Civil Enforcement
> Office of Enforcement and Compliance Assurance
> U.S. Environmental Protection Agency
> 1595 Wynkoop Street (MC 8MSU)
> Denver, Colorado 80202
>
> Phone: 303.312.6196 | Email: sullivan.tim@epa.gov
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From: Matthew Todd [mailto:ToddM@api.org]
Sent: Monday, August 20, 2018 7:33 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

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Tim

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Sent: Monday, July 30, 2018 3:30 PM
To: Matthew Todd <ToddM@api.org>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

We are happy to host at EPA on the 7th. We will be in touch later this week with additional details.

Thanks –

Tim

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From: Matthew Todd [mailto:ToddM@api.org]
Sent: Thursday, July 19, 2018 12:13 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim – FYI.

Would you like us to host?

Matt

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Thursday, July 19, 2018 1:57 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

I look forward to seeing you on August 7. Please continue to coordinate with Apple and Tim on the particulars.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Thursday, July 19, 2018 1:35 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Patrick,

Thank you for the invitation to arrange a meeting. We have been in contact with Apple Chapman and Tim Sullivan to arrange a follow up discussion that was already in the works. We had identified 2 pm on the 7th but I let Tim know that you had reached out as well. We're happy to host here at API.

Thanks

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Wednesday, July 18, 2018 3:28 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Thank you for the comments from API on our draft new owner audit program. I think that it would be worthwhile to get together with you and the relevant API stakeholders in early August to discuss them.

Perhaps it would be most convenient for me and several of my career staff to meet with you at API's offices.

Warm regards,
Patrick

Patrick Traylor
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From: Matthew Todd [mailto:ToddM@api.org]
Sent: Monday, July 2, 2018 12:23 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Dear Ms. Chapman:

API respectfully submits the attached letter in response to the U.S. EPA's request for comments on its proposed changes to the 2000 policy titled "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" for new owners of oil and natural gas exploration and production facilities and, in particular, the Agency's Draft Standard Audit Policy Agreement. API believes that the Audit Policy can be an important tool in furtherance of environmental compliance and hope this feedback will lead to a final program that provides a more flexible approach to eligibility and administration.

Please do not hesitate to contact me with any questions regarding the content of this submittal. We look forward to reviewing the revised draft agreement as discussed during the face-to-face meeting last Thursday, June 28th.

Regards,

Matt

Matthew Todd
API
Personal Phone / Ex. 6

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/20/2018 6:14:42 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Are you all available on Friday, September 7th for the meeting with API? Outlook indicates that Patrick is essentially available all day. If that does not work, we are on to the week of the 10th.

Thanks –

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Personal Phone / Ex. 6 (cell)

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Sent: Monday, July 2, 2018 12:23 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

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Regards,

Matt

Matthew Todd
API
Personal Phone / Ex. 6

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 12/17/2018 11:42:25 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: For Review - New Owner Program Draft Implementation Info
Attachments: OG New Owner Program - Cover Memo Attachment_Draft.docx; ong new owner audit sip and permit summary_rev 3.docx; DRAFT API Presentation 9_21_2018_rev9.pdf

Hi, folks.

Please pardon my delay in circulating this draft. Personal Matters / Ex. 6 Personal Matters / Ex. 6. I am sharing the draft with you all at the same as a means to help streamline the review process.

Deliberative Process / Ex. 5

I hope to circulate the draft of a short cover memo from Susan tomorrow.

Thanks –

Tim

Timothy J. Sullivan
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Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/17/2018 6:24:54 PM
To: Kenney, James [Kenney.James@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Subject: RE: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

Hi Jim,
Would you be able to add Apple Chapman. Rob Lischinsky and Rosemarie Kelley to this month's invite? They may be interested in hearing Patrick speak about the WY Self-Audit Agreement. Thanks.

Marcia B Mia
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

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-----Original Appointment-----
From: Kenney, James
Sent: Monday, December 17, 2018 11:47 AM
To: Passe, Loraine; Turk, David; Kirby, Kevin; Parikh, Pooja; Elliott, Ross; Moskal, John; White, Terri-A; Smith, Brian; Hall, Richard; Jann, Stephen; Lawrence, Rob; Hildebrandt, Kurt; Albright, David; Werntz, James; Davis, Alison; Gray, David; Devito, Steve; Dressel, Paul; Letendre, Daisy; Coffman, Joel; Matuszko, Jan; Curtis, Jennifer; Hambrick, Amy; Teichman, Kevin; Bates, William; Mia, Marcia; Kobelski, Bruce; Remnek, Alexandre; Baca, Andrew; Hanson, Andrew; Pritts, Jesse; Barbery, Andrea; Beeler, Cindy; Benevento, Douglas; Bohan, Suzanne; Byrne, Andrew; Chapman, Apple; Cozzie, David; Dominguez, Alexander; Egidi, Philip; Eisele, Adam; Fite, Mark; Forsgren, Lee; Gude, Karen; Idsal, Anne; Mitchell, Ken; Morales, Monica; Patefield, Scott; Topinka, Natalie; Traylor, Patrick; Wagner, Kenneth; Woods, Clint; michael.abraczinskas@ncdenr.gov; Jesse.D.Adkins@wv.gov; Baker Allen; dallas_baker@deq.state.ms.us; andrea.balkenbush@dnr.mo.gov; Kim.Bannerman2@state.nm.us; jbarkley@mdeq.ms.gov; Bill.Bartling@conservation.ca.gov; gary.baughman@state.co.us; johnbaza@utah.gov; Lawrence Bengal; tbetz@pa.gov; alicia.boss@nebraska.gov; allan.brockenbrough@deq.virginia.gov; David Bunn; gary burdette; dennis.burling@nebraska.gov; craig.butler@epa.ohio.gov; ccain@nd.gov; Rick Calhoon; chuck.brown@la.gov; jchambers@mt.gov; lchambers@pa.gov; ryan.channell@ncdenr.gov; Wayne Christian; Kim Christy; chris.colclasure@state.co.us; Rick Cooper; grant.cope@calepa.ca.gov; Loraine Cory; Christi.craddick@rrc.texas.gov; tracy.davis@ncdenr.gov; Dawson, Scott, EMNRD; catherine.dickert@dec.ny.gov; ldorman@pa.gov; michael.dowd@deq.virginia.gov; adunn@slo.state.nm.us; Durham, William F; wcaefta@wibauxcounty.net; lisa.ehrhart@deq.virginia.gov; bfield@nycap.rr.com; laura.finley@deq.ok.gov; donna.fisher@ks.gov; fitchh@michigan.gov; Cathy Foerster; Joe.Francis@nebraska.gov; elsie.franklin@deq.virginia.gov; jeffrey.fretwell@maryland.gov; Lavonne Garrison; kira.gillette@state.co.us; dglatt@nd.gov; steve.goans@nebraska.gov; phillip.goetze@state.nm.us; nathan.graber@dec.ny.gov; SullivanGraham, Jeri, EMNRD; ralph.gruebel@state.nm.us; Ben Grumbles; sean.hackett@state.co.us; Jim Halvorson; lacey.hardin@tn.gov; Kenneth Harris; lhelms@nd.gov; Kristen Hendricks; leo.henning@ks.gov; minor.hibbs@tceq.texas.gov; tom.higgins@state.mn.us; bridget.hill1@wyo.gov; robert.hodanbosi@epa.ohio.gov; r.hoffman_kcc.ks.gov; sheila.holman@ncdenr.gov; Homer, Pamela, NMENV; jennifer.hower@state.nm.us; justin.hsu@maryland.gov; michelle.hunter_state.nm.us; Derric.Iles@usd.edu; karen.irons@maryland.gov; james jarrett; mark.jones@state.nm.us; tiffani.kavalec@epa.ohio.gov; Dwight Keen; Shane Khoury; lloyd.kirk@deq.ok.gov; Klemp, David; scott.kudlas@deq.virginia.gov; kent.kuster@state.co.us; Butch.Lambert@dmme.virginia.gov; ed.larrimore@maryland.gov; lawrenced6@michigan.gov;

shelly.lemon@state.nm.us; Richard.leyoub@la.gov; tlivers@mt.gov; ann.lowery@state.ma.us; jim.macy@nebraska.gov; scott.g.mandirola@wv.gov; mike.mankowski@illinois.gov; Teresa.Marks@cdpr.ca.gov; james.a.martin@wv.gov; emartin@slo.state.nm.us; leah.martland@state.co.us; amatheson@utah.gov; Michael McClellan; pmcdonnell@pa.gov; tami.mcmullin@state.co.us; ken.mcqueen@state.nm.us; marian.mergist@la.gov; alec.messina@illinois.gov; julie.murphy@state.co.us; Personal Email / Ex. 6 ; lboliver@nd.gov; osborne@adep.state.ar.us; todd.parfitt@wyo.gov; david.paylor@deq.virginia.gov; rmperry@minerals.nv.gov; scperry@pa.gov; larry.pierce@dnr.mo.gov; jmpotter@utah.gov; ronald.price@ky.gov; rretherford@dnr.in.gov; Riley, Heather, EMNRD; sectyrodriquez@calepa.ca.gov; Gary.Ross@la.gov; martha.rudolph@state.co.us; Krystal Rudolph; chona.sarte@calepa.ca.gov; Sayer, Matthias, EMNRD; dan.seamount@alaska.gov; bryan.shaw@tceq.texas.gov; Keith Sheedy; fred.shimp@dnr.state.oh.us; jesshirley@pa.gov; rick.simmers@dnr.state.oh.us; kathleen.staks@state.co.us; jstefanko@pa.gov; laurie.stevenson@epa.ohio.gov; john.stine@state.mn.us; Rene Stucky; William Sydow; Rachael.Tadlock@conservation.ca.gov; timakirataylor@live.com; Larryc.taylor@ky.gov; Kenneth.B.Taylor@ncdenr.gov; ee@ee.ok.gov; ntew@gsa.state.al.us; ethamke@mt.gov; Mick Thomas; sthomas@mt.gov; scott.thompson@deq.ok.gov; j.david.thornton@state.mn.us; butch.tongate@state.nm.us; tegan.treadaway@la.gov; brandy.valdezmurphy@state.co.us; kara.valentine@nebraska.gov; nancy.vehr1@wyo.gov; Chris.vierrether@dnr.mo.gov; mvisher@minerals.nv.gov; michelle.b.walker@tn.gov; mwallen@mhp.energy; mark.watson@wyo.gov; chrisw@weiser-brown.com; deborah.wells@la.gov; Jwilliams@nccommerce.com; john.wood@ferc.gov; Personal Email / Ex. 6 ; vickie.woods@ncdenr.gov; lori.wrotenbery@rrc.texas.gov; wyganta@michigan.gov; Bruce.Yurdin@state.nm.us; zimmern6@michigan.gov; danyaibe@ZiaPueblo.org; info@standingrock.org; kirbya@utetribe.com; CAtcitty@taospueblo.com; fazure@fortpecktribes.net; edmundbaker@mhanation.com; csage@southernute-nsn.gov; hbarnes@blackfeetnation.com; russellbegaye@navajo-nsn.gov; donbenn@navajo-nsn.gov; andy.bessler@nau.edu; tbonnette@tunica.org; pbritton@cahtotribe-nsn.gov; jbrown@easternshoshone.org; dinoc@santaclarapueblo.org; paul.clarke@jemezpueblo.org; sclow@utemountain.org; hcuthair@utemountain.org; luked@utetribe.com; aduran@pojoaque.org; chairmanfox@mhanation.com; dean.goggles@northernarapaho.org; alan.hatch@santaana-nsn.gov; jannhayman@osagenation-nsn.gov; chood@mhanation.com; mhutson@southernute-nsn.gov; gjojola@lagunapueblo-nsn.gov; environment_picurispueblo.org; Personal Email / Ex. 6 ; william.lynn@osagenation-nsn.gov; dmartinez@puebloofacoma.org; rmartinez@sanipueblo.org; allison.mclaughlin@quinault.org; POI36871@Isletapueblo.com; smountainflower; cnaha@kewa-nsn.us; inperce@ftbelknap.org; Boyd.Nystedt@enipc.org; bpargeets@utetribe.com; tammy.parker@ashiwi.org; jacob_pecos@pueblodecochiti.org; Personal Email / Ex. 6 ; larry.phillips@ohkay.org; eugeniaquintana@navajo-nsn.gov; srydeen@nambepueblo.org; tonys@utetribe.com; ootc@osagenation-nsn.gov; pstout@sfpueblo.com; Personal Email / Ex. 6 ; atwobears@standingrock.org; lvetter@standingrock.org; Personal Email / Ex. 6 cwagon@easternshoshone.org Personal Email / Ex. 6 Weeks, Ashley; andy.werk@ftbelknap.org; pawilson@easternshoshone.org; ronaldw@utetribe.com; gerry baker; Harry Birdwell; Amy Childers; jgadret@westar.org; Tom Moore; Personal Email / Ex. 6 mpaque@gwpc.org; Lia Parisien; hannah.phan@iogcc.state.ok.us; mike@iogcc.state.ok.us; Richardson, RobinH; Bowles, Jack; Grantham, Nancy; Davis, Patrick; Kler, Denis; clarrick@utemountain.org; Garvey, Megan; Laplante - CDPHE, Christopher; Samuel Short; Marks, Allison, EMNRD

Cc: Stephen Lee; Ewart, Emily; rithompson@mt.gov; Vinson, Toby; Martig, Anton (Tony); Jimmy Sparks; Paul Dubois; James Harcourt; Chancellor, Erin; Carey Doyle; Charlie Bock; marty.link@nebraska.gov; Mark Williams; Morlock, Nancy; Hesterlee, Craig

Subject: Bi-Monthly EPA/State/Tribal Oil and Natural Gas Conference Call

When: Wednesday, December 19, 2018 11:00 AM-12:00 PM (UTC-07:00) Mountain Time (US & Canada).

Where: Dial Conference Line/Code / Ex. 6 , Conference ID: Conference Line/Code / Ex. 6

Hello all,

We are pleased to offer a slightly expanded agenda for our state and tribal bi-monthly call this week:

1. Welcome and announcements (Jim Kenney, Senior Policy Advisor for Oil and Gas, Office Congressional and Intergovernmental Relations, ~5 minutes)

2. EPA Self-Audit Agreement with State of Wyoming discussion (Patrick Traylor, Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance, ~15 mins)

3. Update on the Resource Conservation and Recovery Act consent decree (Civil Action No. 16-842 (JDB)) which requires the EPA to review the Subtitle D criteria regulations, 40 C.F.R. Part 257, for wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy (oil and gas wastes) and determine if regulatory updates are necessary by March 15, 2019. (Ross Elliott, Associate Division Director, Materials Recovery and Waste Management Division, Office of Land and Emergency Management, ~30 minutes)

4. Recap of action items and adjourn (Jim Kenney, ~5 mins)

You may join the call up to 15 minutes prior to the scheduled start time. To join the conference line, dial: Conference Line/Code / Ex. 6 Conference Line/Code / Ex. 6 Please provide the operator with the following conference ID: Conference Line/Code / Ex. 6 If you need assistance during the call, use the following keypad commands on your phone: *0 - Operator assistance or *6 - Self mute/unmute.

Sincerely,
Jim Kenney
--

James C. Kenney | Senior Policy Advisor for Oil and Gas
Office of Congressional and Intergovernmental Relations | Office of the Administrator | U.S. EPA
Desk/Mobile: Personal Phone / Ex. 6 | *Email:* kenney.james@epa.gov

---

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
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Message

From: Hull, George [Hull.George@epa.gov]
Sent: 5/30/2018 9:41:25 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: oil and gas audit comments

Thanks, Tim. This is very helpful. - George

From: Sullivan, Tim
Sent: Wednesday, May 30, 2018 4:29 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: oil and gas audit comments

George:

Per your email below, I have prepared a proposed response to Mike Soraghan's questions about whether comments received on the Oil and Gas New Owner Audit Program will be posted and, if so, how they can be viewed.

Please let me know if you and OPA want more discussion. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks –

Tim

Deliberative Process / Ex. 5

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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http://www.epa.gov/compliance/complaints/index.html

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From: Chapman, Apple
Sent: Wednesday, May 30, 2018 1:49 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: oil and gas audit comments

I am in a meeting. **Deliberative Process / Ex. 5**

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Hull, George
Sent: Wednesday, May 30, 2018 3:32 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: oil and gas audit comments

Apple,
Could you help us with a draft answer to the press inquiry below? Thanks, George

---

From: Hull, George
Sent: Tuesday, May 29, 2018 5:11 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: oil and gas audit comments

Thanks, Tim. Yes, I'll loop in OPA and we will respond. - George

---

From: Sullivan, Tim
Sent: Tuesday, May 29, 2018 5:05 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: oil and gas audit comments

Hi, George.

We received the email inquiry below from E&E's Mike Soraghan. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
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From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, May 28, 2018 6:05 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: oil and gas audit comments

Hi. I'm following the "New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities" proposal. Will the comments be posted somewhere? How can we view them.

Mike Soraghan
msoraghan@eenews.net
Personal Phone / Ex. 6 (office and mobile)
@MikeSoraghan

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/1/2018 5:25:27 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner Program
Attachments: OGNO - API Letter Analysis Notes.docx

Working notes.

Timothy J. Sullivan
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Office of Civil Enforcement
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-----Original Appointment-----
From: Sullivan, Tim
Sent: Monday, July 30, 2018 3:49 PM
To: Sullivan, Tim; Chapman, Apple; Fried, Gregory; Williams, Christopher; Hoyt, Daniel
Subject: New Owner Program
When: Wednesday, August 1, 2018 11:00 AM-12:00 PM (UTC-07:00) Mountain Time (US & Canada).
Where: Apple's Office

Meeting purpose: prep for next Tuesday's API meeting.

Timothy J. Sullivan
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Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 5/8/2018 7:07:20 PM
To: Mary Douglas [mdouglas@4cleanair.org]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Invitation to NACAA Meeting
Attachments: Presentation NACAA -- Enforcement Trends v2 5.21.18.pptx

Mary

Here are the slides I intend to sue. I understand that time limit and will not spend time on every slide.

From: Mary Sullivan Douglas [mailto:mdouglas@4cleanair.org]
Sent: Tuesday, May 08, 2018 11:57 AM
To: Brooks, Phillip <Brooks.Phillip@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Invitation to NACAA Meeting

Hi Phill,

This is just a friendly reminder that we are hoping to receive Powerpoint presentations and brief bios for the NACAA Membership Meeting by May 9, 2018 (tomorrow). If you need additional time, please let me know by when you can get these items to us.

Thanks.

Mary

From: Mary Sullivan Douglas
Sent: Tuesday, April 17, 2018 1:20 PM
To: Brooks, Phillip
Cc: 'Chapman, Apple'
Subject: Invitation to NACAA Meeting

Dear Phill,

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for agreeing to speak at the association's upcoming Spring Membership Meeting, to take place May 21-23, 2018, at the Westin Chattanooga, in Chattanooga, Tennessee. Information about how to register for the meeting and a draft meeting agenda are available online at http://www.4cleanair.org/Spring_2018.

The panel on which you will participate, *Enforcement Issues and Updates*, is scheduled for Monday, May 21, 2018 from 10:15 – 11:45 a.m. During this session you will be asked to provide a 15- to 20-minute presentation on the Administration's plans, philosophies, initiatives, etc. with respect to enforcement. There will be additional time allowed for questions and answers. We ask that you adhere to the time limit for your presentation in order to provide attendees with an opportunity to ask questions and engage in open discussion.

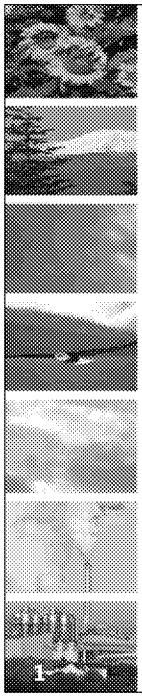
As you may be aware, NACAA Membership Meetings are "paperless" meetings. We will not be making hard copies of speakers' presentations for distribution (and we ask that speakers not bring copies for distribution either). Instead, we ask each speaker to provide an electronic copy of his/her presentation to NACAA's Administrative Assistant Monique Faye (mfaye@4cleanair.org, 202-624-7864) by no later than the 12:00 noon on Wednesday, May 9, 2018. This will allow us to compile and post all the presentations on our web site prior to the meeting so our members can download them in advance and bring them to the meeting. If you will not have a presentation or will not be able to make the deadline please let us know. We will also load all the presentations onto our laptop prior to the meeting so that we can project them via LCD during the sessions (we ask that speakers also bring their own back-up copy on a disk or flash drive). If you will require any other audio-visual equipment for your presentation, please let Monique know as soon as possible.

Please let me know if there is anything I can do to help with this presentation. We look forward to seeing you in Chattanooga! Thanks.

Mary

****

Mary Sullivan Douglas
National Association of Clean Air Agencies
444 North Capitol Street, NW, Suite 307
Washington, DC 20001
Personal Phone / Ex. 6
mdouglas@4cleanair.org
www.4cleanair.org



United States Environmental Protection Agency

Clean Air Act Enforcement: A Discussion With the National Association of Clean Air Agencies

May 21, 2018

ED_002311A_00002354-00001

Roadmap for Today

- A New Administration --New Policy Direction
- Recent Cases –Policy in Action
  - –Air Toxics
  - –Energy Extraction
- Mobile Sources –A Clear Threat to Air Quality

Enforcement Direction

- Goals
- Policy
- Actions

GOALS

EPA's Mission: To Protect Human Health and the Environment
Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water.
Goal 2 – Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.
Goal 3 – Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.

FY 2018-2022 Strategic Plan, Public Review Draft, 10/2/2017

Policy

The U.S. Environmental Protection Agency's FY2018-2022 Strategic Plan establishes both *cooperative federalism* (Goal 2) and *compliance with the law* (Objective 3. 1) as fundamental priorities for the agency. In particular, Objective 2. 1 states that the EPA will: 'Improve environmental protection through shared governance and enhanced collaboration with State, tribal, local, and federal partners using the full range of compliance assurance tools." In using our compliance assurance tools. Objective 3.1 stresses the need to maintain a **level playing field**, stating that noncompliance with the law 'unfairly tilts the field of economic competition in favor of those that skirt the *law'* . . .

Interim OECA Guidance on Enhancing Regional-State Planning and Communication on Compliance Assurance Work in Authorized States, January 22, 2018

Recent Actions

Carbon Black Settlements – Level Playing Field

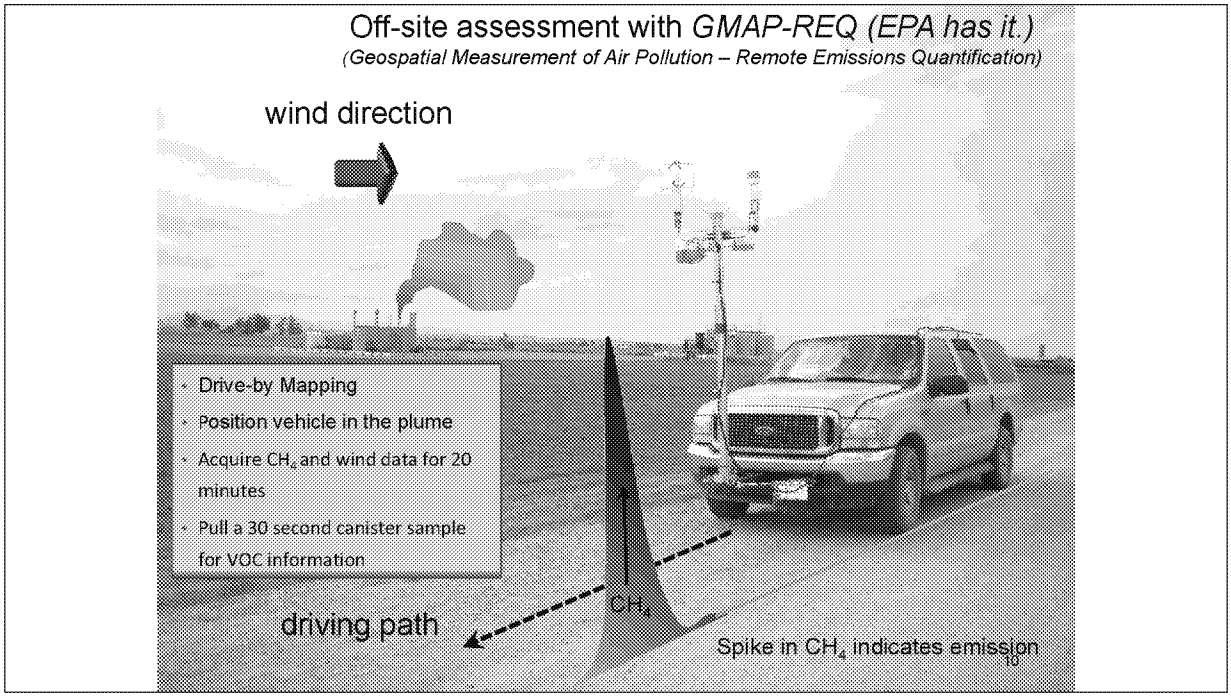
- **Lodged:** December 22, 2017
  - Orion Engineered Carbons, LLC (Louisiana Coplaintiff);
  - Sid Richardson Carbon and Energy Company; (Louisiana and Texas Coplaintiffs);
  - Columbian Chemicals Company (Louisiana and Kansas Coplaintiffs).
- **Alleged Violations:** NSR/NNSR, NESHAP and/or SIP violations
- **Control requirements include:**
  - Installation and operation of selective catalytic reduction for NOx; and
  - Installation and operation of dry or wet flue gas desulfurization for SO_2.
- **Mitigation:** Varies by settlement.

ExxonMobil (Olefins)

- **Lodged October 31, 2017**
- **Louisiana is a Coplaintiff**
- **Alleged Violations:** Claims arise out of operation/modification of industrial flares.
  - New Source Review/Prevention of Significant Deterioration (NSR/PSD);
  - NSPS and NESHAP;
  - Title V and the Title V permits; and
  - SIP requirements
- **Injunctive Relief: Covers 26 flares operated at four olefin plants and four polymer plants in Texas and Louisiana.**
  - Waste gas minimization plans for reducing waste flaring.
  - Root cause analysis/corrective actions for significant flaring incidents
  - Flare gas recovery systems at the petrochemical/olefins facilities
  - Flare monitoring and control equipment to ensure high combustion efficiency at all 26 flares.
- Fenceline monitoring stations to detect the presence of benzene from four of the covered plants.
- **Federal SEP and State Mitigation/SEP**

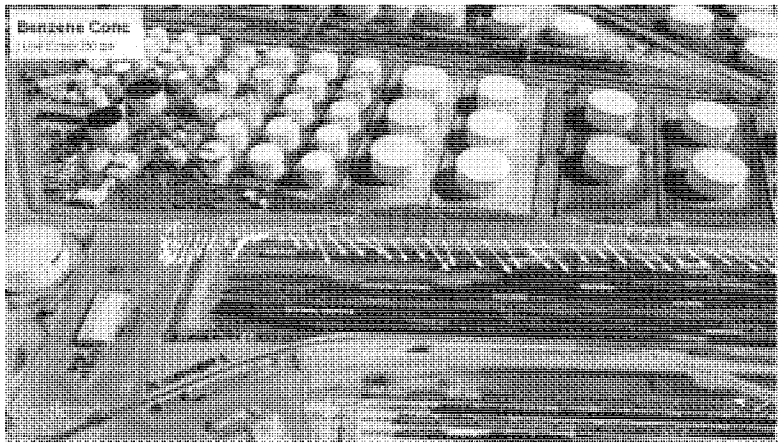
EPA Press Release on Exxon Settlement

"This settlement means cleaner air for communities across Texas and Louisiana, and reinforces EPA's commitment to enforce the law and hold those who violate it accountable," said EPA Administrator Scott Pruitt. "As this agreement shows, EPA is dedicated to partnering with states to address critical environmental issues and improving compliance in the regulated community to prevent future violations of the law."



CH4 is methane. GMAP was invented by Eben Thoma (ORD). With the GMAP once you find the plume you stop the vehicle in the path of the plume for 15-20 minutes. The GMAP can estimate the emissions rate of methane (calculates this information based on the wind speed). The GMAP is equipped with a suma canister which we use to get HAP concentrations.

Finding Leaks on the Move



Vopak North America Inc.

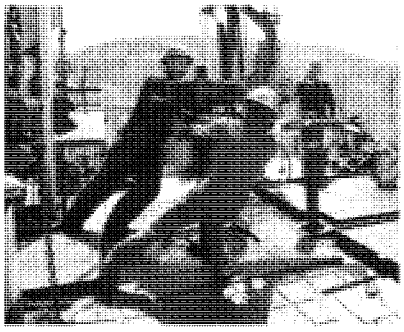
- **Lodged: May 17, 2017**
- **Texas is a Coplaintiff**
- **Alleged Violations: C**laims arise out of operation of terminal bulk storage tanks, flares, and a wastewater treatment system.
  - New Source Performance Standards (NSPS);
  - National Emission Standards for Hazardous Air Pollutants (NESHAP); and
  - State Implementation Plan (SIP) requirements.
- **Injunctive Relief:**
  - Installation of state-of-the-art air pollution controls at the facility's wastewater treatment system
  - Use of infrared cameras to detect excess VOCs from chemical storage tanks
  - Third party audit to improve waste management.

EPA Press Release on Vopak Settlement

"Today's settlement reflects the Justice Department's commitment to protecting clean air for the American people in partnership with the states," said Jeffrey H. Wood, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "The settlement will bring Vopak into compliance with federal and state clean air laws and will result in improved air quality for the residents of Harris County. We are proud to have partnered with Texas on this important result."

Energy Extraction
National Enforcement Initiative

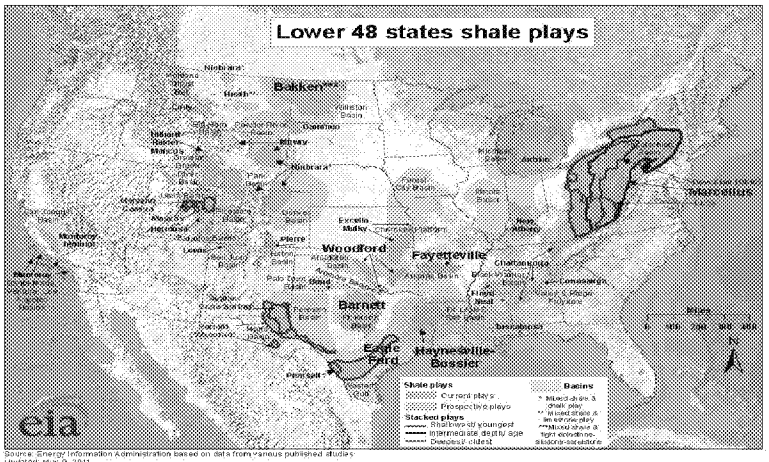
- In March 2010, EPA announced a new enforcement initiative for energy extraction.
- Initiative renewed for FY 14-16 cycle.
- Requested comment on whether to renew for the FY 17-19 cycle.
- Focus is onshore natural gas extraction and production.



Attorney Client Privileged/Do not release

Energy Extraction: Expansion

Advances in hydraulic fracturing and horizontal drilling have opened new areas for oil and gas development. Growth is regional, unevenly distributed across the U.S., and in close proximity to large populations in some areas. Natural gas is an important cleaner burning "bridge fuel" that must be extracted and produced in a manner that protects communities and the environment, and complies with applicable laws.



Sources: Energy Information Administration based on data from various published studies
Updated: May 9, 2011

Attorney Client Privileged/Do not release

Air Pollution Focus

- Emissions from shale gas exploration and production affect air quality:
  - Air emissions can be released during all stages of production.
  - Primary pollutants of concern are volatile organic compounds (VOCs, e.g., propane, butane, xylene, benzene, toluene).
  - Ozone non-attainment areas.
  - Between 2000 and 2013 approx. 9.4 million people lived within one mile of a hydraulically fractured well.
  - Approx. 487,000 active natural gas wells

Attorney Client Privileged/Do not release

Noble Energy

- Entered in June 2015.
- Resolves claims that Noble failed to adequately design, size, operate, and maintain vapor control systems on its controlled condensate storage tanks, resulting in emissions of VOCs.
- Covers all of Noble's controlled condensate storage tanks in the Denver 8-hour ozone marginal nonattainment area that have vapor control systems operating pursuant to the Colorado SIP.
  - More than 3,400 tank batteries, which are multiple storage tanks located together.
- Noble will spend an estimated $60 million on system upgrades, monitoring, and inspections.
- Required environmental mitigation projects as well as Supplemental Environmental Projects to reduce emissions (e.g. reduction of emissions during condensate loading, retrofitting drill site diesel engines to recue NOx, etc.)

Noble Energy

Injunctive Relief

- Engineering evaluations to ensure vapor control systems are properly designed/controlled.
- Noble must make necessary modifications to ensure systems are properly designed/controlled following the engineering evaluations.
- Infrared camera inspections to ensure the vapor control systems are controlling emissions as expected.
- Inspection/preventative maintenance program.
- Third-party auditor will review the engineering evaluations and will also perform infrared camera inspections.
- Evaluation of the pressure relief valves and thief hatches on each condensate storage tank and address any evidence of VOC emissions.
- Install pressure monitors with continuous data reporting on a cross-section of the tank systems.

PDC Energy Inc.

- **Complaint Filed June 26, 2017**
- **Colorado is a Coplaintiff**
- **Consent Decree Lodged October 31, 2017**
- **Alleged Violations:** Claims arise out of Colorado SIP requirements relating to operation, maintenance, design, and sizing of vapor control systems at condensate storage tanks.

PDC Energy Inc.

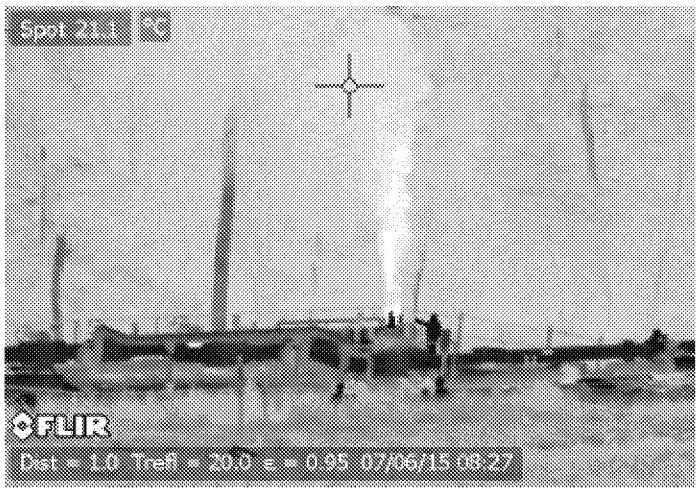
- **Injunctive Relief:**
  - Engineering evaluations to ensure vapor control systems are properly designed/sized to control VOC emissions.
  - PDC must make necessary modifications to ensure systems are properly designed/controlled following the engineering evaluations.
  - Infrared camera inspections to ensure the vapor control systems are controlling emissions as expected.
  - Third Party engineering evaluations verified by in-house PDC engineer.
  - Inspection/preventative maintenance program.
  - Install pressure monitors with continuous data reporting on a cross-section of the tank systems.
  - Other measures to proactively detect and correct recurring issues.
- **Mitigation:**
  - Installation of closed vapor system for loading condensate from certain PDC storage tanks into tanker trucks
  - Installation of emissions control on certain natural gas-fueled compressor engines

EPA Press Release on PDC Settlement

"This agreement will result in cleaner air in the Denver area and shows that EPA is committed to enforcing the law in order to ensure public health is protected," **said EPA Administrator Scott Pruitt**. "This case exemplifies the strong partnerships with states that are integral to delivering results for American communities and finding solutions that build compliance with the law and prevent future violations."

"As a result of state and federal efforts, PDC has agreed to take comprehensive action to address excess VOC emissions from its oil and gas operations," **said Associate Attorney General Rachel L. Brand of the Department of Justice**. "We are proud that we were able to work side by side with EPA and Colorado to bring these facilities into compliance with the law."

Pigging and Venting -- As Bad as it Sounds



MarkWest

- Lodged April 24, 2018
- Pennsylvania is a Coplaintiff
- Resolves NSR/PSD violations for excess VOC emissions at pig launching/receiving operations at compressor stations and stand-alone facilities in eastern Ohio and western PA (300+ facilities in the Marcellus and Utica wet gas areas)
- ***Injunctive Relief*** – jumper lines to depressurize equipment, pig ramps in pig receivers, flares where needed; submit federally-enforceable permit applications; and use a revised Real Gas law in VOC emission estimates (1.2x)
- ***Pollution Reductions*** - 700 tons per year of VOC
- ***Civil Penalty*** – $610,000
- ***Supplemental Environmental Projects (SEP)*** - Install ambient air monitoring stations upwind/downwind of two MarkWest compressor stations in Ohio and PA; promote the use of innovative pig ramp technology to industry.

EPA Press Release on Vopak Settlement

"I'm pleased to announce that through this agreement, MarkWest will make improvements to more than 300 facilities in western Pennsylvania and eastern Ohio," said EPA's Assistant Administrator for the Office of Enforcement and Compliance Assurance Susan Bodine. "We estimate that these improvements will reduce VOC emissions from these facilities by more than 90 percent, helping bring cleaner air to surrounding communities."

"This Clean Air Act settlement will reduce harmful emissions from facilities located across western Pennsylvania and eastern Ohio," said Acting Assistant Attorney General Jeffrey H. Wood of the Department of Justice's Environment and Natural Resources Division. "Today's action also demonstrates our commitment to working with federal, state and local partners to ensure the health and safety of the American people."

"Our legacy to future generations will be defined, in part, by our commitment to protecting the environment," said U.S. Attorney Scott W. Brady of the Western District of Pennsylvania. "This settlement agreement with MarkWest demonstrates the commitment of the U.S. Attorney's Office to improving the quality of the environment and ensuring cleaner air for the residents of western Pennsylvania."

Enforcement Is Not The Only Pathway

Range Resources New Owner Audit Agreement

- August 9, 2017
- Covers approximately 400 well sites in Louisiana previously owned by Memorial Resources Development Corporation
- Elements of the Agreement
  - Requires development of a Facility and Permit Inventory (within first 30 days of Audit)
  - Preparation of an air permitting summary report that includes permitting corrective actions
  - Facility Compliance Evaluation and Corrective Actions
    - Assessment of vapor control sizing and schedule for completing appropriate repairs/upgrades
    - Audit of NSPS and NESHAP compliance and schedule for corrective actions (Part 60 Subparts K/Ka/Kb, KKK, LLL, IIII, JJJJ, KKKK, OOOO, OOOOa, and Part 63 Subparts H, HH, OO, SS, TT, UU, VV, HHH, ZZZZ, and BBBBBB)
- Agreement requires Range to submit a proposed schedule for corrective actions that will take more than 60 days. Extensions up to 36 months may be granted.
- New Owner Audit provides Range with penalty mitigation (adjusting the way penalties for economic benefit are calculated in the new owner context).

New Owner Audit -- Proposal Summary

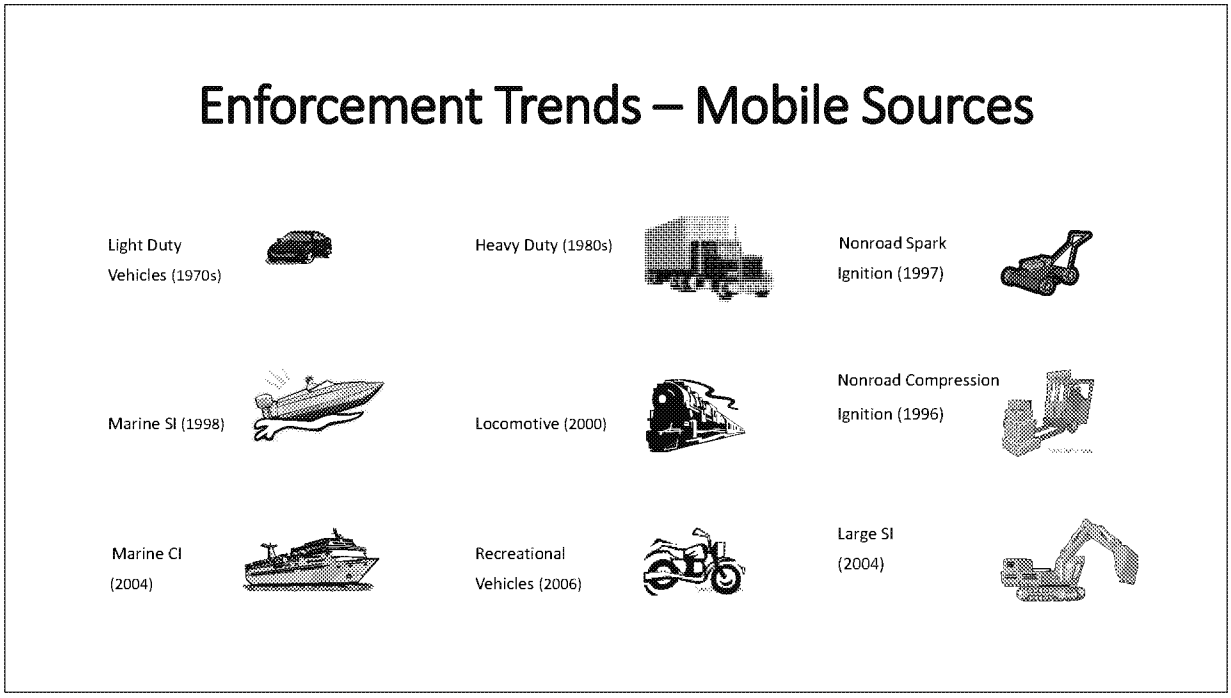
Objective

- Utilize the *Interim Approach to Applying the Audit Policy to New Owners* (New Owner Policy) as a guide to develop a tailored proposal for the oil and gas sector (New Owner Audit Program or Program) that will improve the sector's Clean Air Act compliance while minimizing costs for all involved parties.

Feedback

- EPA receiving feedback from interested parties:

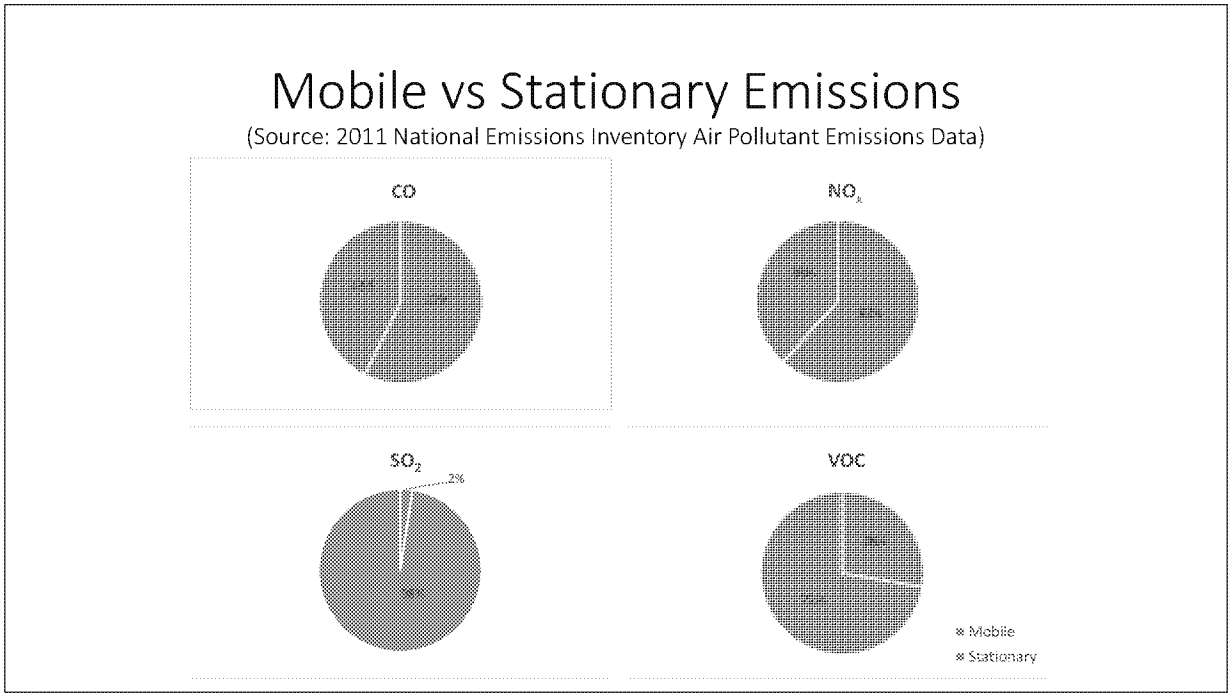
https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production



Mobile source enforcement includes on-road vehicles and engines and off-road (nonroad) vehicles and engines.
Exhaust and evaporative standards for:
Nonroad Engines/engine-driven equipment, regardless of fuel
Engines
Small Gasoline Equipment (generators, pumps, chainsaws, lawnmowers, etc.)
Large Gasoline Equipment (tractors, forklifts, exempt mini-vehicles, etc.)
Diesel Equipment (all sizes, bulldozers, cranes, tractors, forklifts, pumps, generators, etc.)
Recreational vehicles (ATVs, snowmobiles, dirt bikes)
Marine gasoline and diesel vessels
Locomotives

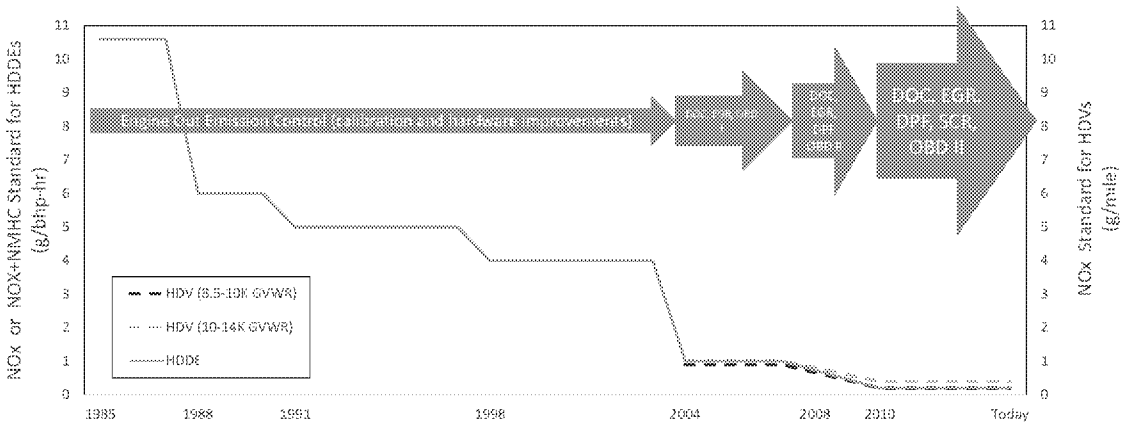
On-road Motor vehicles
Heavy-duty motor vehicle engines
Cars, buses, and trucks
Motorcycles

Stationary Engines that remain at a single site at a building, structure, facility, or installation for 12 months or longer. 40 C.F.R. Part 1068.30 nonroad engine (2)(iii).



Mobile sources are responsible for a significant portion of U.S. emissions inventory

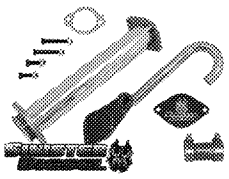
NOx Standards and Vehicle Emission Control Devices Heavy-Duty Vehicles (HDVs) and Heavy-Duty Diesel Engines (HDDEs)

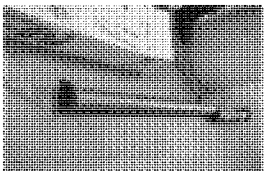


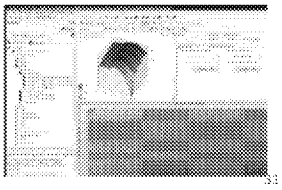
Source: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100QA01.pdf

What is an Aftermarket Defeat Device?

- Aftermarket Defeat Device – "any part or component…where a principal effect…is to bypass, defeat, or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle…"
- Types of Defeat Devices
  - EGR Hardware Deletes
  - Exhaust Aftertreatment Delete Hardware (straight pipes)
  - Tuning – Calibration and OBD modifications



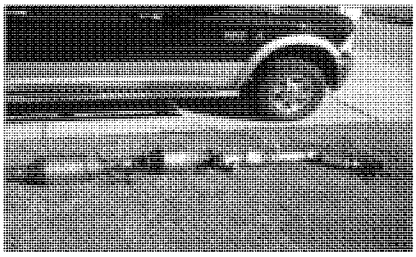


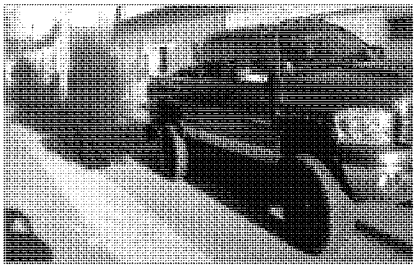


Why buy an aftermarket defeat device?

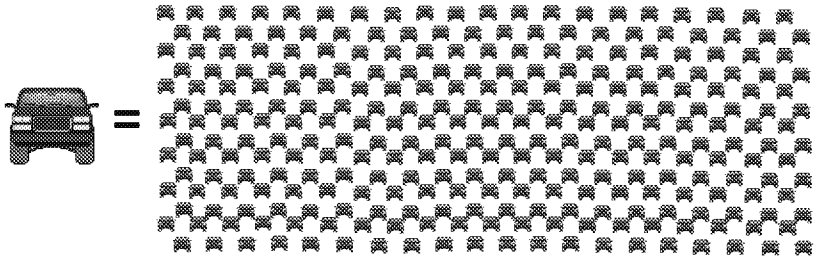
"The [device] unlocks your vehicle's hidden performance by recalibrating your vehicle's computer for Maximum Horsepower & Torque, Increase Throttle Response, Firmer Shifts and even Increased Fuel Mileage."
— *Advertisement*

Defeating EGR, DOC, DPF, and SCR may improve fuel economy (3 to 10 % increase based on EPA testing) but at the expense of up to 100's or even 1,000's of times higher emissions





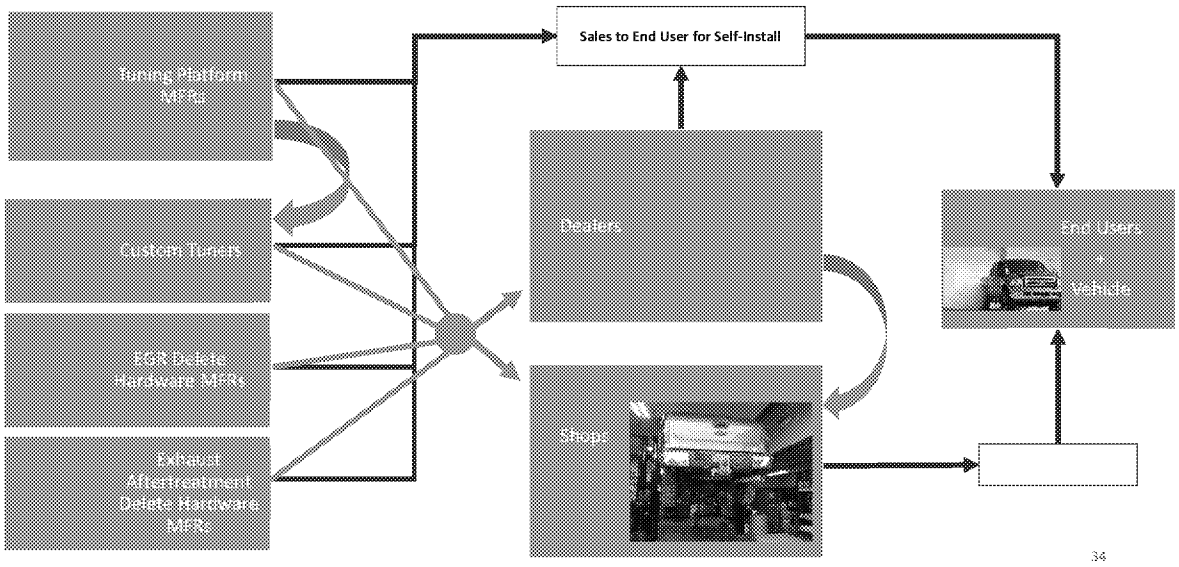
Emissions Increase Due to Full Delete



EPA test results show the increase in NOx, NMHC, CO, and PM when a tuner enables a full delete of the vehicle. These tests were conducted without the SCR, DPF, DOC, and EGR emission controls.

- Tailpipe NOx increased ~310x
- Tailpipe NMHC increased ~1,140x
- Tailpipe CO increased ~120x
- Tailpipe PM increased ~40x

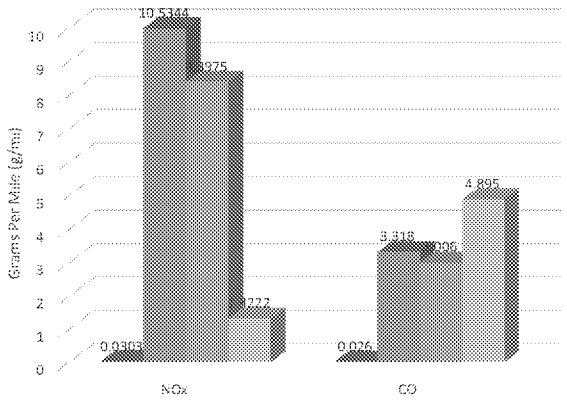
Aftermarket Industry Overview

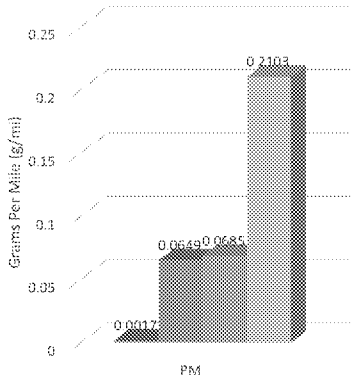


34

EPA Tuner Emissions Tests

Stock Calibration/Equipment Versus Emissions-Equip. Removed Tuners





Second and Third test: EGR electronically disabled by tuner. DOC, DPF, and SCR replaced with straight pipe and disabled by tuner in calibration.

Fourth Test: EGR not disabled electronically by tuner. DOC, DPF, and SCR replaced with straight pipe and disabled by tuner in calibration.

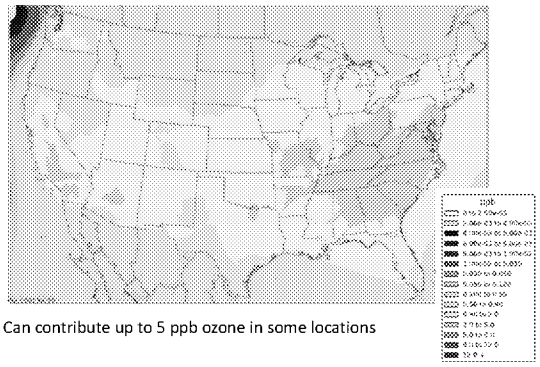
Impacts of Highway Heavy-Duty Vehicles

- On-highway diesel sector*
  - Largest single contributor to mobile source NOx
    - Contributes about ⅓ of mobile source NOx emissions in 2025
  - One of the largest mobile source contributors to ozone in 2025
  - Significant mobile source contributor to $PM_{2.5}$ in 2025, due to
    - NOx emissions which form PM
    - Directly emitted PM

*Not accounting for gliders

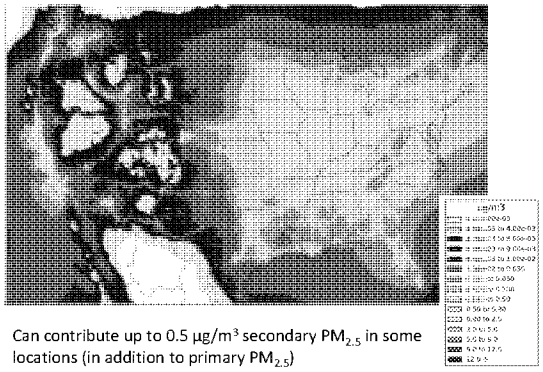
NO_x Emissions from Heavy-Duty Vehicles*

NO_x Contribution to Ozone in 2025 from HD Diesel Vehicles



Can contribute up to 5 ppb ozone in some locations

NO_x Contribution to Ambient PM in 2025 from HD Diesel Vehicles



Can contribute up to 0.5 $\mu g/m^3$ secondary $PM_{2.5}$ in some locations (in addition to primary $PM_{2.5}$)

*Does not include NOx emissions from glider vehicles

37

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 9/12/2018 4:47:08 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
CC: Smith-Watts, David [Smith-Watts.David@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: OMB Pre-Brief

Dear all –

Personal Matters / Ex. 6 here are my suggests for the bullets… thought they were good.

Phil

From: Jonesi, Gary
Sent: Wednesday, September 12, 2018 12:11 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Milton, Philip <Milton.Philip@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: OMB Pre-Brief

Deliberative Process / Ex. 5

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Jonesi, Gary
Sent: Tuesday, September 11, 2018 6:09 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Milton, Philip <Milton.Philip@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: OMB Pre-Brief

Sure, will do it in the morning. Deliberative Process / Ex. 5

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Cc: Milton, Philip <Milton.Philip@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: OMB Pre-Brief

Gary – Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I want to make sure Phil, David, and Apple see the slides as well so please circulate.

Thanks,
Amy

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 3:27 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Deliberative Process / Ex. 5

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:49 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

OK thanks.

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:44 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Thx. If John D is at this afternoon's briefing I can mention to him that the two of you should get together.

I also just talked w/Dave Swack re what the thinking was Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:40 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

See highlights. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:35 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Ok, will let you know what happens. Who is your principal OC counterpart for this?

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:30 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Hi John – No one from OC has reached out to me. Happy to help and standing by....

Thanks
Amy

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:11 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Amy - **Personal Matters / Ex. 6** The attached document has some suggested topics for the upcoming OMB hearing, **Deliberative Process / Ex. 5** Has anyone from OC reached out to you on this? Thx.

Deliberative Process / Ex. 5

-----Original Appointment-----
From: Bodine, Susan
Sent: Tuesday, September 04, 2018 2:42 PM
To: Bodine, Susan; Starfield, Lawrence; Traylor, Patrick; Dombrowski, John; Mckeever, Michele; Kelley, Rosemarie; Mackey, Cyndy; DeLeon, Rafael; Badalamente, Mark; Swack, David; Warren, JohnM; Sullivan, Greg
Cc: Fogarty, Johnpc; McCray, Deborah; Deloatch, Melinda; Stanley, Pam; Pointer, Shereta; Alston, Wanda; Strickland, Francine; James, Christina; Barnet, Henry; Mazakas, Pam; Leff, Karin; Toy, Nancy; Conner, Debra; Lucas, Catherine; Gardner, Monica; Healy, Helena
Subject: FW: OMB Pre-Brief
When: Tuesday, September 11, 2018 3:15 PM-4:15 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216WJC-South

All, wanted to let you know that the meeting below has been scheduled with your OD/DOD for next Tuesday. This is our first pre-brief for our upcoming FY 20 OMB budget hearing. The hearing itself will take place on the 19th. The meeting

invite includes a list of possible slides (and office leads) for the hearing. This is not set in stone, but you might want to take a look and begin thinking about what you might need to put together. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you have any questions, let me or John know.

David

-----Original Appointment-----
From: Bodine, Susan
Sent: Tuesday, September 04, 2018 2:32 PM
To: Bodine, Susan; Starfield, Lawrence; Traylor, Patrick; Dombrowski, John; Mckeever, Michele; Kelley, Rosemarie; Mackey, Cyndy; Sullivan, Tim; DeLeon, Rafael; Badalamente, Mark; Swack, David; Warren, JohnM
Subject: OMB Pre-Brief
When: Tuesday, September 11, 2018 3:15 PM-4:15 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216WJC-South

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CC: Milton, Philip [Milton.Philip@epa.gov]; Smith-Watts, David [Smith-Watts.David@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:40 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

See highlights. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:35 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Ok, will let you know what happens. Who is your principal OC counterpart for this?

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:30 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Hi John – No one from OC has reached out to me. Happy to help and standing by….

Thanks
Amy

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:11 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Amy – **Personal Matters / Ex. 6** The attached document has some suggested topics for the upcoming OMB hearing, **Deliberative Process / Ex. 5** Has anyone from OC reached out to you on this? Thx.

Deliberative Process / Ex. 5

-----Original Appointment-----
From: Bodine, Susan
Sent: Tuesday, September 04, 2018 2:42 PM
To: Bodine, Susan; Starfield, Lawrence; Traylor, Patrick; Dombrowski, John; Mckeever, Michele; Kelley, Rosemarie; Mackey, Cyndy; DeLeon, Rafael; Badalamente, Mark; Swack, David; Warren, JohnM; Sullivan, Greg
Cc: Fogarty, Johnpc; McCray, Deborah; Deloatch, Melinda; Stanley, Pam; Pointer, Shereta; Alston, Wanda; Strickland, Francine; James, Christina; Barnet, Henry; Mazakas, Pam; Leff, Karin; Toy, Nancy; Conner, Debra; Lucas, Catherine; Gardner, Monica; Healy, Helena
Subject: FW: OMB Pre-Brief
When: Tuesday, September 11, 2018 3:15 PM-4:15 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216WJC-South

All, wanted to let you know that the meeting below has been scheduled with your OD/DOD for next Tuesday. This is our first pre-brief for our upcoming FY 20 OMB budget hearing. The hearing itself will take place on the 19th. The meeting invite includes a list of possible slides (and office leads) for the hearing. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

If you have any questions, let me or John know.

David

-----Original Appointment-----
From: Bodine, Susan
Sent: Tuesday, September 04, 2018 2:32 PM
To: Bodine, Susan; Starfield, Lawrence; Traylor, Patrick; Dombrowski, John; Mckeever, Michele; Kelley, Rosemarie; Mackey, Cyndy; Sullivan, Tim; DeLeon, Rafael; Badalamente, Mark; Swack, David; Warren, JohnM
Subject: OMB Pre-Brief
When: Tuesday, September 11, 2018 3:15 PM-4:15 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216WJC-South

Message

From: Frigerio, Lorry [Frigerio.Lorry@epa.gov]
Sent: 6/27/2018 6:41:59 PM
To: Vizard, Elizabeth [Vizard.Elizabeth@epa.gov]; Saenz, Diana [Saenz.Diana@epa.gov]; amend, carol [amend.carol@epa.gov]; Segall, Martha [Segall.Martha@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Ayres, Sara [Ayres.Sara@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Heminway, Seth [Heminway.Seth@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Dart, Denny [Dart.Denny@epa.gov]; Duffy, Rick [Duffy.Rick@epa.gov]; Bahk, Benjamin [Bahk.Benjamin@epa.gov]; Kenknight, Jeff [Kenknight.Jeff@epa.gov]; Sullivan, Greg [Sullivan.Greg@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Cobb, David [cobb.david@epa.gov]
CC: Mckeever, Michele [Mckeever.Michele@epa.gov]; Guerra, Lidia [guerra.lidia@epa.gov]
Subject: FW: OECA's Distribution of the FY 2018 Workforce Deployment Funds
Attachments: RP 77-2018-B-9R-027.pdf; FY 2018 WDF Distribution 6-27-18.xlsx; FINAL FY 2018 Workforce Deployment Funds Awards

Dear SIT Steering Committee members:

I am pleased to let you know that the 2018 WDF monies (travel and EPM) have been disbursed, as noted below.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks so much for your help in verifying the receiving offices and points of contact in support of disbursement of the funds.

If you have any questions, feel free to contact Michele or myself.

Lorry Frigerio
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
202-564-4931

From: Warren, JohnM
Sent: Wednesday, June 27, 2018 1:55 PM
To: Kercado, Carlos <Kercado.Carlos@epa.gov>; Seabrook, Esther <seabrook.esther@epa.gov>; White, Lisa <WHITE.LISA@EPA.GOV>; Chmielinski, Eileen <CHMIELINSKI.EILEEN@EPA.GOV>; Eubanks, Kristy <Eubanks.Kristy@epa.gov>; Meyer, Dale <meyer.dale@epa.gov>; Bonnell, Corey <bonnell.corey@epa.gov>; Kohler, Carla <Kohler.Carla@epa.gov>; Klinker, Wendy <Klinker.Wendy@epa.gov>; Harmon, Russell <Harmon.Russell@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Frigerio, Lorry <Frigerio.Lorry@epa.gov>; Swack, David <Swack.David@epa.gov>; Strickland, Francine <Strickland.Francine@epa.gov>; James, Christina <james.christina@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Reid, Danesha <Reid.Danesha@epa.gov>; McCray, Deborah <Mccray.Deborah@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Aguilar, Victor <aguilar.victor@epa.gov>; Brantner, Kelly A. <Brantner.Kelly@epa.gov>; Rutherford, Nancy <Rutherford.Nancy@epa.gov>; amend, carol <amend.carol@epa.gov>; Layne, Janis <Layne.Janis@epa.gov>; Jones, Kathy <jones.kathya@epa.gov>; Eppler, Terry <eppler.terry@epa.gov>; Casady, Aaron <casady.aaron@epa.gov>; Wolfe, Jennifer <Wolfe.Jennifer@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Gargas, Toni <Gargas.Toni@epa.gov>
Subject: OECA's Distribution of the FY 2018 Workforce Deployment Funds

Comptrollers,

I would like to let you know that OECA has finalized its distribution of the FY 2018 Workforce Deployment funds which support our national enforcement and compliance priorities. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 The second attachment to this email provides additional information regarding the projects funded in your office. Both attachments list the POC in your office who will be managing these funds.

Please let me know if you have any questions.

Thanks.

John

Deliberative Process / Ex. 5

Message

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 9/21/2018 4:08:38 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Updated OG NOAP Presentation
Attachments: DRAFT API Presentation 9_21_2018_rev9.pdf

Hello all:

I have placed the updated OG NOAP presentation (rev 9) c

Internal Network Address / Ex. 6

Internal Network Address / Ex. 6

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Please let me know if you have any comments or questions.

Thanks,

Chris

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 9/20/2018 5:21:46 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

I'm signing the response letter.

From: Chapman, Apple
Sent: Thursday, September 20, 2018 1:01 PM
To: Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Re: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Deliberative Process and Attorney-Client / Ex. 5 I thought this already went out?

Sent from my iPhone

On Sep 20, 2018, at 12:57 PM, Fried, Gregory <Fried.Gregory@epa.gov> wrote:

Chris/Tim,

Deliberative Process and Attorney-Client / Ex. 5

Greg

From: Barnes, Cassandra
Sent: Thursday, September 20, 2018 12:54 PM
To: Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Internal url / Ex. 6

Internal url / Ex. 6
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

From: Fried, Gregory
Sent: Thursday, September 20, 2018 12:52 PM
To: Barnes, Cassandra <Barnes.Cassandra@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Looks like our draft response and the FOIA incoming. I'm not seeing the responsive docs.

From: Barnes, Cassandra
Sent: Thursday, September 20, 2018 12:17 PM

To: Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Greg

Here are the responsive records for this request.

Cassandra

From: Sullivan, Tim
Sent: Thursday, September 06, 2018 2:26 PM
To: Barnes, Cassandra <Barnes.Cassandra@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Cassandra:

Deliberative Process / Ex. 5

Internal url / Ex. 6

Internal url / Ex. 6 **Deliberative Process and Attorney-Client / Ex. 5**

Deliberative Process and Attorney-Client / Ex. 5

I also prepared the attached draft response letter based on the example template that you shared, and it is attached to this email for routing and concurrence.

Please let me know if you have any questions. Thank you for your assistance with responding this FOIA request – it is greatly appreciated!

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Barnes, Cassandra
Sent: Tuesday, August 28, 2018 12:49 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Great!

From: Sullivan, Tim
Sent: Tuesday, August 28, 2018 2:46 PM
To: Barnes, Cassandra <Barnes.Cassandra@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Thanks, Cassandra.

I will start drafting the response. Personal Matters / Ex. 6 Personal Matters / Ex. 6 . I will also see if I can just merge all of the pdf's into one document from someone else's computer who has Adobe Acrobat.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Barnes, Cassandra
Sent: Tuesday, August 28, 2018 12:43 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Tim

Here is a sample.

Cassandra

From: Sullivan, Tim
Sent: Tuesday, August 28, 2018 2:30 PM
To: Barnes, Cassandra <Barnes.Cassandra@epa.gov>
Cc: Fried, Gregory <Fried.Gregory@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

Hi Cassandra.

I left you a voicemail yesterday regarding this FOIA. E Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Barnes, Cassandra
Sent: Tuesday, August 28, 2018 7:14 AM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan
Importance: High

Please confirm receipt of this request.

Cassandra

From: Barnes, Cassandra
Sent: Monday, August 27, 2018 8:17 AM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple

<Chapman.Apple@epa.gov>
Subject: FOIA Assignment for EPA-HQ-2018-009360 Mike Soraghan

All

This FOIA is assigned to AED for a response. The due date has past and we are seeking an extension. Please contact me if you need any assistance with this request.

Cassandra

From: Personal Email / Ex. 6 [mailto: Personal Email / Ex. 6]
Sent: Monday, August 27, 2018 7:13 AM
To: Barnes, Cassandra <Barnes.Cassandra@epa.gov>
Subject: FOIA Assignment for EPA-HQ-2018-009360

You have been assigned to the FOIA request - EPA-HQ-2018-009360. Additional details for this item are as follows:

- Tracking Number: EPA-HQ-2018-009360
- Requester: Mr. Mike Soraghan
- Request Track: Simple
- Submitted Date: 07/09/2018
- Due Date: 08/10/2018
- Short Description: N/A
- Description: I request all comments submitted to EPA in 2018 concerning the draft New Owner Clean Air Act Audit agreement.

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/2/2018 8:15:33 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

That was my sense from my initial skim – I will be taking a look at his edits shortly.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Wednesday, May 2, 2018 1:53 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

Yes, I was talking about Chris T. Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Wednesday, May 02, 2018 2:39 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)
Importance: High

I just realized that you were likely talking about Chris Thompson's comments on the draft Agreement and I was referring to Chris Williams's proposed edits Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Sorry for the confusion – too many Chris's...

Timothy J. Sullivan

Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Wednesday, May 2, 2018 11:15 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

Okay – I will schedule a quick check-in tomorrow from 10-10:30 am eastern.

Chris called and told me that he is revising some of his comments, so I have yet to review them. I am turning to the other edits and comments now. I will circulate a complete redline once I finish that process.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Wednesday, May 2, 2018 11:11 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

I am reading through Chris' comments right now. I have meetings the rest of the day starting at 2pm (nothing I can really skip). I can read through Gary's stuff this evening and chat tomorrow morning 10-10:30 EST. I have a meeting from 10:30 – 11 and then we have the Patrick meeting at 11.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

From: Sullivan, Tim
Sent: Wednesday, May 02, 2018 1:06 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)
Importance: High

Hi, Apple.

I read through the relevant parts of Gary's emails and their attachments, a Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Do you want to chat when you have some time and once you have had a minute to review these materials?

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Tuesday, May 1, 2018 1:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: Briefing paper: what is an eNOD? (4 of 4)

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Jonesi, Gary
Sent: Thursday, April 19, 2018 10:24 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: Briefing paper: what is an eNOD?

Last one, this is what I was looking for because it is the most recent discussion.

--Gary

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Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Jonesi, Gary
Sent: Thursday, November 19, 2015 6:50 PM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: Briefing paper: what is an eNOD?

Susan, as per your request after today's OCE General with Cynthia, please see the attached draft briefing paper below. Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

I am sending this earlier than you asked for it, but I thought it might be a good idea to give you more time for review, and to get some feedback in case it needs major revisions.

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/2/2018 6:56:47 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Draft Agreement Comments
Attachments: RE: Comment on New Owner Audit Program - draft for review - Endangerment; RE: Question about the Oil and Gas New Owners Audit Agreement; FW: New Owner Audit Program - draft for review (Milton's Review); OG New Owner Program - Audit Agreement - Draft_Clean_04.24.2018 CAT; FW: audit pilot; RE: New Owner Audit Program

Flag: Follow up

For your reference: the attached emails contain all of the comments – and discussions threads related to those comments – that we received on the draft Agreement.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Chapman, Apple [Chapman.Apple@epa.gov]
Sent: 4/30/2018 4:46:22 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: FW: audit pilot

Deliberative Process and Attorney-Client / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: Kelley, Rosemarie
Sent: Monday, April 30, 2018 12:18 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>
Subject: FW: audit pilot

Apple –

See Larry's note below.

Rosemarie

From: Starfield, Lawrence
Sent: Monday, April 30, 2018 12:10 PM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: audit pilot

Susan mentioned the oil and gas audit pilot. **Deliberative Process and Attorney-Client / Ex. 5**

Deliberative Process and Attorney-Client / Ex. 5

Maybe you can clarify during the General this week.

Larry

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Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 4/27/2018 2:44:14 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: FW: New Owner Audit Program - draft for review (Milton's Review)
Attachments: OG New Owner Program - Audit Agreement - Draft_Clean_04.19.2018 plm comments_4.20.18.docx

Agency Deliberative Process – Please do not release

Dear O&G New Owner Sector Audit Program Team

Deliberative Process and Attorney-Client / Ex. 5

If you would like to discuss, please do not hesitate to contact me.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Friday, April 20, 2018 2:22 PM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: New Owner Audit Program - draft for review (Milton's Review)

Agency Deliberative Process – Please do not release

Amy and Gary –

Deliberative Process and Attorney-Client / Ex. 5

I have some other comments, that I consider minor in the document as well, please let me know if you have other comments you would like included. Otherwise I intend to share this with Apple, Tim and Chris no later than next Thursday.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Friday, April 20, 2018 6:36 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: FW: New Owner Audit Program - draft for review

FYI – I reviewed earlier versions, I have not reviewed this one. I will let you know if I have any significant concerns.

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Thursday, April 19, 2018 5:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy. I

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and

comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th for potential incorporation into the draft Patrick shares at the IOGCC meeting. I will keep you posted on the feedback we receive at and after the IOGCC meeting.

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 | (mobile) |

Message

From: Thompson, Christopher [Thompson.Christopher@epa.gov]
Sent: 4/27/2018 3:21:28 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
CC: Portmess, Jessica [Portmess.Jessica@epa.gov]
Subject: OG New Owner Program - Audit Agreement - Draft_Clean_04.24.2018 CAT
Attachments: OG New Owner Program - Audit Agreement - Draft_Clean_04.24.2018 CAT.docx

Here are a few comments for consideration Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks for the opportunity to review.

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/23/2018 3:20:54 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Comment on New Owner Audit Program - draft for review - Endangerment

Thanks for your input, Kathryn and Cary - much appreciated.

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Caballero, Kathryn
Sent: Monday, April 23, 2018 7:55 AM
To: Chapman, Apple ; Secrest, Cary
Cc: Sullivan, Tim
Subject: RE: Comment on New Owner Audit Program - draft for review - Endangerment

Deliberative Process and Attorney-Client / Ex. 5

Happy to discuss further. Cary, thanks for adding me to the discussion.

Kathryn Pirrotta Caballero
Senior Attorney
U.S. EPA Office of Civil Enforcement
Air Enforcement Division
(w) 202-564-1849

Mailing Address for USPS:
1200 Pennsylvania Avenue, N.W.
Mail Code 2242A
Washington, D.C. 20460

Mailing/Delivery Address for other carriers and for couriers:
1200 Pennsylvania Avenue, N.W.
Clinton Federal Building (South) Room 1147A
Washington, D.C. 20004

From: Chapman, Apple
Sent: Monday, April 23, 2018 9:09 AM
To: Secrest, Cary <Secrest.Cary@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: Comment on New Owner Audit Program - draft for review - Endangerment

Cary
Thanks for the quick review and comment. I am sending you Tim's response. Please let me know if this addresses your concern or if you would like to discuss. Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Friday, April 20, 2018 4:35 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Comment on New Owner Audit Program - draft for review - Endangerment

Thanks for sharing, Apple Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Friday, April 20, 2018 2:13 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: Comment on New Owner Audit Program - draft for review - Endangerment

FYI

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Secrest, Cary
Sent: Friday, April 20, 2018 9:36 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: Comment on New Owner Audit Program - draft for review - Endangerment

ENFORCEMENT CONFIDENTIAL

Hi Apple:

Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Best,

Cary

Mr. Cary Secrest
EPA Office of Enforcement and Compliance Assurance
Air Enforcement Division
WJ Clinton Bldg, South, Rm. 2111A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Office: (202) 564-8661

"Be yourself. Everyone else is already taken." Oscar Wilde

From: Chapman, Apple
Sent: Thursday, April 19, 2018 5:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th for potential incorporation into the draft Patrick shares at the IOGCC meeting. I will keep you posted on the feedback we receive at and after the IOGCC meeting.

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Deliberative Process / Ex. 5 (mobile) |

Message

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 4/30/2018 9:35:42 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]
Subject: RE: New Owner Audit Program
Attachments: Comments on Draft O&G New Owner Audit Agreement (April 30, 2018).docx

Thanks for this very good work. I'm attaching my comments/questions for discussion later this week with Susan.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Friday, April 27, 2018 4:02 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>
Subject: New Owner Audit Program

Susan,

I wanted to update you on where we are with the New Owner Audit Program for the oil and gas sector. On April 20, I forwarded you the email that I sent to the regions and other offices requesting feedback on the draft bi-lateral agreement by COB today. Deliberative Process / Ex. 5

The attached version highlights areas (in bubble comments) where we are still seeking management input. As I indicated in my email on April 20, Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5. In the meantime, we would appreciate your thoughts (and Patrick's) on the attached draft proposal.

Thank you,
Apple

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Chapman, Apple [Chapman.Apple@epa.gov]
Sent: 4/24/2018 6:13:04 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Morgan, James [Morgan.James@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Tim
I agree with that approach. Thanks for the input.
Apple

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Tuesday, April 24, 2018 2:08 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Morgan, James <Morgan.James@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Thanks for sharing your thoughts, JT and Phil.

Phil: Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Milton, Philip
Sent: Tuesday, April 24, 2018 11:37 AM
To: Morgan, James <Morgan.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Draft – Agency Deliberative Process – Please do not release

Deliberative Process and Attorney-Client / Ex. 5

My initial thought.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Morgan, James
Sent: Tuesday, April 24, 2018 12:54 PM

To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Deliberative Process and Attorney-Client / Ex. 5

From: Sullivan, Tim
Sent: Tuesday, April 24, 2018 11:37 AM
To: Morgan, James <Morgan.James@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

JT:

Deliberative Process and Attorney-Client / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Morgan, James
Sent: Tuesday, April 24, 2018 9:22 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Deliberative Process and Attorney-Client / Ex. 5

From: Sullivan, Tim
Sent: Tuesday, April 24, 2018 11:17 AM
To: Milton, Philip <Milton.Philip@epa.gov>; Morgan, James <Morgan.James@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Thanks for the feedback, JT, and the response, Phil – much appreciated.

Let Chris and me know if you have any additional questions or comments you would like to discuss further.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Milton, Philip
Sent: Tuesday, April 24, 2018 7:12 AM
To: Morgan, James <Morgan.James@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>

Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: Question about the Oil and Gas New Owners Audit Agreement

Agency Deliberative Process – Please do not release

Good Morning JT –

Our Air Enforcement Division, Tim and Chris are the staff lead for this project, it is separate from the New Owner Policy.

Deliberative Process and Attorney-Client / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Morgan, James
Sent: Monday, April 23, 2018 5:16 PM
To: Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Question about the Oil and Gas New Owners Audit Agreement

Quick comment for you guys.

Deliberative Process and Attorney-Client / Ex. 5

J. T. Morgan, Attorney
Environmental Protection Agency
Office of Criminal Enforcement, Forensics and Training
Legal Counsel Division
Room 1204 C WJC South, Mail Code 2232A
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Telephone: 202-564-7684
Fax: 202-501-0579

Attorney Work Product

Help EPA fight pollution – report environmental violations at http://www.epa.gov/compliance/complaints/index.html

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/2/2018 6:38:52 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

Importance: High

I just realized that you were likely talking about Chris Thompson's comments on the draft Agreement and I was referring to Chris Williams's proposed edits Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5. Sorry for the confusion – too many Chris's...

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Wednesday, May 2, 2018 11:15 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

Okay – I will schedule a quick check-in tomorrow from 10-10:30 am eastern.

Chris called and told me that he is revising some of his comments, so I have yet to review them. I am turning to the other edits and comments now. I will circulate a complete redline once I finish that process.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)

Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Wednesday, May 2, 2018 11:11 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)

I am reading through Chris' comments right now. I have meetings the rest of the day starting at 2pm (nothing I can really skip). I can read through Gary's stuff this evening and chat tomorrow morning 10-10:30 EST. I have a meeting from 10:30 – 11 and then we have the Patrick meeting at 11.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Sullivan, Tim
Sent: Wednesday, May 02, 2018 1:06 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Briefing paper: what is an eNOD? (4 of 4)
Importance: High

Hi, Apple.

I read through the relevant parts of Gary's emails and their attachments, Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Do you want to chat when you have some time and once you have had a minute to review these materials?

Thanks –

Tim

Timothy J. Sullivan

Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Tuesday, May 1, 2018 1:08 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: Briefing paper: what is an eNOD? (4 of 4)

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Jonesi, Gary
Sent: Thursday, April 19, 2018 10:24 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: Briefing paper: what is an eNOD?

Last one, this is what I was looking for because it is the most recent discussion.

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Jonesi, Gary
Sent: Thursday, November 19, 2015 6:50 PM
To: OKeefe, Susan <OKeefe.Susan@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Subject: Briefing paper: what is an eNOD?

Susan, as per your request after today's OCE General with Cynthia, please see the attached draft briefing paper below. Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

I am sending this earlier than you asked for it, but I thought it might be a good idea to give you more time for review, and to get some feedback in case it needs major revisions.

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
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jonesi.gary@epa.gov

Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Deliberative Process and Attorney-Client / Ex. 5

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/20/2018 11:20:27 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

---

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Thursday, July 19, 2018 11:36 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Tim,

FYI, please see my response to Patrick below.

Matt

From: Matthew Todd
Sent: Thursday, July 19, 2018 1:35 PM
To: 'Traylor, Patrick' <traylor.patrick@epa.gov>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Patrick,

Thank you for the invitation to arrange a meeting. We have been in contact with Apple Chapman and Tim Sullivan to arrange a follow up discussion that was already in the works. We had identified 2 pm on the 7th but I let Tim know that you had reached out as well. We're happy to host here at API.

Thanks

From: Traylor, Patrick <traylor.patrick@epa.gov>
Sent: Wednesday, July 18, 2018 3:28 PM
To: Matthew Todd <ToddM@api.org>
Subject: RE: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Matt:

Thank you for the comments from API on our draft new owner audit program. I think that it would be worthwhile to get together with you and the relevant API stakeholders in early August to discuss them. Perhaps it would be most convenient for me and several of my career staff to meet with you at API's offices.

Warm regards,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Matthew Todd [mailto:ToddM@api.org]
Sent: Monday, July 2, 2018 12:23 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: API Comments on EPA's New Owner Audit Program for Oil and Gas Production

Dear Ms. Chapman:

API respectfully submits the attached letter in response to the U.S. EPA's request for comments on its proposed changes to the 2000 policy titled "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" for new owners of oil and natural gas exploration and production facilities and, in particular, the Agency's Draft Standard Audit Policy Agreement. API believes that the Audit Policy can be an important tool in furtherance of environmental compliance and hope this feedback will lead to a final program that provides a more flexible approach to eligibility and administration.

Please do not hesitate to contact me with any questions regarding the content of this submittal. We look forward to reviewing the revised draft agreement as discussed during the face-to-face meeting last Thursday, June 28th.

Regards,

Matt

Matthew Todd
API
Personal Phone / Ex. 6

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 8/1/2018 1:34:40 PM
To: Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Chavez, Kimberly [Chavez.Kimberly@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Mckeever, Michele [Mckeever.Michele@epa.gov]; Kline, James [Kline.James@epa.gov]
CC: augustine, bruce [augustine.bruce@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: August 1 Agenda: Energy Extraction NEI - Monthly SIT Calls
Attachments: FY 2018 Reporting Plan Memo

The following is the agenda for our call scheduled for this afternoon at 3:00(eastern). HQ folks can meet in Conference Room 7140.

Deliberative Process / Ex. 5

-----Original Appointment-----
From: Lischinsky, Robert
Sent: Monday, October 02, 2017 10:12 AM
To: Lischinsky, Robert; Theis, Joseph; Pollins, Mark; Beers, Samantha; Dubose, Dick; Triantafillou, Kathy; Anderson, Andrew; Fried, Gregory; Speir, Jeffrey; Russo, Todd; Mastro, Donna; Spagg, Beverly; Patefield, Scott; Elkins, Timothy; Buterbaugh, Kristin; Thompson, Steve; Saunders, Jerry; Larson, Darrin; Chadwick, Dan; Lindsey, William; Chapman, Apple; Fite, Mark; Thurmon, Clarke; Mia, Marcia; Chavez, Kimberly; Piantanida, David; Beeler, Cindy; Mckeever, Michele
Cc: augustine, bruce; Loukeris, Constantinos; Topinka, Natalie; Dressel, Paul; Denton, Loren; Tidmore, Guy; Eckhart, Jeanne

Subject: Energy Extraction NEI - Monthly SIT Calls
When: Wednesday, August 01, 2018 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call Number: Conference Line/Code / Ex. 6 Conference ID: Conference Line/Code / Ex. 6

Update: Please note new call-in number:

Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

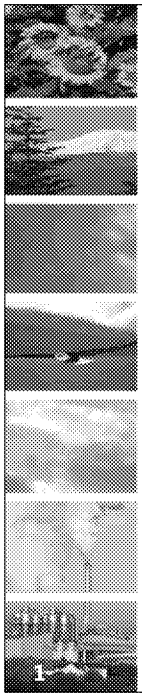
This is the recurring calendar invite for the Monthly EEPI SIT call held the 1st Wednesday of each month from 3:00-4:30pm Eastern Time. An agenda will be sent out each month prior to the call.

Thanks.

Rob

Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 5/7/2018 7:26:22 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: My NACAA Slides (presenting May 21, 2018
Attachments: Presentation NACAA -- Enforcement Trends v2 5.21.18.pptx



United States Environmental Protection Agency

The Federal Air Enforcement: A Discussion With the National Association of Clean Air Agencies

May 21, 2018

ED_002311A_00002419-00001

Roadmap for Today

- A New Administration --New Policy Direction
- Recent Cases –Policy in Action
  - –Air Toxics
  - –Energy Extraction
- Mobile Sources –A Clear Threat to Air Quality

Enforcement Direction

- Goals
- Policy
- Actions

GOALS

EPA's Mission: To Protect Human Health and the Environment
Goal 1 – Core Mission: Deliver real results to provide Americans with clean air, land, and water.
Goal 2 – Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.
Goal 3 – Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.

FY 2018-2022 Strategic Plan, Public Review Draft, 10/2/2017

Policy

The U.S. Environmental Protection Agency's FY2018-2022 Strategic Plan establishes both *cooperative federalism* (Goal 2) and *compliance with the law* (Objective 3. 1) as fundamental priorities for the agency. In particular, Objective 2. 1 states that the EPA will: 'Improve environmental protection through shared governance and enhanced collaboration with State, tribal, local, and federal partners using the full range of compliance assurance tools." In using our compliance assurance tools. Objective 3.1 stresses the need to maintain a **level playing field**, stating that noncompliance with the law 'unfairly tilts the field of economic competition in favor of those that skirt the *law'* . . .

Interim OECA Guidance on Enhancing Regional-State Planning and Communication on Compliance Assurance Work in Authorized States, January 22, 2018

Recent Actions

Carbon Black Settlements – Level Playing Field

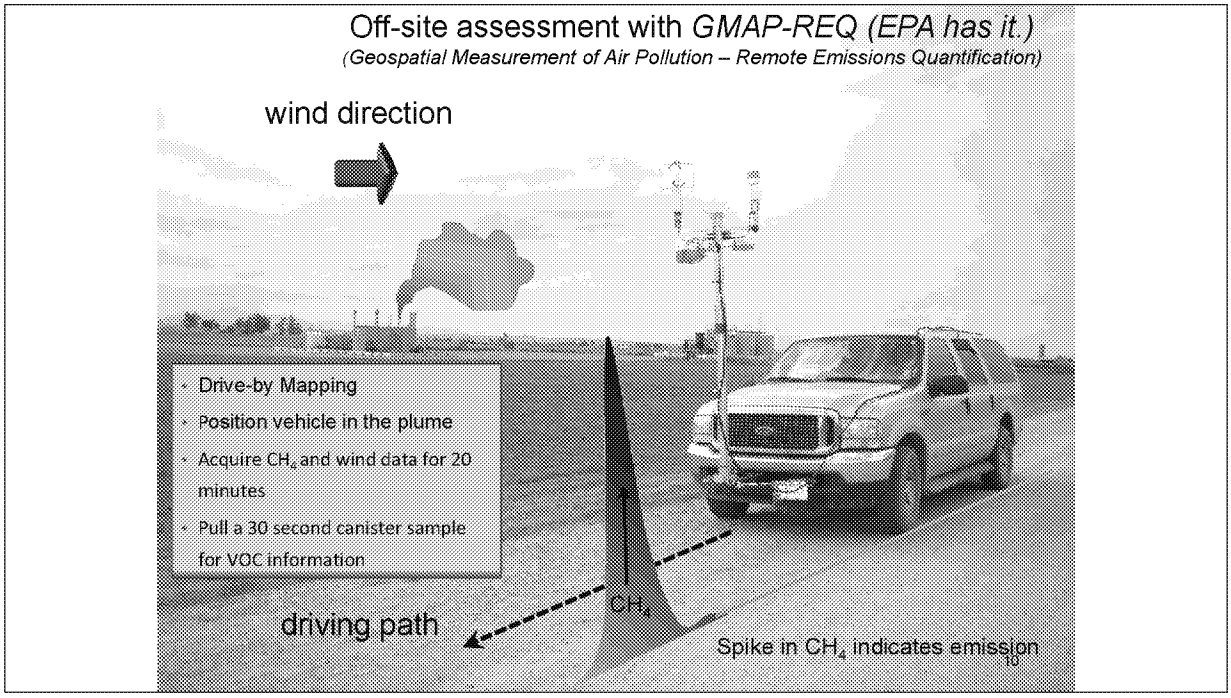
- **Lodged:** December 22, 2017
  - Orion Engineered Carbons, LLC (Louisiana Coplaintiff);
  - Sid Richardson Carbon and Energy Company; (Louisiana and Texas Coplaintiffs);
  - Columbian Chemicals Company (Louisiana and Kansas Coplaintiffs).
- **Alleged Violations:** NSR/NNSR, NESHAP and/or SIP violations
- **Control requirements include:**
  - Installation and operation of selective catalytic reduction for NOx; and
  - Installation and operation of dry or wet flue gas desulfurization for SO_2.
- **Mitigation:** Varies by settlement.

ExxonMobil (Olefins)

- **Lodged October 31, 2017**
- **Louisiana is a Coplaintiff**
- **Alleged Violations:** Claims arise out of operation/modification of industrial flares.
  - New Source Review/Prevention of Significant Deterioration (NSR/PSD);
  - NSPS and NESHAP;
  - Title V and the Title V permits; and
  - SIP requirements
- **Injunctive Relief: Covers 26 flares operated at four olefin plants and four polymer plants in Texas and Louisiana.**
  - Waste gas minimization plans for reducing waste flaring.
  - Root cause analysis/corrective actions for significant flaring incidents
  - Flare gas recovery systems at the petrochemical/olefins facilities
  - Flare monitoring and control equipment to ensure high combustion efficiency at all 26 flares.
- Fenceline monitoring stations to detect the presence of benzene from four of the covered plants.
- **Federal SEP and State Mitigation/SEP**

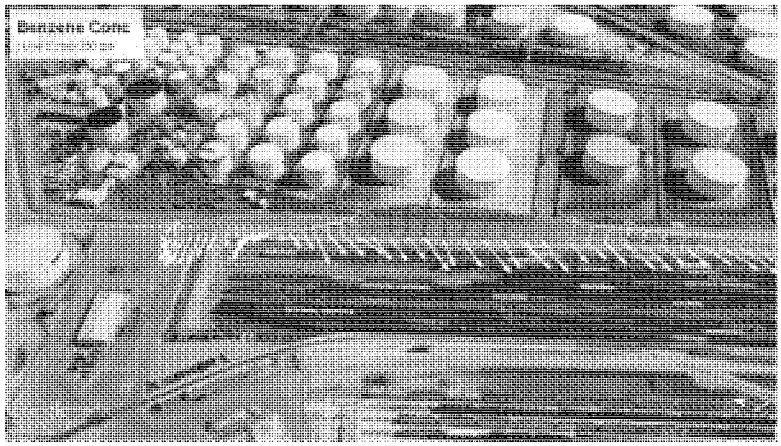
EPA Press Release on Exxon Settlement

"This settlement means cleaner air for communities across Texas and Louisiana, and reinforces EPA's commitment to enforce the law and hold those who violate it accountable," said EPA Administrator Scott Pruitt. "As this agreement shows, EPA is dedicated to partnering with states to address critical environmental issues and improving compliance in the regulated community to prevent future violations of the law."



CH4 is methane. GMAP was invented by Eben Thoma (ORD). With the GMAP once you find the plume you stop the vehicle in the path of the plume for 15-20 minutes. The GMAP can estimate the emissions rate of methane (calculates this information based on the wind speed). The GMAP is equipped with a suma canister which we use to get HAP concentrations.

Finding Leaks on the Move

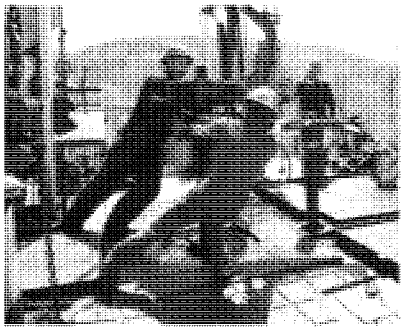


Vopak North America Inc.

- **Lodged: May 17, 2017**
- **Texas is a Coplaintiff**
- **Alleged Violations: C**laims arise out of operation of terminal bulk storage tanks, flares, and a wastewater treatment system.
  - New Source Performance Standards (NSPS);
  - National Emission Standards for Hazardous Air Pollutants (NESHAP); and
  - State Implementation Plan (SIP) requirements.
- **Injunctive Relief:**
  - Installation of state-of-the-art air pollution controls at the facility's wastewater treatment system
  - Use of infrared cameras to detect excess VOCs from chemical storage tanks
  - Third party audit to improve waste management.

Energy Extraction
National Enforcement Initiative

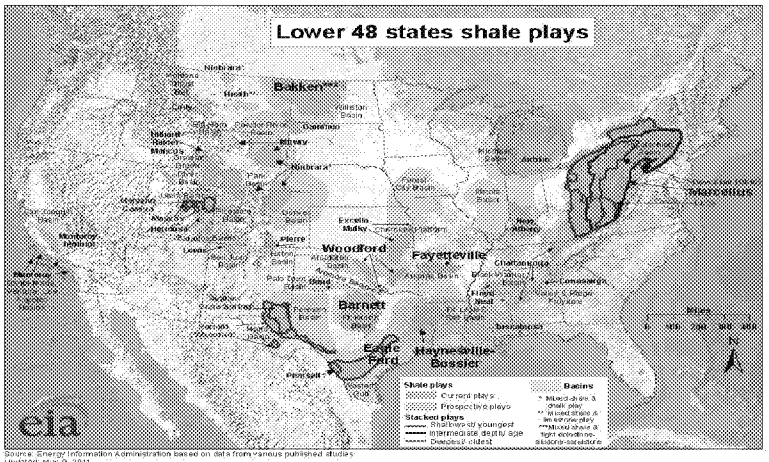
- In March 2010, EPA announced a new enforcement initiative for energy extraction.
- Initiative renewed for FY 14-16 cycle.
- Requested comment on whether to renew for the FY 17-19 cycle.
- Focus is onshore natural gas extraction and production.



Attorney Client Privileged/Do not release

Energy Extraction: Expansion

Advances in hydraulic fracturing and horizontal drilling have opened new areas for oil and gas development. Growth is regional, unevenly distributed across the U.S., and in close proximity to large populations in some areas. Natural gas is an important cleaner burning "bridge fuel" that must be extracted and produced in a manner that protects communities and the environment, and complies with applicable laws.



Source: Energy Information Administration based on data from various published studies
Updated: May 9, 2011

Attorney Client Privileged/Do not release

Air Pollution Focus

- Emissions from shale gas exploration and production affect air quality.
  - Air emissions can be released during all stages of production.
  - Primary pollutants of concern are volatile organic compounds (VOCs, e.g., propane, butane, xylene, benzene, toluene).
  - Ozone non-attainment areas.
  - Between 2000 and 2013 approx. 9.4 million people lived within one mile of a hydraulically fractured well.
  - Approx. 487,000 active natural gas wells

Attorney Client Privileged/Do not release

Noble Energy

- Entered in June 2015.
- Resolves claims that Noble failed to adequately design, size, operate, and maintain vapor control systems on its controlled condensate storage tanks, resulting in emissions of VOCs.
- Covers all of Noble's controlled condensate storage tanks in the Denver 8-hour ozone marginal nonattainment area that have vapor control systems operating pursuant to the Colorado SIP.
  - More than 3,400 tank batteries, which are multiple storage tanks located together.
- Noble will spend an estimated $60 million on system upgrades, monitoring, and inspections.
- Required environmental mitigation projects as well as Supplemental Environmental Projects to reduce emissions (e.g. reduction of emissions during condensate loading, retrofitting drill site diesel engines to recue NOx, etc.)

Noble Energy

Injunctive Relief

- Engineering evaluations to ensure vapor control systems are properly designed/controlled.
- Noble must make necessary modifications to ensure systems are properly designed/controlled following the engineering evaluations.
- Infrared camera inspections to ensure the vapor control systems are controlling emissions as expected.
- Inspection/preventative maintenance program.
- Third-party auditor will review the engineering evaluations and will also perform infrared camera inspections.
- Evaluation of the pressure relief valves and thief hatches on each condensate storage tank and address any evidence of VOC emissions.
- Install pressure monitors with continuous data reporting on a cross-section of the tank systems.

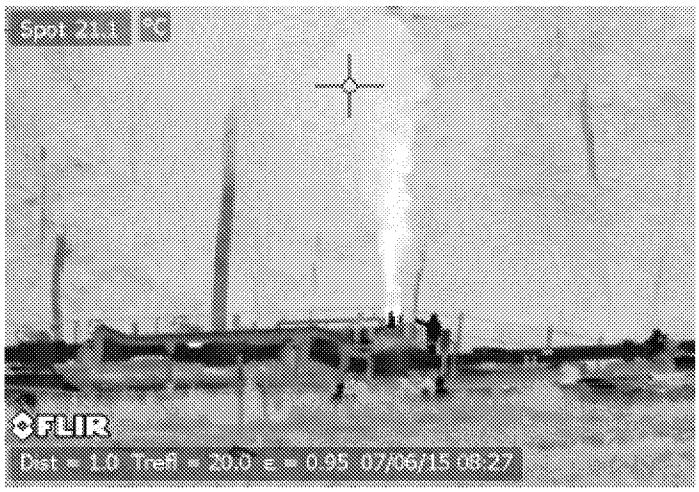
PDC Energy Inc.

- **Complaint Filed June 26, 2017**
- **Colorado is a Coplaintiff**
- **Consent Decree Lodged October 31, 2017**
- **Alleged Violations:** Claims arise out of Colorado SIP requirements relating to operation, maintenance, design, and sizing of vapor control systems at condensate storage tanks.

PDC Energy Inc.

- **Injunctive Relief:**
  - Engineering evaluations to ensure vapor control systems are properly designed/sized to control VOC emissions.
  - PDC must make necessary modifications to ensure systems are properly designed/controlled following the engineering evaluations.
  - Infrared camera inspections to ensure the vapor control systems are controlling emissions as expected.
  - Third Party engineering evaluations verified by in-house PDC engineer.
  - Inspection/preventative maintenance program.
  - Install pressure monitors with continuous data reporting on a cross-section of the tank systems.
  - Other measures to proactively detect and correct recurring issues.
- **Mitigation:**
  - Installation of closed vapor system for loading condensate from certain PDC storage tanks into tanker trucks
  - Installation of emissions control on certain natural gas-fueled compressor engines

Pigging and Venting -- As Bad as it Sounds



MarkWest

- Lodged April 24, 2018
- Pennsylvania is a Coplaintiff
- Resolves NSR/PSD violations for excess VOC emissions at pig launching/receiving operations at compressor stations and stand-alone facilities in eastern Ohio and western PA (300+ facilities in the Marcellus and Utica wet gas areas)
- ***Injunctive Relief*** – jumper lines to depressurize equipment, pig ramps in pig receivers, flares where needed; submit federally-enforceable permit applications; and use a revised Real Gas law in VOC emission estimates (1.2x)
- ***Pollution Reductions*** - 700 tons per year of VOC
- ***Civil Penalty*** – $610,000
- ***Supplemental Environmental Projects (SEP)*** - Install ambient air monitoring stations upwind/downwind of two MarkWest compressor stations in Ohio and PA; promote the use of innovative pig ramp technology to industry.

Enforcement Is Not The Only Pathway

Range Resources New Owner Audit Agreement

- August 9, 2017
- Covers approximately 400 well sites in Louisiana previously owned by Memorial Resources Development Corporation
- Elements of the Agreement
  - Requires development of a Facility and Permit Inventory (within first 30 days of Audit)
  - Preparation of an air permitting summary report that includes permitting corrective actions
  - Facility Compliance Evaluation and Corrective Actions
    - Assessment of vapor control sizing and schedule for completing appropriate repairs/upgrades
    - Audit of NSPS and NESHAP compliance and schedule for corrective actions (Part 60 Subparts K/Ka/Kb, KKK, LLL, IIII, JJJJ, KKKK, OOOO, OOOOa, and Part 63 Subparts H, HH, OO, SS, TT, UU, VV, HHH, ZZZZ, and BBBBBB)
- Agreement requires Range to submit a proposed schedule for corrective actions that will take more than 60 days. Extensions up to 36 months may be granted.
- New Owner Audit provides Range with penalty mitigation (adjusting the way penalties for economic benefit are calculated in the new owner context).

New Owner Audit -- Proposal Summary

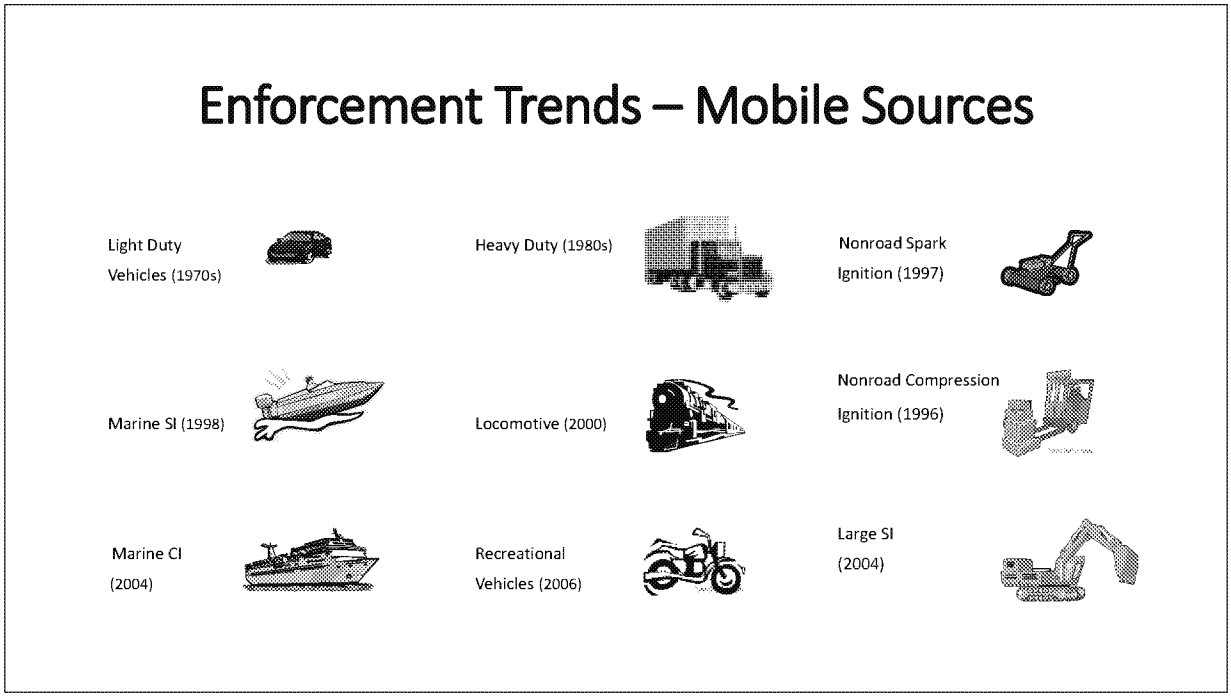
Objective

- Utilize the *Interim Approach to Applying the Audit Policy to New Owners* (New Owner Policy) as a guide to develop a tailored proposal for the oil and gas sector (New Owner Audit Program or Program) that will improve the sector's Clean Air Act compliance while minimizing costs for all involved parties.

Feedback

- EPA receiving feedback from interested parties:

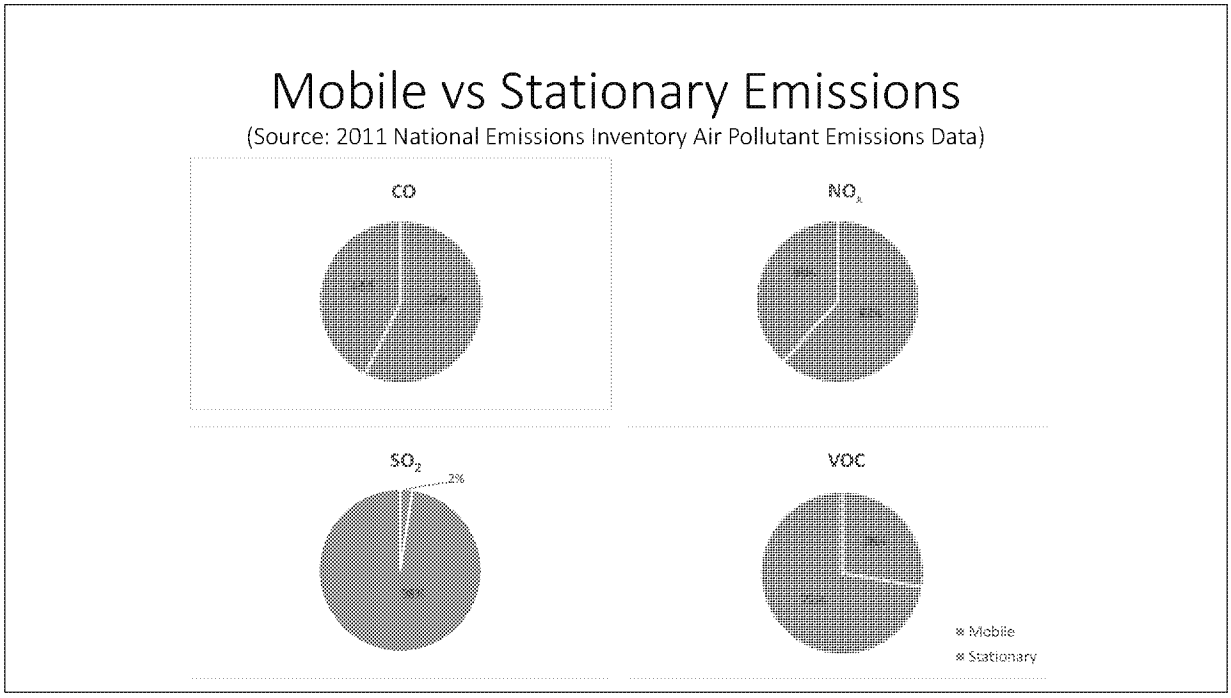
https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production



Mobile source enforcement includes on-road vehicles and engines and off-road (nonroad) vehicles and engines.
Exhaust and evaporative standards for:
Nonroad Engines/engine-driven equipment, regardless of fuel
Engines
Small Gasoline Equipment (generators, pumps, chainsaws, lawnmowers, etc.)
Large Gasoline Equipment (tractors, forklifts, exempt mini-vehicles, etc.)
Diesel Equipment (all sizes, bulldozers, cranes, tractors, forklifts, pumps, generators, etc.)
Recreational vehicles (ATVs, snowmobiles, dirt bikes)
Marine gasoline and diesel vessels
Locomotives

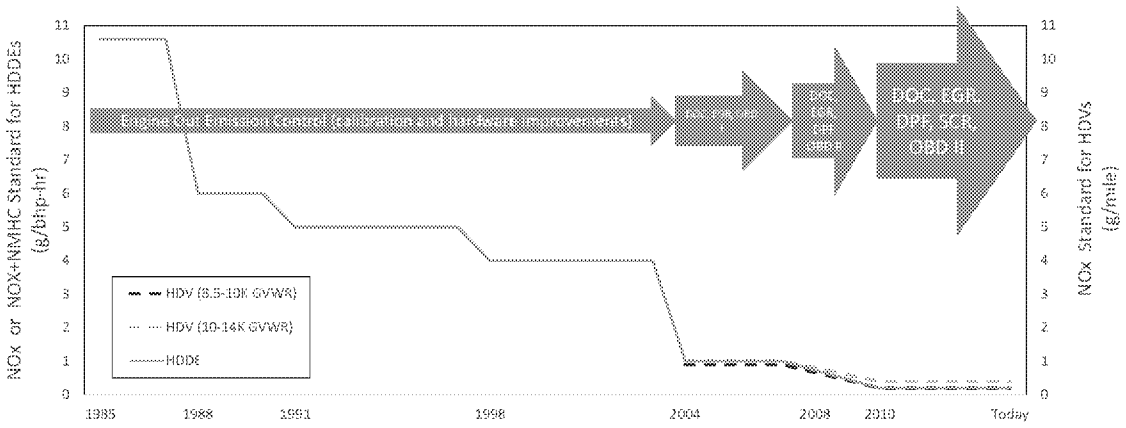
On-road Motor vehicles
Heavy-duty motor vehicle engines
Cars, buses, and trucks
Motorcycles

Stationary Engines that remain at a single site at a building, structure, facility, or installation for 12 months or longer. 40 C.F.R. Part 1068.30 nonroad engine (2)(iii).



Mobile sources are responsible for a significant portion of U.S. emissions inventory

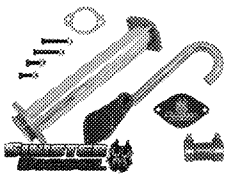
NOx Standards and Vehicle Emission Control Devices Heavy-Duty Vehicles (HDVs) and Heavy-Duty Diesel Engines (HDDEs)

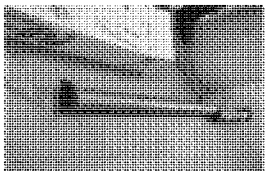


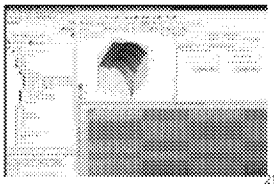
Source: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100QA01.pdf

What is an Aftermarket Defeat Device?

- Aftermarket Defeat Device – "any part or component…where a principal effect…is to bypass, defeat, or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle…"
- Types of Defeat Devices
  - EGR Hardware Deletes
  - Exhaust Aftertreatment Delete Hardware (straight pipes)
  - Tuning – Calibration and OBD modifications



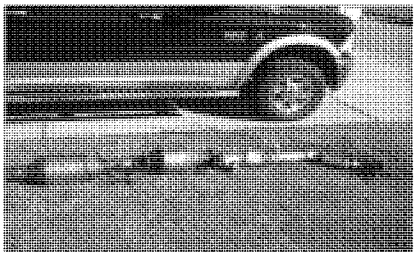


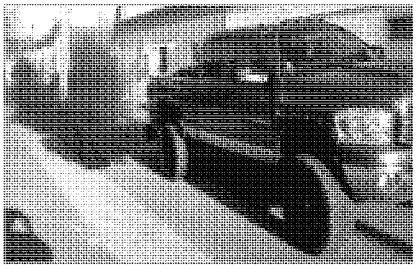


Why buy an aftermarket defeat device?

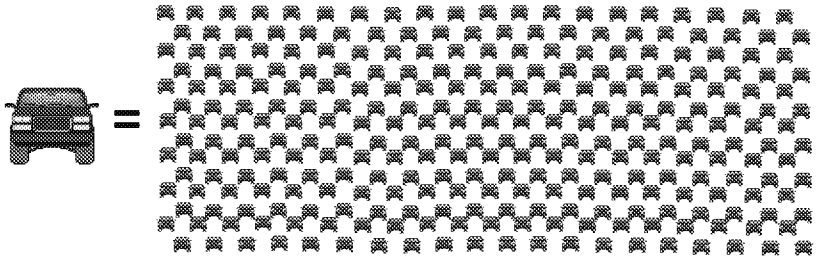
"The [device] unlocks your vehicle's hidden performance by recalibrating your vehicle's computer for Maximum Horsepower & Torque, Increase Throttle Response, Firmer Shifts and even Increased Fuel Mileage."
— *Advertisement*

Defeating EGR, DOC, DPF, and SCR may improve fuel economy (3 to 10 % increase based on EPA testing) but at the expense of up to 100's or even 1,000's of times higher emissions





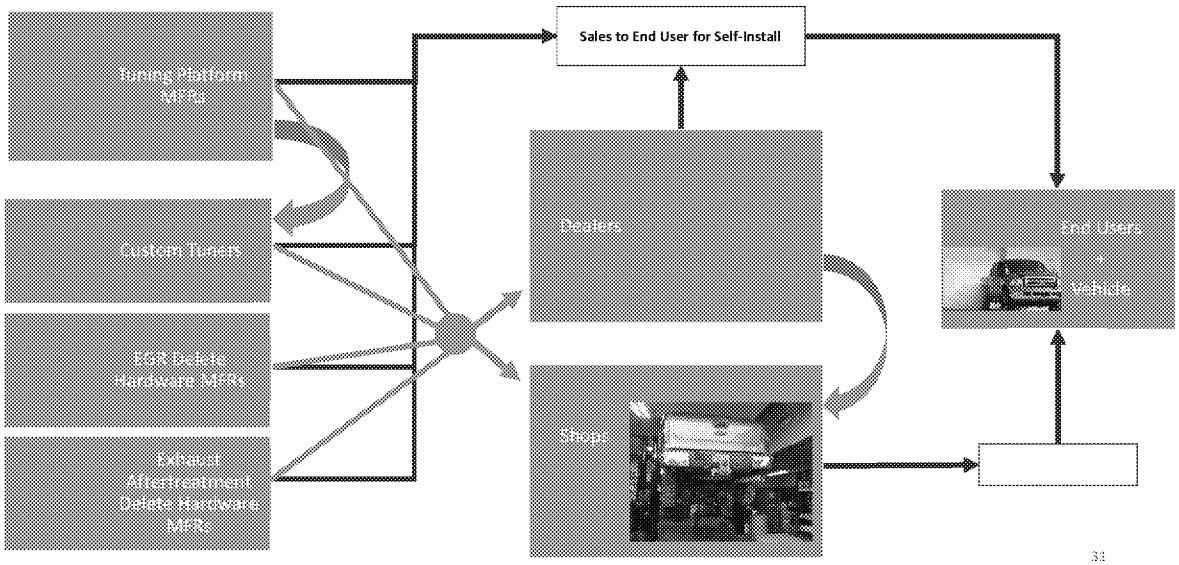
Emissions Increase Due to Full Delete



EPA test results show the increase in NOx, NMHC, CO, and PM when a tuner enables a full delete of the vehicle. These tests were conducted without the SCR, DPF, DOC, and EGR emission controls.

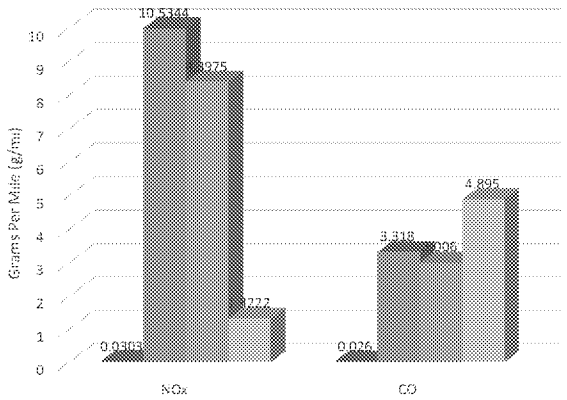
- Tailpipe NOx increased ~310x
- Tailpipe NMHC increased ~1,140x
- Tailpipe CO increased ~120x
- Tailpipe PM increased ~40x

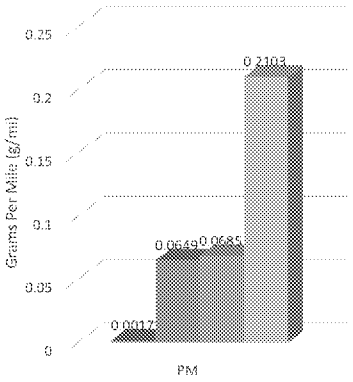
Aftermarket Industry Overview



EPA Tuner Emissions Tests

Stock Calibration/Equipment Versus Emissions-Equip. Removed Tuners





Second and Third test: EGR electronically disabled by tuner. DOC, DPF, and SCR replaced with straight pipe and disabled by tuner in calibration.

Fourth Test: EGR not disabled electronically by tuner. DOC, DPF, and SCR replaced with straight pipe and disabled by tuner in calibration.

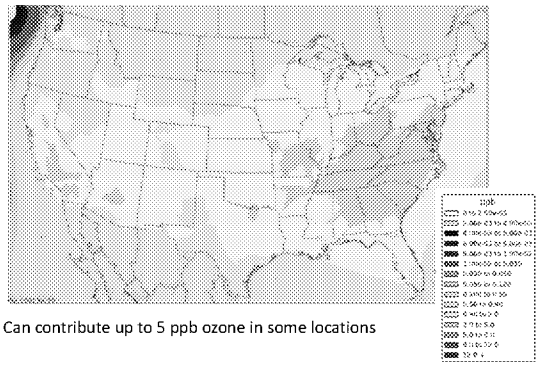
Impacts of Highway Heavy-Duty Vehicles

- On-highway diesel sector*
  - Largest single contributor to mobile source NOx
    - Contributes about ⅓ of mobile source NOx emissions in 2025
  - One of the largest mobile source contributors to ozone in 2025
  - Significant mobile source contributor to $PM_{2.5}$ in 2025, due to
    - NOx emissions which form PM
    - Directly emitted PM

*Not accounting for gliders

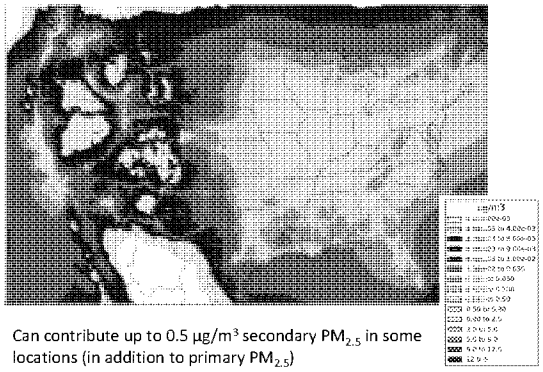
NO_x Emissions from Heavy-Duty Vehicles*

NO_x Contribution to Ozone in 2025 from HD Diesel Vehicles



Can contribute up to 5 ppb ozone in some locations

NO_x Contribution to Ambient PM in 2025 from HD Diesel Vehicles



Can contribute up to 0.5 $\mu g/m^3$ secondary $PM_{2.5}$ in some locations (in addition to primary $PM_{2.5}$)

*Does not include NOx emissions from glider vehicles

Message

From: Leann Leiter [lleiter@earthworksaction.org]
Sent: 6/27/2018 5:45:40 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Oil and Gas Audit Program Stakeholder Meeting

Yes, I intend to attend both. Thank you for confirming!

-Leann

On Wed, Jun 27, 2018 at 1:20 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Leann,

Please confirm that you plan to attend both sessions. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Leann Leiter [mailto:lleiter@earthworksaction.org]
Sent: Monday, June 25, 2018 10:12 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Re: Oil and Gas Audit Program Stakeholder Meeting

Oh, and my apologies--I see that I got the naming conventions on your email address incorrect, Mr. Chapman! Some family friends have the last name Apple so I didn't look very closely. Sorry about that!

On Mon, Jun 25, 2018 at 10:10 AM, Leann Leiter <lleiter@earthworksaction.org> wrote:

Thanks for the speedy response!

I'll be attending in person. As to the sessions, I have not yet seen a schedule. I do plan to offer a comment on the draft program but I would be interested in attending other sessions you might be holding as well. Could you share that schedule with me?

Thanks!

On Mon, Jun 25, 2018 at 10:07 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Leann

No problem. Two questions. Are you participating by conference line or in person and are you planning to participate in the afternoon session (1:30pm to 4pm)?

Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office Personal Phone / Ex. 6 (mobile)|

From: Leann Leiter [mailto:lleiter@earthworksaction.org]
Sent: Monday, June 25, 2018 10:03 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Oil and Gas Audit Program Stakeholder Meeting

Good morning, Mr. Apple - .

I am registering to attend the upcoming stakeholder meeting on behalf of Earthworks. I hope you will pardon the slightly delayed RSVP, as I learned of the opportunity after the requested deadline for response.

I look forward to further instructions and to attending the meeting on June 28!

Thank you,

Leann Leiter

--

-Leann

--

EARTHWORKS: Protecting Communities and the Environment

Leann Leiter
OH/PA Field Advocate

Personal Phone / Ex. 6

www.earthworks.org

twitter: @LeannLeiter

Watch invisible oil & gas pollution become visible through infrared videos created for the Community Empowerment Project.

--

-Leann

--

EARTHWORKS: Protecting Communities and the Environment

Leann Leiter
OH/PA Field Advocate

202-887-1872x130

www.earthworks.org

twitter: @LeannLeiter

Watch invisible oil & gas pollution become visible through infrared videos created for the Community Empowerment Project.

--
-Leann

...
EARTHWORKS: Protecting Communities and the Environment

Leann Leiter
OH/PA Field Advocate
202-887-1872x130
www.earthworks.org
twitter: @LeannLeiter
Watch invisible oil & gas pollution become visible through infrared videos created for the Community Empowerment Project.

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 7/20/2018 8:19:28 PM
To: Shiffman, Cari [Shiffman.Cari@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]
Subject: Re: Stakeholder Meeting Follow Up

Deliberative Process / Ex. 5

Sent from my iPhone

On Jul 20, 2018, at 2:11 PM, Shiffman, Cari <Shiffman.Cari@epa.gov> wrote:

Deliberative Process / Ex. 5

Thanks,

Cari Shiffman, Chief of Staff
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office: (202) 564-2898 | Mobile: Personal Phone / Ex. 6

From: Fried, Gregory
Sent: Friday, July 20, 2018 2:44 PM
To: Kenney, James <Kenney.James@epa.gov>
Cc: Shiffman, Cari <Shiffman.Cari@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>
Subject: Re: Stakeholder Meeting Follow Up

Deliberative Process / Ex. 5 I don't know the extent of the comments.

Sent from my iPhone

On Jul 20, 2018, at 2:41 PM, Kenney, James <Kenney.James@epa.gov> wrote:

Deliberative Process / Ex. 5

Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Shiffman, Cari
Sent: Friday, July 20, 2018 12:37 PM
To: Kenney, James <Kenney.James@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip

<Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: Stakeholder Meeting Follow Up

Do you know when they will be posted then?

Thanks,

Cari Shiffman, Chief of Staff
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office: (202) 564-2898 | Mobile: Personal Phone / Ex. 6

From: Kenney, James
Sent: Friday, July 20, 2018 2:35 PM
To: Shiffman, Cari <Shiffman.Cari@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: Stakeholder Meeting Follow Up

As mentioned.

--
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple
Sent: Monday, July 2, 2018 10:08 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Nayyar, Vani <nayyar.vani@epa.gov>; Li, Angelica <li.angelica@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Stakeholder Meeting Follow Up

Thank you for participating in the Oil and Natural Gas new Owner Audit Program Stakeholder meeting on June 28, 2018 and for providing valuable input on the proposed program. Once we have received all written comments we will prepare a summary of the comments, both written and verbal, and that summary will be emailed directly to all meeting participants and will also be posted *here*. As I indicated at the meeting, if you are unable to submit written comments by today's deadline, we will accept them until 5:00 p.m. EST on Thursday, July 5. EPA will consider all comments received, and may make appropriate changes to the Draft Agreement based on those comments.
Attached is a copy of the sign in sheet for both sessions.
Please do not hesitate to contact me or Tim Sullivan (303-312-6196) if you have questions.
Thank you.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 12/10/2018 7:22:47 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner Cover Memo
Attachments: OG New Owner Program - Audit Agreement Cover Memo - Draft_11.07.2018.docx; OG New Owner Program - QsAs - Rev Draft_06.01.2018.docx

Attached are two docs with relevant info for the cover memo that we can discuss a little later.

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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-----Original Appointment-----
From: Sullivan, Tim
Sent: Monday, December 10, 2018 10:40 AM
To: Sullivan, Tim; Chapman, Apple
Subject: New Owner Cover Memo
When: Monday, December 10, 2018 1:00 PM-1:30 PM (UTC-07:00) Mountain Time (US & Canada).
Where: Tim to Call

Message

From: Werner, Jacqueline [Werner.Jacqueline@epa.gov]
Sent: 5/7/2018 4:39:57 PM
To: Kodish, Jeff [Kodish.Jeff@epa.gov]; Miller, Anthony [Miller.Anthony@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: OCE Div Dir mtg notes

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Jacqueline Robles Werner
Associate Director
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
WJCSouth-1117C (MC-2242A)
Washington, DC 20460
t: 202-564-1036

Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 5/8/2018 7:06:39 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: My revised NACAA slides (added more press releases)
Attachments: Presentation NACAA -- Enforcement Trends v2 5.21.18.pptx

Message

From: OGCLibrary [Personal Email / Ex. 6]
Sent: 5/7/2018 4:29:28 PM
To: Allnutt, David [Allnutt.David@epa.gov]; Anderson, Lea [anderson.lea@epa.gov]; Anderson, Steve [Anderson.Steve@epa.gov]; Aranda, Amber [aranda.amber@epa.gov]; Averback, Jonathan [Averback.Jonathan@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Bianco, Karen [Bianco.Karen@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Cozad, David [Cozad.David@epa.gov]; Crum, Lynda [Crum.Lynda@epa.gov]; Davis, Julian [davis.julian@epa.gov]; Dickinson, David [Dickinson.David@epa.gov]; Doster, Brian [Doster.Brian@epa.gov]; Dubey, Susmita [dubey.susmita@epa.gov]; Dubois, Roland [Dubois.Roland@epa.gov]; Frey, Bert [frey.bertram@epa.gov]; Froikin, Sara [Froikin.Sara@epa.gov]; Graham, Cheryl [Graham.Cheryl@epa.gov]; Harrison, Ben [Harrison.Ben@epa.gov]; Hoffman, Howard [hoffman.howard@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Holmes, Carol [Holmes.Carol@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]; Jordan, Scott [Jordan.Scott@epa.gov]; Kaplan, Robert [kaplan.robert@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Klepp, Robert [Klepp.Robert@epa.gov]; Lee, Michael [lee.michaelg@epa.gov]; Lovett, Lauren [Lovett.Lauren@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Manners, Mary [manners.mary@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Matthews, Julie [Matthews.Juliane@epa.gov]; McConkey, Diane [Mcconkey.Diane@epa.gov]; Morgan, Jeanette [Morgan.Jeanette@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Nguyen, Quoc [Nguyen.Quoc@epa.gov]; Adair, Jocelyn [Adair.Jocelyn@epa.gov]; Odendahl, Steve [Odendahl.Steve@epa.gov]; Okoye, Winifred [Okoye.Winifred@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Pastorkovich, Anne-Marie [Pastorkovich.Anne-Marie@epa.gov]; Rodman, Sonja [Rodman.Sonja@epa.gov]; Rowland, John [Rowland.John@epa.gov]; Schaaf, Eric [Schaaf.Eric@epa.gov]; Schmidt, Lorie [Schmidt.Lorie@epa.gov]; Senn, John [Senn.John@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Snyder, Doug [Snyder.Doug@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Stern, Allyn [Stern.Allyn@epa.gov]; Thrift, Mike [thrift.mike@epa.gov]; Tierney, Jan [tierney.jan@epa.gov]; Ting, Kaytrue [Ting.Kaytrue@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Versace, Paul [Versace.Paul@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]; Wilcox, Geoffrey [wilcox.geoffrey@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]; Williamson, Timothy [Williamson.Tim@epa.gov]; Zenick, Elliott [Zenick.Elliott@epa.gov]; Wills, Jennifer [Wills.Jennifer@epa.gov]; Blake, Wendy [Blake.Wendy@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]; Vergeront, Julie [Vergeront.Julie@epa.gov]; Tozzi, Lauren [Tozzi.Lauren@epa.gov]; Pilchen, Zach [Pilchen.Zach@epa.gov]; Skinner-Thompson, Jonathan [Skinner-Thompson.Jonathan@epa.gov]; Vijayan, Abi [Vijayan.Abi@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Michaels, Lauren [Michaels.Lauren@epa.gov]; Nguyen, DucH [Nguyen.DucH@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]; Charlton, Tom [Charlton.Tom@epa.gov]; Kulschinsky, Edward [Kulschinsky.Edward@epa.gov]; Portmess, Jessica [Portmess.Jessica@epa.gov]; Kryman, Matthew [Kryman.Matthew@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]; Palmer, Karen [Palmer.Karen@epa.gov]; Seidman, Emily [seidman.emily@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]; OGC NFO FEAT [Personal Email / Ex. 6]; Hindin, David [Hindin.David@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Carrillo, Andrea [Carrillo.Andrea@epa.gov]; Krallman, John [krallman.john@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Kane, Eleanor [kane.eleanor@epa.gov]; Ng, Brian [Ng.Brian@epa.gov]; Li, Ryland (Shengzhi) [Li.Ryland@epa.gov]; Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Kodish, Jeff [Kodish.Jeff@epa.gov]; Dugan, Brett [Dugan.Brett@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]; Iddings, Brianna [Iddings.Brianna@epa.gov]; Knapp, Kristien [Knapp.Kristien@epa.gov]; Nelson, Karen [nelson.karen@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Shepherdson, Melanie [Shepherdson.Melanie@epa.gov]
Subject: Air & Radiation Law News for May 7, 2018

Air & Radiation Law News for May 7, 2018

Bloomberg Environment
Environment & Energy

Highlights

LEADING THE NEWS

Puerto Rico Utility Wants Privatization Plans Ready in 18 Months
By Rebecca Kern
The Puerto Rico Electric Power Authority will make a decision on how it will privatize the public utility within 18 months, CEO Walter Higgins told Bloomberg Environment in a May 4 interview.

Democrats Hope Solar Investor Can Outshine GOP in North Carolina
By Abby Smith
Republicans have represented North Carolina's Ninth Congressional District for more than 50 years, but Democratic Party brass are putting their hopes—and money—on solar energy entrepreneur Dan McCready to flip the seat.

Fourth Pruitt Aide Leaving Amid Swirling Controversy at EPA
By Jennifer A. Dlouhy
A fourth departure this week of an Environmental Protection Agency official, announced May 4, may suggest continued fallout from the controversies swirling around Administrator Scott Pruitt.

Speedier U.S. Wind Farm Reviews Could Be Invitation for Litigation
By Bobby Magill
An Interior Department order to study the environmental effects of new infrastructure projects within one year could throw a legal, and possibly scientific, wrench into the rush to build offshore wind farms.

TODAY'S NEWS

Industry Heated as EPA Stays Silent on Global Coolant Deal
By Abby Smith
Appliance manufacturers and chemical makers have had enough of the Trump administration's silence on a global deal to reduce climate-warming coolants, and they've got a message for the EPA: Speak up.

Statoil to Keep Pumping Oil 'With Pride' Through Energy Shift
By Mikael Holter
Statoil ASA, which is changing its name to reflect its clean energy ambitions, will keep its focus on crude oil and natural gas while continuing to cut emissions as fossil fuels remain dominant even in a low-carbon world.

More Time, Fewer Fines for Oil Companies That Fix Emissions Leaks
By Amena H. Saiyid
Oil and gas companies that acquire multiple new drilling sites would have more time to identify and fix leaking storage tanks under the EPA's first update to its self-auditing policy in a decade.

Wind Industry Competition Stiffens in Blow to Vestas and Siemens
By Anna Hirtenstein and Brian Parkin
Two of Europe's biggest wind turbine makers reported stiffer competition that held back profit in the first few months of the year.

Winterkorn Case Means Late Night for 'Happy' VW Investor Lawyer
By Karin Matussek
When former Volkswagen AG Chief Executive Officer Martin Winterkorn was charged by U.S. prosecutors late May 3, it was an unexpected intrusion into Andreas Tilp's quiet evening.

Cheap-Energy Campaign Seen Risking Britain's Climate Goals
By Rachel Morison
Britain's zeal to protect consumers from higher energy prices may be about to upend measures to rein in fossil-fuel pollution.

Mexico Plans Huge Wind, Solar Generation Hookups
By Emily Pickrell

Mexico's plan to build two state-of-the-art transmission lines signals it's serious about making renewable energy as competitive as possible by reducing its price.

China Halts New Development in Three Cities to Curb Air Pollution
By Michael Standaert
China environmental officials ordered three cities to halt approvals for new development projects that contribute to air pollution after the cities failed to meet air quality goals this past winter, an unprecedented move that appears to be the first such city-wide project freeze.

THURSDAY NIGHT WRAPUP

Ex-VW CEO Winterkorn Charged by U.S. in Diesel-Cheating Case
By Tom Schoenberg

Volkswagen AG's former Chief Executive Officer Martin Winterkorn was charged in a Michigan federal court with conspiracy and wire fraud in relation to a probe into the German automaker's efforts to cheat U.S. diesel emissions testing, according to an indictment unsealed May 3.

Rumored Private Equity Buyer of Giant Coal Plant Confirms Interest

By Stephen Lee

A private equity company confirmed its interest in buying a giant coal-fired power plant in Arizona that's slated for closure at the end of 2019.

Sunoco's Mariner 1 East Pipeline Reopens After Sinkhole Shutdown

By Leslie A. Pappas

Energy Transfer Partners' Mariner East 1 pipeline can restart nearly two months after shutting down because of safety concerns, the Pennsylvania Public Utility Commission said May 3.

N.C. to Target Hog Farm Pollution Near Minority, Low-Income Areas

By David Schultz

North Carolina will do more to address industrial hog farm pollution near minority and low-income communities after reaching a May 3 settlement agreement with a coalition of activist groups.

As Electric Cars Multiply, IPO to Test How Much Lithium Is Worth

By Carolina Millan and Jack Kaskey

How much is a lithium business really worth? Enthusiasts of the metal used in rechargeable batteries are about to find out.

Record Heat Reignites Power-Fuel Battle on Largest U.S. Grid

By Naureen S. Malik and Tim Loh

Record heat in the U.S. East has reignited a battle for dominance between fossil fuels and nuclear generators on the country's largest electrical grid, signaling fierce competition ahead, when demand rises in summer.

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Overhauling an agency and its mission
https://insideepa.com/agency-at-a-crossroads

Latest News

EPA Rule Deadline Tracking System May Help Avoid 'Sue-And-Settle' Rules

EPA is creating a system to track all its statutory rulemaking deadlines to support its goal of meeting every binding deadline by 2022, a goal that could help the agency avoid "sue and settle" agreements imposing new deadlines for agency action but one that EPA's Chief of Operations Henry Darwin acknowledges is a "heavy lift."

Wehrum Aids Industry By Raising Bar For 'Aggregation' In NSR Air Permits

EPA air chief William Wehrum is aiding industry groups in their bid to avoid strict Clean Air Act new source review (NSR) permits by raising the bar for when emissions sources must be "aggregated," or combined, and counted as a single source -- one of several policy steps the Trump administration is taking to ease the NSR program.

Environmentalists Fight States' 'Burning' Air Plans Despite EPA's Approval

Environmentalists are fighting efforts by states to win EPA approval of emissions control plans for open or prescribed burning of land that aims to reduce likelihood of wildfires that are a mounting problem in the United States, though the agency is signaling its approval for such measures -- most recently approving Texas' plan.

Daily Feed

Refiners ask D.C. Circuit to force EPA review of RFS 'obligation point'

"Faced with Program dysfunction significant enough to require waiver of volume requirements three years running, EPA refused reconsideration for purported fear that change would cause uncertainty," refiners say.

Ewire: Another Pruitt travel plan draws scrutiny

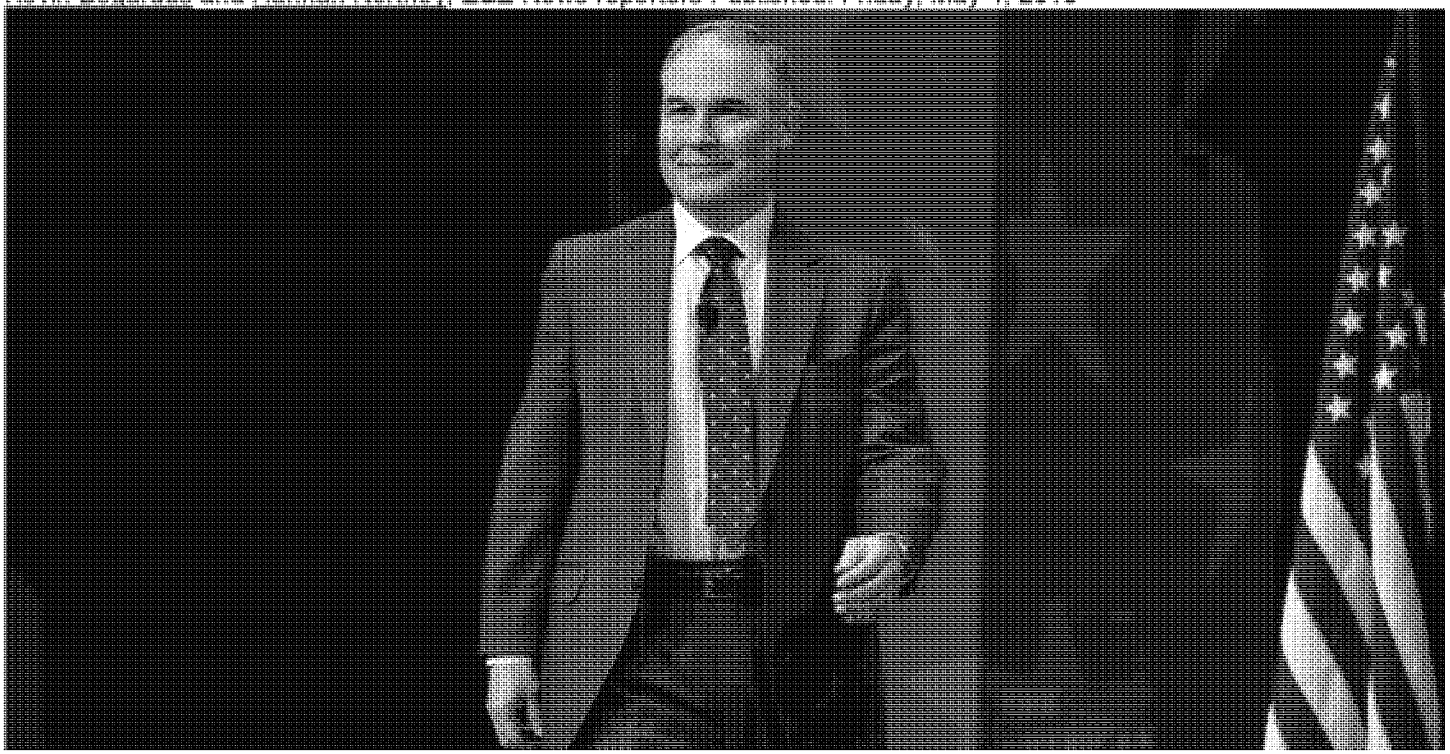
Pruitt is facing new criticisms after details emerged that another lobbyist was planning another costly foreign trip for the administrator.

GREENWIRE
AN E&E NEWS PUBLICATION

EPA

Lobbyist with hand in Pruitt trips tied to gas-rich nation

Kevin Bogardus and Hannah Northey, E&E News reporters Published: Friday, May 4, 2018



EPA Adminstrator Scott Pruitt, shown here in a 2017 file photo. Gage Skidmore/Flickr

The lobbyist who helped arrange EPA Administrator Scott Pruitt's trip to Morocco has another foreign client with natural gas interests, East Timor.

The global law firm DLA Piper hired Richard Smotkin last November as a subcontractor to work on representing the government of the Democratic Republic of Timor-Leste, otherwise known as East Timor, according to Justice Department records.

Smotkin's registration form, filed in March, says he'll help "advise and assist" the South Pacific nation's government in the United States "with respect to strengthening U.S.-Timorese bilateral relations." That could include contact with executive branch officials, members of Congress and their staff, as well as people and groups "involved in governmental or public policy matters."

East Timor became a sovereign state in 2002 after Indonesia relinquished control of the territory. The country already draws in revenue from fossil fuels, but it has been locked in negotiations with its southern neighbor, Australia, over an estimated $50 billion offshore oil and gas field.

Smotkin has ties to other foreign governments that have been linked to the EPA administrator as well.

Smotkin, a former Comcast lobbyist, is considered close to Pruitt and played a part in the EPA chief's visit to Morocco last December, which has drawn scrutiny partly because of the agency's promotion of liquefied natural gas imports on the trip. Smotkin later won a contract to represent the North African country (*Greenwire*, May 2).

A Comcast spokeswoman said Smotkin left the telecommunications giant in July 2017. He was based in Philadelphia as a senior vice president for government affairs. For Comcast, Smotkin worked with state and local intergovernmental associations, which is where he ran into Pruitt as Oklahoma attorney general.

It doesn't appear, however, that Smotkin has lobbied Pruitt or EPA on behalf of East Timor.

From the end of August 2017 to the end of February this year, which covers Smotkin's work with DLA Piper, the firm reported emails, phone calls and meetings with city and state representatives, lawmakers and congressional staff on Capitol Hill, as well as State Department officials. The subject of many of those contacts is described as "U.S. - Timorese bilateral relations." Not listed in the DLA Piper report is any contact with EPA officials by the firm on behalf of East Timor.

Asked if Smotkin contacted top agency officials, including Pruitt, as part of his lobbying work for East Timor, EPA spokesman Jahan Wilcox told E&E News, "No."

A DLA Piper spokesman declined to comment when contacted for this story.

E&E News could not reach Smotkin. The East Timor Embassy in Washington, D.C., didn't answer questions.

Records show that Smotkin was paid $20,000 this past February by the firm for his work on behalf of East Timor. He is still listed as an "active" foreign agent for the country in the Justice Department's database.

East Timor has been a lucrative client for DLA Piper. The country has paid the firm more than $3.2 million in fees and expenses for work from March 2017 to the end of this past February.

The bulk of that work, however, has been for "non-[Foreign Agents Registration Act] registerable activities," according to the firm. DLA Piper's latest report filed with Justice says that included $411,000 the firm spent for supporting East Timor's delegation at the U.N. General Assembly's opening session as well as helping with the country's maritime conciliation proceedings with Australia.

Down Under

Like Pruitt's visit to Morocco, the administrator's canceled trip to Australia was to have included a stop at a LNG facility.

According to EPA emails won under Freedom of Information Act litigation by the Sierra Club, Smotkin was involved in planning for Pruitt's trip to Australia this past August, which was canceled as EPA grappled with last year's hurricane season.

According to a draft itinerary included in those documents, Pruitt was preparing to visit a zoo in Sydney before touring the Gladstone LNG facility in Queensland on Sept. 3, 2017, at the invitation of a ConocoPhillips executive. The Gladstone LNG facility taps into natural trapped in coal beds — gas that can be accessed by drilling or hydraulic fracturing — and liquefies it for export.

"Wendy King, Australian President for ConocoPhillips would like to bring Administrator Pruitt and members of his delegation to visit the LNG Plant in Gladstone," the email says.

"Visit would showcase the US-Australia relationship in developing gas as an export to the region/world."

Smotkin, according to the emails, worked with Matthew Freedman, CEO of the firm Global Impact Inc., and Pruitt's top aides to set up meetings in Australia. Freedman is also treasurer of the American Australian Council, a group whose members include ConocoPhillips, Chevron Corp., BHP and Lockheed Martin.

"Rick and I will attend and will be present but will not be listed as members of the delegation," Freedman said in one of the emails.

Wilcox with EPA said, "EPA's Office of International and Tribal Affairs organized and led the effort around Administrator Pruitt's trip to Australia.

"This trip was cancelled due to Hurricane Harvey, and it has not been rescheduled."

LNG connections

Australia and East Timor are currently eyeing production of offshore oil and gas, discussions that are directly tied to a historic maritime treaty that was signed in March at U.N. headquarters in New York.

While it remains unclear what role, if any, Smotkin played in those negotiations, DLA Piper's legal team advised East Timor leading up to the agreement being forged.

Notably, the contract lays out Australia and East Timor's entitlement and ownership of the untapped Greater Sunrise Basin, an offshore tract in the Timor Sea reportedly holding more than $50 billion in gas.

But while the two countries agreed under the treaty to share upstream revenue from the offshore field, they failed to agree on exactly how to develop the site, and negotiations continue.

Partially driving the debate is that a coalition of companies hoping to tap the gas wants to use a floating liquefaction facility, technology the treaty didn't contemplate, said Nikos Tsafos, who researches energy at the Center for Strategic and International Studies, a Washington-based think tank.

While the East Timor government has asked for the gas to be brought ashore so its country can enjoy economic and financial knock-on effects, developers under the Sunrise Joint Venture — including Australia's largest independent oil and gas company, Woodside Energy Ltd., as well as ConocoPhillips, Royal Dutch Shell PLC and Osaka Gas Co. Ltd. — have proposed a floating facility given the site's distance from shore.

Whatever the outcome, Tsafos said it would take time to build the facility and hammer out the details.

"Realistically, it's a gas that even in the best of circumstances wouldn't show up for another five years in the Asian-Pacific market," he said.

EPA

Press deputy to leave

Kevin Bogardus, E&E News reporter

Published: Friday, May 4, 2018

John Konkus, one of EPA's top press officials, is departing the agency.

Konkus is heading to the Small Business Administration to help lead communications for the agency. As deputy associate administrator in EPA's public affairs shop, his exit marks the fourth high-profile staff departure on Administrator Scott Pruitt's team this week.

Konkus has been involved with EPA from the very beginning of the Trump administration, serving on the president's transition and "beachhead" teams for the agency, as well as helping to guide Pruitt's confirmation in the Senate.

"From transition, working side by side with John as one of the 'sherpas' for Administrator Pruitt's nomination, through his work on the beachhead early at EPA, and as Deputy Associate Administrator, John has been a valuable member of the EPA communications team," EPA Chief of Staff Ryan Jackson said in a statement shared with E&E News.

John Konkus Konkus/LinkedIn

"Administrator Pruitt is grateful for John's service and wishes him well as he continues to serve the Trump Administration leading communications at the Small Business Administration."

Politico first reported Konkus was leaving EPA.

Konkus follows Liz Bowman, the head of EPA's public affairs shop, in exiting the agency. She announced yesterday that she was departing for a job on Capitol Hill as Sen. Joni Ernst's (R-Iowa) communications director.

Albert "Kell" Kelly, a senior adviser and close friend to Pruitt, is resigning, as well. Pasquale "Nino" Perrotta, a career EPA special agent who led the administrator's personal security detail, has also resigned from the agency.

EPA's staff departures come after Pruitt's appearance at two congressional hearings last week. In his testimony before lawmakers, the EPA chief often blamed his aides for various ethical lapses at the agency during his tenure.

Pruitt and EPA are already subject to several internal and congressional investigations. Many Democrats and a few Republicans have called on the administrator to resign or be fired by President Trump.

Konkus attracted controversy during his time at EPA. Unusual for a political appointee, the deputy press official was put in charge of reviewing EPA's grant solicitations, worth hundreds of millions of dollars each year (*Greenwire*, Aug. 17, 2017).

Konkus played in a role in cutting an EPA grant for the *Bay Journal*, a newspaper that focuses its coverage on the Chesapeake Bay. The agency later reversed that decision and restored funding to that grant (*Greenwire*, March 2).

Konkus also won approval from EPA ethics officials to work outside the agency as a media consultant, generating scrutiny from lawmakers who questioned whether his clients conflicted with EPA's mission.

E&E News subsequently won a Freedom of Information Act appeal to reveal those clients, which were Konkus' former employer, Republican political consulting firm Jamestown Associates, and an unnamed Florida state representative. Other records, however, indicated that Konkus never did any work for them while at EPA (*E&E Daily*, April 27).

CLIMATE

Trump admin cites Paris targets to expand Mont. coal mine

Dylan Brown, E&E News reporter

Published: Friday, May 4, 2018

The Trump administration in a new environmental assessment cites other countries' climate goals to justify expanding a Bull Mountains mine in Montana. Signal Peak Energy/Facebook

Even while President Trump is pulling the United States out of the Paris Agreement, his administration is citing other nations' climate goals to justify expanding a Montana coal mine.

Tucked into a new environmental assessment for the Bull Mountains No. 1 coal mine, the Office of Surface Mining Reclamation and Enforcement makes the case that South Korea and Japan's plans to cut carbon emissions will help offset emissions from mining an additional 86.8 million tons of coal.

It's a new facet of the updated justification for leasing nearly 2,700 acres near Roundup, Mont. — enough to turn Signal Peak Energy LLC's mine into the nation's largest underground coal producer.

Climate was key to a federal judge sending OSMRE back to the drawing board last year for failing to take a "hard look" at the impacts of expanding the Bull Mountains mine (*Greenwire*, March 1).

But OSMRE again found "no additional mitigation measures were determined necessary to avoid unacceptable [climate] impacts" because 99 percent of greenhouse gases would be emitted overseas.

Virtually all of the coal mined at the Bull Mountains mine is exported, mostly to power an emerging fleet of high-efficiency, low-emission coal-fired power plants in Japan and South Korea (*Greenwire*, Sept. 22, 2017). OSMRE used those countries' commitments for cutting greenhouse gas emissions to bolster its case for the Bull Mountains expansion.

"The Proposed Action and No Action Alternative would provide minor contributions to [greenhouse gas] concentrations in the atmosphere, relative to all other past and present global emission sources," OSRME wrote.

The Trump administration's rationale infuriated environmentalists and perplexed experts.

"It seems grossly hypocritical for them to simultaneously say 'This is a horrible agreement' and 'Oh, by the way, this horrible agreement is allowing us to export gigantic amounts of coal because other countries are dealing with climate change, even if we're not,'" Earthjustice attorney Ted Zukoski said.

OSMRE and Signal Peak declined to comment for this story.

Michael Gerrard, director of the Columbia University Sabin Center for Climate Change Law, said he fails to see the relevance of another nation's intended nationally determined contribution (INDC) under the U.N. framework. OSMRE cited both Japan's and North Korea's INDCs.

"The INDCs are nonbinding and unenforceable, and many countries are exceeding them," he said. "Moreover, if every country met its INDCs, global GHG emissions would still be far in excess of what would meet the 2-degree [Celsius] temperature goal. Thus, in almost every country, emissions need to be well below their INDCs."

'One coal mine does really matter'

Critics also took issue with the broader justification for the Bull Mountains expansion's "minor" climate impact.

According to OSMRE, 109.7 million tons of coal from Bull Mountains would be mined, transported and burned if the expansion is approved, and 50.1 million tons if it were rejected — a difference of 190 million tons of carbon dioxide emissions.

OSMRE calculated that the Bull Mountains mine would represent 0.44 percent of total global greenhouse gas emissions if expanded, and 0.09 percent if not. OSMRE expects those percentages to drop as worldwide emissions increase by about 7 percent by 2030.

One project producing 0.44 percent of global emissions is far from "minor," Gerrard argued. About 240.1 million tons of carbon dioxide would put the Bull Mountains mine on par with the national emissions of Argentina or Malaysia.

"If everyone used this argument, no one would have to consider their emissions, since no individual project contributes a substantial portion of global emissions," Gerrard said.

The Supreme Court also "explicitly rejected" the argument, he added, in the landmark 2007 ruling that forced EPA to regulate greenhouse gases.

Forced to calculate cumulative climate impacts, the Obama administration created the "social cost of carbon."

Trump issued an executive order to kill the metric, but federal judges have ruled that it remains a readily available tool, including in the Bull Mountains mine case (*Greenwire*, Sept. 1, 2017).

Despite that ruling, OSMRE maintains in its updated analysis that the social cost of carbon is not applicable, in part because of Trump's order.

Federal officials reached the same conclusions last year for expanding Colorado's West Elk mine.

The Obama administration supported an expansion, but under the new administration's review, the Forest Service deemed the social cost of carbon inappropriate "at the project level" and "no longer representative of governmental policy" (*Greenwire*, Dec. 18, 2017).

"They're feeling a little more emboldened under this administration to deny climate change and obviously, in doing so, pulling out some doozies," said Jeremy Nichols of anti-coal group WildEarth Guardians.

The latest Bull Mountains mine defense denies the essence of climate change, he said, "that one coal mine does really matter."

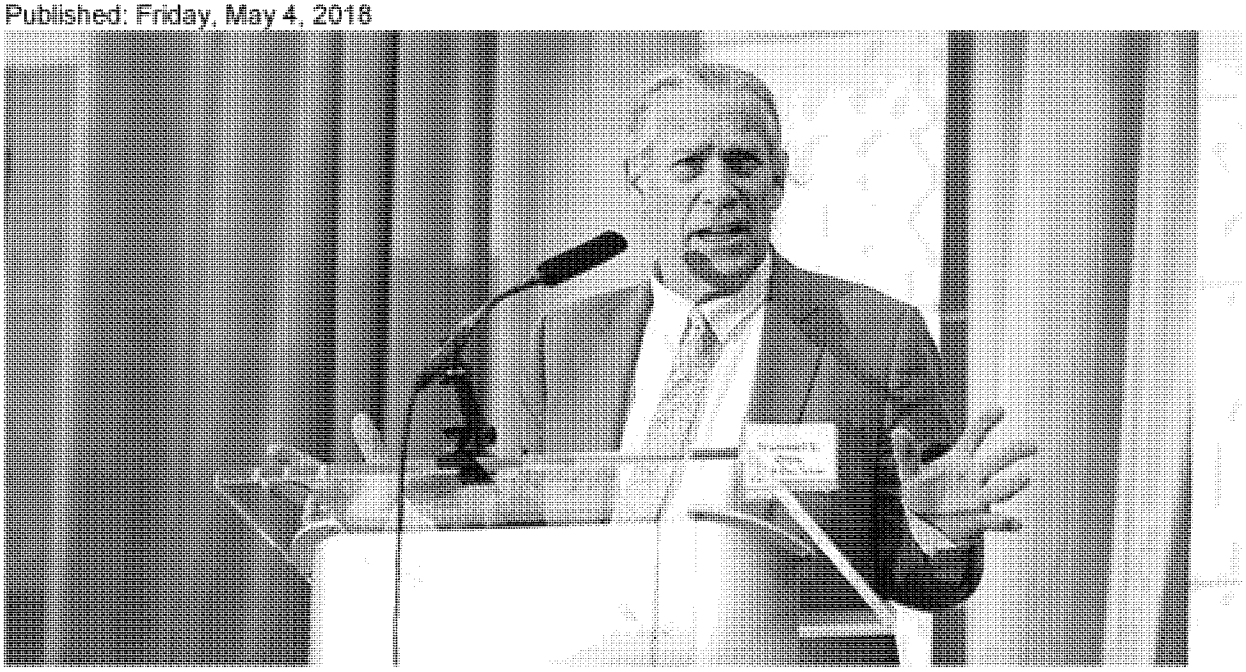
"Just because you're a drop in the bucket doesn't mean you're not a part of the bucket," he said.

OFF TOPIC

Climate advocate quietly tutors Trump's team

Hannah Northey, E&E News reporter

Published: Friday, May 4, 2018



Environmentalist and philanthropist Trammell S. Crow speaks at the EarthX event in Dallas, the world's largest environmental expo that occurs over a three-day period in April. Shay and Olive Photography/Special to E&E News

Trammell S. Crow may be one of the most influential environmental and energy players you've never heard about.

The 66-year-old Republican philanthropist and son of a Texas billionaire real estate mogul has been quietly feeding information and contacts to key members of President Trump's environment and energy team.

Crow in recent years has met with three top Trump Cabinet members at EarthX — an Earth Day event that drew more than 130,000 people to Dallas last month — alongside environmental activists, business leaders and green entrepreneurs.

E&E SERIES

Energy and environmental newsmakers dish on politics, pet peeves and their TV addictions. Click here to read more stories in this series.

"I have seen some of the people we're talking about here, willing to listen and talk in a different way than they can in D.C.," Crow said in a husky Southern drawl during a recent phone interview from his home in Dallas. His property also serves as a bird sanctuary.

"I think we created a green cover," he said.

Crow is now sending environmental leaders to meet with Energy Secretary Rick Perry, and says he helped facilitate a monthly call between EPA Administrator Scott Pruitt and state utility regulators.

Crow credits EarthX — which he launched seven years ago — with marrying the green movement and business.

The Dallas native and his five siblings grew up watching their father, Fred, create a real estate empire.

After graduating from Yale University, Crow worked his way up from a warehouse leasing agent in Denver to president of the Crow Family Foundation Inc., which operates and manages the Trammell and Margaret Crow Collection of Asian Art. He's now backing or sitting on the board of several environmental organizations and is co-founder of the Texas Business for Clean Air and Texans for Clean Water.

While Crow donated to Trump's presidential campaign, he's unhappy with the administration's environmental record and believes Pruitt is "going in the wrong direction." And while he continues to support the Republican Party, he maintains that many Republicans are "armchair environmentalists."

Crow recently talked with E&E News about an uptick in "green Republicans," how the GOP is handling climate science, and growing up in the Lone Star State.

What's it like to be a Republican environmentalist these days?

Trump's election has woken up a lot of people. There's an amorphous group I call "green Republicans." Now, here in Dallas, that's another thing. It's pretty lonely here. But EarthX was bigger than last year, despite the rain.

What do you think of Republicans' handling of climate change?

At the event we just had, Ohio Republican Gov. John Kasich was on stage and said he believed in climate change. I can't say very well what Republicans are doing except denial.

It's cognitive dissonance, and that's based on fear. We cannot accept this overwhelming global threat. It's hard enough for Democrats. We talk a good talk, but most of us are armchair environmentalists; we don't incorporate it into our lives very well, and Republicans are lagging far behind.

Do you support a carbon tax?

I don't think a carbon tax is very politically viable, but I think the fee and dividends, and these other systems, those are really viable alternatives.

Do you see the GOP's embrace of climate science shifting?

I think it has to change. I think it will. I don't know if it'll change fast enough, but it is changing. And with young people. We have a wonderful conference called the Bridge Conference — it was a two-day event — and we had near 70 universities in and out of the room; there are many Republican college students there — to them, a Republican Party without climate action is a non-starter.

Have your views gotten you in trouble in Texas?

(Laughs) I have a few friends. I don't respond to their taunting texts anymore. But let me say, state reps, state senators, congressmen, [Republican Texas Rep.] Pete Sessions came unexpectedly to the event this time ... it does rub off on them. It's just how much you can't say.

When Pruitt came, he spoke, but he listened and he sat with a small group of environmental leaders. It was a pretty ... interesting conversation. But after that, he had his office call me and ask if I could help him contact public utility commissioners from around the country because he wanted to meet two or three of them a month.

Pruitt has been monthly group calls with, I think, between five to 10 commissioners who probably are mainly Republicans. I haven't been on a call in the past two or three months, but this calendar year, it's still ongoing. That's great.

You've also helped Perry?

Both Perry and Pruitt came last year, and both of them had their offices call me back. Perry had asked for meetings with environmental group leaders, and Pruitt had asked for PUC commissioners.

Did you support Trump for president?

I know I wrote a check to his campaign, and I know to get in to meet Hillary [at] a party, I wrote her a check, too (laughs). Am I happy with what Trump's doing? The answer is no. Am I happy with supporting him and Hillary? As a matter of fact, I'm not pleased with either party, but making political contributions is a pragmatic thing for me.

What's been the reaction to Pruitt scandals?

I would guess most fossil fuel Republicans here in town have not spoken out unfavorably about Pruitt. Me, it's not my role as the P.T. Barnum and show promoter to take the political stance, but I certainly think Pruitt is going in the wrong direction in general with respect to the environment.

Have you ever thought about running for office?

(Laughs) No.

What was your childhood like?

I grew up in Dallas; it was a big city. I'm a suburban kid. Life was good. You didn't have to be a genius; all you had to do was work hard after World War II in the middle of the United States of America. I had an easy life — my father was born on a dirt road. My father wasn't a billionaire when I was born. The company grew as the children grew, and so we didn't have silver spoons in our mouths.

When did you go green?

I don't have some interesting story of being with nature. My father as a developer told us kids we were stewards of the land and we didn't really own the land. We are only tenants on this planet.

This interview has been edited and condensed.

WHITE HOUSE

Trade policies could spark another Depression — economists

Christa Marshall, E&E News reporter

Published: Friday, May 4, 2018

More than 1,100 economists, including multiple Nobel economics prize winners, warned President Trump and Congress yesterday that protectionist trade policies on solar panels, vehicles, aluminum, steel and other products could set the United States up for another Great Depression.

In an open letter, the economists said Americans "paid the price" in 1930, when similar warnings were ignored about the protectionist Smoot-Hawley Tariff Act that preceded the financial crash. The law raised tariffs on more than 20,000 imported goods.

"The undersigned economists and teachers of economics strongly urge you not to repeat that mistake," said the letter, which was signed by 15 winners of the Nobel Memorial Prize in Economic Sciences and economic advisers in the administrations of Presidents George H.W. Bush, George W. Bush, Clinton and Obama. The National Taxpayers Union led the effort to send the letter to members of Congress and the White House.

"Today, Americans face a host of new protectionist activity, including threats to withdraw from trade agreements, misguided calls for new tariffs in response to trade imbalances, and the imposition of tariffs on washing machines, solar components, and even steel and aluminum used by U.S. manufacturers," they wrote.

The economists said the global economy is certainly different now than it was in the 1930s, particularly in the sense that trade is more important to the U.S. economy than it was then.

But they released text from a 1930 economist letter that they said still holds true. The earlier document said the vast majority of farmers would clearly "lose."

The White House did not respond to a request for comment.

Administration officials, including Treasury Secretary Steven Mnuchin, traveled to China this week to hash out trade disputes. This morning, China's official news agency Xinhua said "relatively big differences" remain on several issues after the meetings.

Since January, Trump has taken multiple trade actions with ripple effects across the energy sector, starting with a 30 percent tariff on imported solar cells and modules and withdrawal from the Trans-Pacific Partnership.

In March, the Office of the U.S. Trade Representative announced a list of about $50 billion in products slated for tariffs, including batteries and nuclear reactors. At the time, Trump accused China of engaging in "tremendous intellectual property theft."

The action prompted China to take retaliatory measures against U.S. soybeans.

Yesterday, Sen. Chuck Grassley (R-Iowa) released a statement saying that new reports of China halting all purchases of U.S. soybeans could cause severe economic damage.

"China is the largest consumer of U.S. soybeans, buying up nearly 60 percent of our soybean exports. If that market closes, it could be devastating for local communities across the Midwest," Grassley said.

Earlier this week, the administration delayed a decision about whether to impose tariffs on most steel and aluminum imports — which could affect manufacturers of everything from pipelines to solar racking systems. The administration announced a monthlong extension of tariff exemptions on aluminum and steel for Canada, Mexico and the European Union.

The Solar Energy Industries Association has projected that the solar tariffs alone could lead to the loss of 23,000 jobs this year.

It remains unclear whether the prediction will come true. SEIA said today it is collecting anecdotes and cited the case of Cypress Creek Renewables, which recently canceled $1.5 billion in planned investments and stalled a third of their planned construction for 2018.

"In all we've heard from 20 companies, most of which asked to be anonymous, that have canceled projects, laid off workers or shut their doors," SEIA said.

There have been some signs of life in solar manufacturing since the tariffs, which administration officials have been quick to hail. In January, Chinese solar manufacturer JinkoSolar Holding Co. Ltd. said it was planning to open a solar manufacturing facility in the United States and tied the decision to tariffs

SunPower Corp. also announced plans to buy SolarWorld Americas in a maneuver to get around Trump's tariffs (*E&E News PM*, April 18).

White House deputy press secretary Lindsay Walters called that "further proof that the president's trade policies are bringing investment back to the United States."

Yet SEIA said additional manufacturing capacity, if it comes to pass, "still would not be nearly enough to meet the vast majority of U.S. demand."

Last month, a bipartisan group of House lawmakers introduced the first congressional bill to overturn Trump's solar tariffs (*E&E News PM*, April 19).

EPA

House Dems want more time for comments on 'secret science'

Sean Reilly, E&E News reporter

Published: Friday, May 4, 2018

Democratic Reps. Eddie Bernice Johnson of Texas and Paul Tonko of New York. House/Wikipedia

This article was updated at 2:27 p.m. EDT.

More than 60 House Democrats are urging EPA to allow more time for public feedback on a fiercely disputed proposal to revamp how the agency handles scientific research.

"EPA has the critical mission of protecting human health and the environment," Rep. Paul Tonko (D-N.Y.) and 64 other lawmakers wrote yesterday to EPA Administrator Scott Pruitt. "With this mission in mind, any significant change should go through a serious discussion, a series of public hearings and a robust comment period."

In the proposed rule published Monday, EPA set a 30-day comment period that ends May 30.

The Democrats are asking Pruitt to extend the comment period to at least three months.

Tonko is the top Democrat on the House Energy and Commerce Subcommittee on Environment; also signing the letter were Reps. Eddie Bernice Johnson (D-Texas), the ranking member of the House Science, Space and Technology Committee, and Frank Pallone (D-N.J.), the ranking member on the full Energy and Commerce Committee.

EPA press aides didn't respond to a request for comment this morning on the letter, which was released yesterday evening, or for an explanation of the agency's rationale in setting the 30-day comment period.

The Union of Concerned Scientists and the Natural Resources Defenses Council, two advocacy groups critical of the proposed rule, have also sought a minimum 90-day comment period, accompanied by public hearings, according to written requests included in the regulations.gov docket. Yesterday, 43 other organizations, including the American Meteorological Society, Breast Cancer Action and the Humane Society of the United States, also asked for an extension, saying in a letter that "the current timeframe and opportunities for engagement are inadequate."

The proposal would effectively restrict EPA's reliance on scientific studies used in crafting significant regulations to those for which the underlying data and models are "publicly available in a manner sufficient for validation and analysis."

In an exchange with Tonko at a hearing last week by the Environment Subcommittee, Pruitt described the proposal as a transparency move to "ensure the data and methodology were also available to those" concerned about EPA rulemakings.

Tonko termed that description "hypocritical." Critics of the proposal view it as a stratagem for excluding research that could justify the need for tighter regulations to protect public health and the environment (*Climatewire*, April 26).

"Regardless of viewpoint, there is agreement that the proposed rule would be a significant change in how the agency considers science in policymaking," Tonko and the other House Democrats wrote in yesterday's letter. "Organizations, scientists, industries and members of the public deserve additional time to understand how this policy shift may impact them."

The proposal already appears to be on an administration fast track.

Late last month, the Office of Management and Budget wrapped up a required interagency review in four days, according to a revised completion date on the Reginfo.gov website (*Greenwire*, April 27). That's far less than the average review time of 51 days for EPA rules since Pruitt became agency administrator in February 2017, according to data on the site.

VW SCANDAL

Former Volkswagen CEO indicted, upping stakes for company

Published: Friday, May 4, 2018

Volkswagen AG's emissions cheating scandal reached the top ranks of the company yesterday with the indictment of the former CEO.

Martin Winterkorn, who served as CEO from 2007 to 2015, was charged with conspiracy and wire fraud in connection with the criminal investigation into the company's attempts to cheat on U.S. diesel emissions tests.

Winterkorn is thought to be living in Germany.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions said in a statement. "These are serious allegations, and we will prosecute this case to the fullest extent of the law."

The charges directly contradict VW's claims that no members of its management board were involved in the cheating. They also undermine the automaker's arguments in a related lawsuit from shareholders, potentially piling billions of dollars onto the fraud's already astronomical cost.

And while the Trump administration has proposed rolling back fuel efficiency standards, the indictment shows that the Justice Department remains committed to carrying out the investigation of VW that started during the Obama administration.

VW said in a statement, "Volkswagen continues to cooperate with investigations by the Department of Justice into the conduct of individuals. It would not be appropriate to comment on individual cases" (Jack Ewing, *New York Times*, May 3). **— MJ**

OIL AND GAS

Chevron settles with city over fire that sickened thousands

Published: Friday, May 4, 2018

Chevron Corp. has agreed to pay Richmond, Calif., $5 million to settle a lawsuit over a 2012 refinery fire.

The fire broke out when a corroded pipe ruptured in a crude oil unit at the refinery. More than 20 workers ran for their lives minutes before a vapor cloud hanging over the refinery caught fire.

A thick plume of black smoke hung over the area afterward, and around 15,000 Bay Area residents sought treatment for respiratory problems at local hospitals.

A federal investigation found that Chevron failed to adequately respond to the fire and had lax safety rules. The company settled with the state Division of Occupational Safety and Health last year, pledging to spend an estimated $20 million on replacing corroded pipes.

The incident led state lawmakers to pass new workplace safety laws last year.

Chevron is expected to make the payment later this month, said City Attorney Bruce Goodmiller. The settlement doesn't include an admission of guilt by the company, he said.

Chevron spokeswoman Patty Canessa said that the company thinks the settlement is a fair resolution and that the money will go toward areas including public safety, education and parks (Kimberly Veklerov, *San Francisco Chronicle*, May 3). **— MJ**

AIR POLLUTION

The reason for that black smoke in NYC: Dirty oil boilers

Published: Friday, May 4, 2018

Heating oil is the cause of black plumes of smoke periodically seen leaving New York City apartment buildings.

Many Big Apple buildings depend on large boilers for heat. Pollution from these boilers is one of the main contributors to bad air quality in the city, along with car emissions, according to the New York state health department.

About 2,000 New York City residents die every year from air pollution. The city has forced 5,300 buildings to upgrade to slightly less harmful heating oils since 2011.

Those smoke plumes probably come from boilers that need repairs or that had been switched off for a while, said city Department of Environmental Protection spokesman Edward Timbers.

New York state air scientist John Kent said a cold spring and current record-breaking heat mean especially bad air quality this spring. The city has already declared two air quality advisory days (Jonathan Wolfe, *New York Times*, May 4). **— NB**

LOUISIANA

Fire at chemical plant forces evacuation

Published: Friday, May 4, 2018

A fire broke out yesterday at a chemical plant in south-central Louisiana, spewing thick smoke and forcing an evacuation.

No injuries were reported from the fire at a Flow-Chem Technologies LLC facility in Rayne, La., according to state police.

It is not yet known how the fire started at the plant, which primarily serves the oil and gas industry.

The blaze prompted an evacuation within a mile radius and closed a stretch of Interstate 10 (AP/New Orleans *Times-Picayune*, May 3). **— NS**

NUCLEAR

NRC picks leaders for 4 offices

Sam Mintz, E&E News reporter

Published: Friday, May 4, 2018

(Left to right) Frederick Brown, Catherine Scott, Raymond Furstenau and Ho Nieh have been selected for senior management positions at the Nuclear Regulatory Commission. NRC (Brown); Energy Department (Furstenau); Nieh/LinkedIn; Scott/LinkedIn

The Nuclear Regulatory Commission announced the appointment yesterday of new directors for four offices.

The new office leaders:

- Frederick Brown, an NRC employee since 1994, will lead the Office of New Reactors, which oversees licensing for new nuclear facilities. Brown's most recent post was deputy executive director for materials, waste, research, state, tribal, compliance, administration and human capital programs.

- Catherine Scott has been picked to direct the Office of Commission Appellate Adjudication, which coordinates the quasi-judicial functions at the NRC. She has also worked as an adviser to former Commissioner Peter Lyons between 2005 and 2008. She starts in her new post on June 24.

- Raymond Furstenau will become director of the Office of Nuclear Regulatory Research on July 3. He's moving from the Department of Energy, where he is an associate principal deputy assistant secretary in the Office of Nuclear Energy. He replaces Mike Weber, who is retiring. Furstenau worked in DOE's Idaho Operations Office for more than 25 years, overseeing nuclear energy research at the Idaho National Laboratory.

- Ho Nieh will begin in August as director of the Office of Nuclear Reactor Regulation in August. He's currently director of the division of nuclear safety technology and regulation at the Nuclear Energy Agency, but he previously worked at the NRC.

The agency has seen other big changes in its senior leadership in recent weeks, with top career staffer Victor McCree, the executive director of operations, announcing last month that he would retire at the end of June (*Greenwire*, April 5). The NRC has not yet named McCree's replacement.

HAWAII

Kilauea volcano erupts, sending lava onto the streets

Published: Friday, May 4, 2018

Nearly 1,500 Hawaiians were forced from their homes after the Kilauea volcano erupted yesterday.

Molten lava burned through the mountain's forested sides and onto city streets.

It is unclear how long the eruption will last. There have been no reports of injuries.

Video footage showed lava bursting through a paved road. Local resident Jeremiah Osuna described the scene in the forest as a "curtain of fire."

"It sounded like if you were to put a bunch of rocks into a dryer and turn it on as high as you could. You could just smell sulfur and burning trees and underbrush and stuff," he told KHON, a Honolulu television station.

Officials had been warning of a possible eruption for several days. The eruption follows a series of earthquakes yesterday that pushed magma underground that surfaced through vent holes and cracks in the earth (Caleb Jones, Associated Press, May 4). **— NB**

READ FULL EDITION

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A steel town that voted for Trump is banking on renewables

PUEBLO, Colo. — In this prairie community, where the Sangre de Cristo Mountains rise to meet the parched expanse of the Southern Plains, blue-collar workers whose grandfathers toiled for generations in steel mills are making wind turbines and installing solar panels.

TOP STORIES

2. EPA:

'Congenial opportunist' in line for top regional post

3. CLEAN POWER PLAN:

Will Pruitt's repeal come with replacement plan?

POLITICS

4. PARIS AGREEMENT:

Negotiators huddle around mats to share stories

5. CONGRESS:

GOP House resolution targets carbon tax — again

RISK

6. FINANCE:

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AN E&E NEWS PUBLICATION

ENERGYWIRE — Mon., May 7, 2018

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EPA's self-reporting plan could be rolled out by summer

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turley.jennifer@epa.gov

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 11/29/2018 6:09:11 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: New Owner Program - Revised Agreement Template
Attachments: OG New Owner Program - Audit Agreement - Rev Draft_2018.11.29.docx

Apple:

The revised redline template reflecting today's discussion is attached.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/7/2018 2:43:21 PM
To: Mia, Marcia [Mia.Marcia@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Fwd: New Owner Audit Program for Oil and Gas Sector

FYI

James C. Kenney | Senior Policy Advisor | Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | Email: kenney.james@epa.gov

Begin forwarded message:

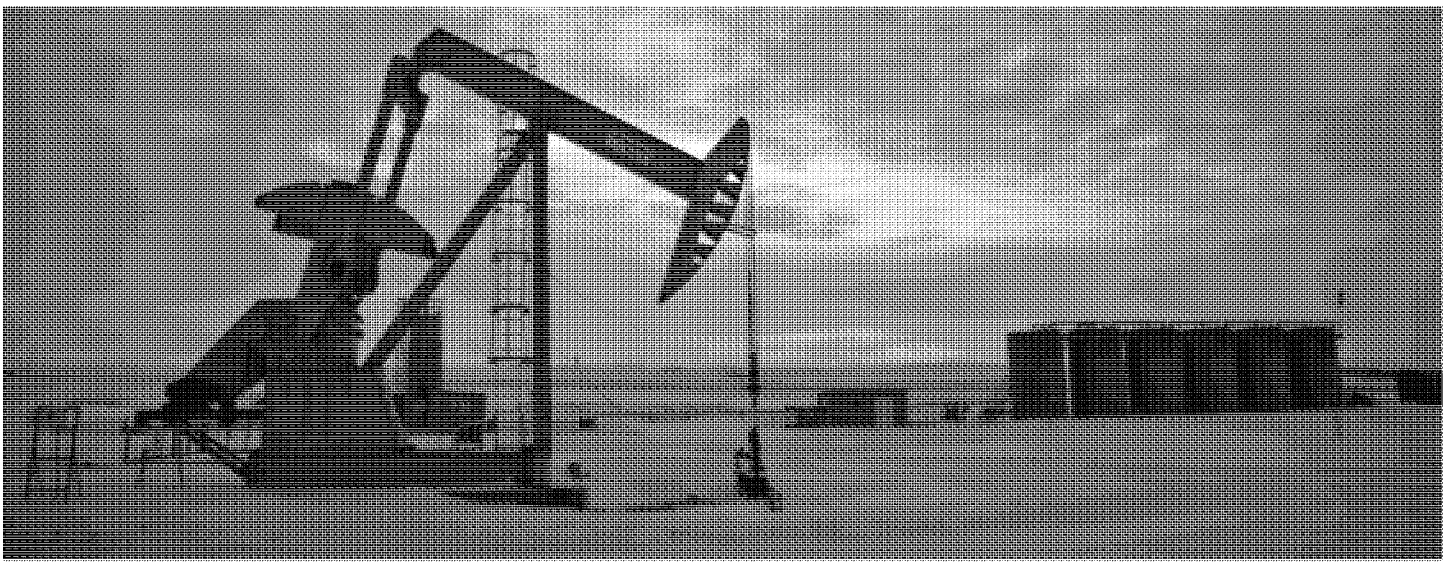
From: "Hull, George" <Hull.George@epa.gov>
Date: May 7, 2018 at 9:42:31 AM CDT
To: "Kelley, Rosemarie" <Kelley.Rosemarie@epa.gov>, "Theis, Joseph" <Theis.Joseph@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Brooks, Phillip" <Brooks.Phillip@epa.gov>, "Chapman, Apple" <Chapman.Apple@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>
Cc: "Norris, Munsel" <Norris.Munsel@epa.gov>, "Senn, John" <Senn.John@epa.gov>
Subject: New Owner Audit Program for Oil and Gas Sector

FYI – We posted the discussion draft on the new owner audit agreement for the oil and gas sector on Friday. The discussion draft can be found here: https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

There are also boxes introducing the draft and linking to the page above on the Unconventional Oil and Gas Development page: https://www.epa.gov/uog and on the Audit Policy page: https://www.epa.gov/compliance/epas-audit-policy

Patrick did two interviews on this. I've pasted them below. - George

Article from Patrick Traylor's interview on Friday with BNA reporter Amena Saiyid.



A pumpjack operates above an oil well in the Bakken Formation outside Williston, N.D., on March 9, 2018.
Photographer: Daniel Acker/Bloomberg via Getty Images
News

More Time, Fewer Fines for Oil Companies That Fix Emissions Leaks

Posted May 4, 2018, 1:39 PM

By Amena H. Saiyid

- EPA to seek feedback from various officials, industry on updated self-auditing policy
- Timeline to fix problems will be negotiable

Oil and gas companies that acquire multiple new drilling sites would have more time to identify and fix leaking storage tanks under the EPA's first update to its self-auditing policy in a decade.

The Environmental Protection Agency's policy changes target the widespread problem of storage tanks leaking volatile organic compounds because of poor vapor controls, Patrick Traylor, deputy assistant EPA administrator for enforcement and compliance assurance, told Bloomberg Environment. The agency is expected to release draft policy updates May 4.

The self-auditing policy isn't designed to replace formal enforcement actions, Traylor said. Instead it is meant to foster compliance among companies that willingly come forth and agree to fix problems that cause environmental violations, he said.

Largest VOC Source

The oil and gas sector is the largest industrial source of volatile organic compounds air pollution, according to the EPA. Volatile organic compounds contribute to the formation of ground-level ozone, or smog, which is linked to respiratory problems in children, people with asthma, and older adults.

Emissions leaks occur when petroleum products are transferred from the wells to storage tanks that lack properly designed vapor control systems.

The auditing policy, last updated in 2008, worked when companies bought only a few new facilities, but "it wasn't efficient enough or nimble enough to deal with self disclosure of hundreds of facilities," Traylor said.

Previous Hurdles

The problem with the 2008 policy—as the EPA learned as more and more oil companies came to take advantage of self audits—is that the agency and the companies were spending more time negotiating agreements to cover all the wellpads where storage tanks leaked.

"We realized we can do better," Traylor said.

EPA enforcement staff came up with the idea to develop a standardized agreement that new companies can use to meet pollution control requirements under the Clean Air Act.

The policy update would give new owners up to six months after they have acquired the assets to approach the EPA for a self-audit agreement, Traylor said. New owners would be able to negotiate the time it takes to fix the tanks, as opposed to the fixed 60-day period in the 2008 policy.

"Obviously, the time will be negotiable because less time will be required for an owner of 10 assets as opposed to hundreds of assets," Traylor said.

The EPA will seek comment from states, environmental advocates, and the oil and gas sector before finalizing the auditing policy.

To contact the reporter on this story: Amena H. Saiyid in Washington at asaiyid@bloombergenvironment.com

To contact the editor responsible for this story: Rachael Daigle at rdaigle@bloombergenvironment.com

Article from E&E reporter Mike Lee, who covered Patrick's presentation on Sunday to the Interstate Oil and Gas Compact Commission.

OIL AND GAS

EPA's self-reporting plan could be rolled out by summer

Mike Lee, E&E News reporter

Published: Monday, May 7, 2018

OKLAHOMA CITY — An EPA plan that'll waive or reduce penalties for companies that self-report air emissions violations could be in place by June.

A senior official in the agency's enforcement and compliance office discussed the program with state oil and gas regulators gathered here for a meeting of the Interstate Oil and Gas Compact Commission. EPA on Friday posted a description of the program it's developing.

The program is designed to address the emissions from storage tanks used to hold oil, petroleum liquids and wastewater, said Patrick Traylor, EPA deputy assistant administrator for enforcement and compliance. It's one of the biggest sources of pollution from oil and gas operations.

The program is the latest move under the Trump administration and EPA Administrator Scott Pruitt to forge a collaborative relationship with the energy industry, although Traylor said EPA isn't completely abandoning tougher enforcement.

"We actually expect to have faster compliance through the use of this self-audit tool," he said. "This is one of our tools, not the only tool we'll be using in this sector."

Advertisement

Although it's not a formal rulemaking, EPA is taking comments on the proposal for 30 days, and it could go into effect soon after that, Traylor said.

If it's approved, the proposal would allow companies that acquire new oil and gas operations to self-audit their newly acquired properties and report any problems to EPA. The companies would then have a flexible timeline to fix the problems. In exchange, EPA would waive all or most of the civil and criminal penalties that would normally apply.

EPA has had a "new owner" program for traditional manufacturing plants since 2008. The agency has had difficulty applying it to the oil and gas industry because a typical oil field can include hundreds of tanks and other facilities.

Storage tanks are one of the major sources of pollution from the oil and gas industry. Volatile organic compounds such as benzene can leak from pressure-relief valves or from improperly secured hatches. In many cases, truck drivers open the tanks to the atmosphere when they measure the liquids that collect in tanks (*Energywire*, Aug. 22, 2017).

EPA plans to use a standard audit, based on a self-audit that the Texas-based gas producer Range Resources Corp. conducted in 2016 (*E&E News PM*, April 20).

It's similar to the approach that a half-dozen oil producing states have taken, sometimes through informal processes.

Texas and North Dakota have laws on the books that allow their state oil regulators to waive penalties for companies that report their own violations, state officials said during a roundtable discussion. Texas doesn't allow penalties to be waived, though, in cases that cause actual harm.

The Colorado Oil and Gas Conservation Commission adopted a similar policy in 2014, but it stipulates that the program doesn't apply to cases involving fraud, willful misconduct or gross negligence.

Environmentalists are likely to object to the program because it could encourage companies to flout the rules when they are developing new oil and gas fields, particularly if they plan to sell the field quickly.

That's unlikely to happen, Traylor said in an interview after his presentation.

"This shouldn't be interpreted as an incentive to not comply with the law," Traylor said.

Twitter: @mikeleefw Email: mlee@eenews.net

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/2/2018 2:32:14 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Hull, George [Hull.George@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Draft Roll Out Plan for New Owner Audit Program
Attachments: New Owner Audit Roll Out Plan.AC+TJS.docx

My comments are included in the attached. I am also looping in Phil Milton from OCE Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Tuesday, May 1, 2018 9:34 AM
To: Hull, George <Hull.George@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: RE: Draft Roll Out Plan for New Owner Audit Program

Here is some initial comments. I am copying Jim and Tim Sullivan for input as well. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Hull, George
Sent: Monday, April 30, 2018 5:46 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>

Cc: Senn, John <Senn.John@epa.gov>
Subject: Draft Roll Out Plan for New Owner Audit Program

Apple,
Following up on our Friday meeting, please find attached a draft roll out plan for the New Owner Audit Program for the Oil and Gas Sector. I spoke a little bit with Patrick. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Thanks,
George

Message

From: Mike Soraghan [msoraghan@eenews.net]
Sent: 6/12/2018 5:44:25 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Oil and Natural Gas Program Registration

Thank you

Mike Soraghan
Reporter
E&E News - EnergyWire
Personal Phone / Ex. 6

Sent from my iPhone

On Jun 12, 2018, at 1:17 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Ok. Just let me know in advance. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, June 11, 2018 11:29 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Oil and Natural Gas Program Registration

Hi. I would like to register to attend the oil and natural gas stakeholder conference. I would like to attend in person, although circumstances may dictate that another person from our organization (E&E News) would be the one to attend.

Mike Soraghan
E&E News reporter
msoraghan@eenews.net
Personal Phone / Ex. 6 (office and mobile)
@MikeSoraghan

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Chapman, Apple [mailto:Chapman.Apple@epa.gov]
Sent: Friday, June 08, 2018 1:16 PM
To: Mike Soraghan <msoraghan@eenews.net>
Subject: RE: new owner audit

Mike,
Here is a copy of one of the messages that Patrick Traylor sent on Friday, June 1 and the attachment. Right now, I am anticipating have 4 separate meetings (although depending on level

of interest I may end up combining the groups). The meeting for ENGOs is Wednesday, June 27 from 9:30 a.m. to 12:00 p.m. and the meeting for tribes is also Wednesday from 1:30 p.m. to 4:00 p.m. The meeting for Industry stakeholders is Thursday, June 28 from 9:30 a.m. to 12:00 p.m. and the State meeting is from 1:30 p.m. to 4:00 p.m.
The Wednesday meetings will be in Room 6226 in the south building and the Thursday meetings will be in Room 5216 in the south building. I will send out additional information on Monday, June 25. Thanks.

On May 4, 2018, the EPA made available for public comment a draft standard audit program agreement tailored for new owners of oil and natural gas exploration and production facilities. At that time, we stated that we would be accepting stakeholder comments on the draft agreement until Monday, June 4, 2018, and conducting outreach to seek individual feedback from states, tribes, the regulated community, environmental NGOs, and other stakeholders. EPA is pleased to announce we are extending the comment period until Monday, July 2, 2018, and we are hosting in-person opportunities to engage on the draft agreement.

On Thursday, June 28, from 9:30 a.m. to 12:00 p.m. (EDT), EPA staff will be hosting a stakeholder meeting in Washington, DC at 1200 Pennsylvania Avenue NW in the William Jefferson Clinton South Building, Room 5213. The purpose of the meeting is to afford stakeholders with the opportunity to provide individual, verbal feedback on the draft agreement directly to EPA staff. During the meeting, EPA staff may provide some clarifications on the draft agreement as necessary to help understand your verbal comments. However, EPA staff will not discuss the merits of the draft agreement, negotiate specific changes, or respond to verbal comments. You may participate in this stakeholder meeting for Industry Stakeholders in-person or by conference call (see registration details below). If you are unable to participate in this stakeholder meeting at this date and time, you are encouraged to provide written comments to EPA by Monday, July 2, 2018. EPA is providing all segments of the oil and natural gas stakeholder community with this opportunity and cannot offer make-up sessions. If you participate at the meeting or provide comments, EPA requests that you do so on an individual basis.

While EPA has made every attempt to inform interested parties of the opportunity to provide individual written comments on the draft agreement and provide verbal comments, we encourage you to share this email with your colleagues in the oil and natural gas stakeholder community.

To register for the in-person meeting please send an email to Apple Chapman at chapman.apple@epa.gov by 5:00 p.m. (EDT) on Friday, June 22. The subject line of the email should say "Oil and Natural Gas Program Registration." In the body of the email please indicate if you plan to participate in person or by teleconference. Apple will provide you with additional logistics and information in an upcoming message. We have also prepared the attached Q&A document with information regarding meeting logistics. If you have questions about the in-person stakeholder meeting, please contact Apple by email.

We look forward to your participation.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Friday, June 08, 2018 11:13 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: new owner audit

Hi. Thank you.

I would appreciate the information needed for attending the stakeholder sessions for the "New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities" later this month.

Your assistance is greatly appreciated. I can be reached at this email or at Personal Phone / Ex. 6

Thank you,

Mike Soraghan
E&E News reporter
msoraghan@eenews.net
Personal Phone / Ex. 6 (office and mobile)
@MikeSoraghan

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Message

From: OGCLibrary [Personal Email / Ex. 6]
Sent: 5/8/2018 4:02:02 PM
To: Allnutt, David [Allnutt.David@epa.gov]; Anderson, Lea [anderson.lea@epa.gov]; Anderson, Steve [Anderson.Steve@epa.gov]; Aranda, Amber [aranda.amber@epa.gov]; Averback, Jonathan [Averback.Jonathan@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Bianco, Karen [Bianco.Karen@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Cozad, David [Cozad.David@epa.gov]; Crum, Lynda [Crum.Lynda@epa.gov]; Davis, Julian [davis.julian@epa.gov]; Dickinson, David [Dickinson.David@epa.gov]; Doster, Brian [Doster.Brian@epa.gov]; Dubey, Susmita [dubey.susmita@epa.gov]; Dubois, Roland [Dubois.Roland@epa.gov]; Frey, Bert [frey.bertram@epa.gov]; Froikin, Sara [Froikin.Sara@epa.gov]; Graham, Cheryl [Graham.Cheryl@epa.gov]; Harrison, Ben [Harrison.Ben@epa.gov]; Hoffman, Howard [hoffman.howard@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Holmes, Carol [Holmes.Carol@epa.gov]; Igoe, Sheila [Igoe.Sheila@epa.gov]; Jordan, Scott [Jordan.Scott@epa.gov]; Kaplan, Robert [kaplan.robert@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Klepp, Robert [Klepp.Robert@epa.gov]; Lee, Michael [lee.michaelg@epa.gov]; Lovett, Lauren [Lovett.Lauren@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Manners, Mary [manners.mary@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Matthews, Julie [Matthews.Juliane@epa.gov]; McConkey, Diane [Mcconkey.Diane@epa.gov]; Morgan, Jeanette [Morgan.Jeanette@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Nguyen, Quoc [Nguyen.Quoc@epa.gov]; Adair, Jocelyn [Adair.Jocelyn@epa.gov]; Odendahl, Steve [Odendahl.Steve@epa.gov]; Okoye, Winifred [Okoye.Winifred@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Pastorkovich, Anne-Marie [Pastorkovich.Anne-Marie@epa.gov]; Rodman, Sonja [Rodman.Sonja@epa.gov]; Rowland, John [Rowland.John@epa.gov]; Schaaf, Eric [Schaaf.Eric@epa.gov]; Schmidt, Lorie [Schmidt.Lorie@epa.gov]; Senn, John [Senn.John@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Snyder, Doug [Snyder.Doug@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Stern, Allyn [Stern.Allyn@epa.gov]; Thrift, Mike [thrift.mike@epa.gov]; Tierney, Jan [tierney.jan@epa.gov]; Ting, Kaytrue [Ting.Kaytrue@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Versace, Paul [Versace.Paul@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]; Wilcox, Geoffrey [wilcox.geoffrey@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]; Williamson, Timothy [Williamson.Tim@epa.gov]; Zenick, Elliott [Zenick.Elliott@epa.gov]; Wills, Jennifer [Wills.Jennifer@epa.gov]; Blake, Wendy [Blake.Wendy@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]; Vergeront, Julie [Vergeront.Julie@epa.gov]; Tozzi, Lauren [Tozzi.Lauren@epa.gov]; Pilchen, Zach [Pilchen.Zach@epa.gov]; Skinner-Thompson, Jonathan [Skinner-Thompson.Jonathan@epa.gov]; Vijayan, Abi [Vijayan.Abi@epa.gov]; Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Michaels, Lauren [Michaels.Lauren@epa.gov]; Nguyen, DucH [Nguyen.DucH@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]; Charlton, Tom [Charlton.Tom@epa.gov]; Kulschinsky, Edward [Kulschinsky.Edward@epa.gov]; Portmess, Jessica [Portmess.Jessica@epa.gov]; Kryman, Matthew [Kryman.Matthew@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]; Palmer, Karen [Palmer.Karen@epa.gov]; Seidman, Emily [seidman.emily@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]; OGC NFO FEAT [Personal Email / Ex. 6]; Hindin, David [Hindin.David@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Carrillo, Andrea [Carrillo.Andrea@epa.gov]; Krallman, John [krallman.john@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Kane, Eleanor [kane.eleanor@epa.gov]; Ng, Brian [Ng.Brian@epa.gov]; Li, Ryland (Shengzhi) [Li.Ryland@epa.gov]; Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Kodish, Jeff [Kodish.Jeff@epa.gov]; Dugan, Brett [Dugan.Brett@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]; Iddings, Brianna [Iddings.Brianna@epa.gov]; Knapp, Kristien [Knapp.Kristien@epa.gov]; Nelson, Karen [nelson.karen@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Shepherdson, Melanie [Shepherdson.Melanie@epa.gov]
Subject: Air & Radiation Law News for May 8, 2018

Air & Radiation Law News for May 8, 2018

Bloomberg Environment

Environment & Energy

Highlights

LEADING THE NEWS

Dominion Warns of Dirty Power Imports if Virginia Joins Carbon Trade
By Gerald B. Silverman
Dominion Energy Inc. and Virginia businesses argue that the state's proposed carbon trading program will raise electricity rates and increase imports of dirtier power.

Trump Energy, Water Budget Cuts at Risk in House Funding Bill
By David Schultz
House Republicans could reject many of the budget cuts to energy and water programs the Trump administration proposed for the coming fiscal year in a bill heading to House subcommittee for consideration May 7.

Global Shipping Deal Gets Splash of Reality on Rising Emissions
By Dean Scott
Climate diplomats cheered when a global deal was sealed in April to halve the greenhouse gases that the shipping sector emits by 2050, but industry officials and environmentalists agree it may be better to hold the applause.

TODAY'S NEWS

Eight States Urge EPA to Halt Draft Rule Limiting Science Use

By Katherine Tam

A group of eight attorneys general are urging EPA Administrator Scott Pruitt to consult with the National Academy of Sciences before proceeding with a draft science "transparency" rule.

Diesel Spill, Oil Dumping Cost Mass. Seafood Company $407,000

By Adrianne Appel

A Massachusetts wholesale seafood company will pay a $407,000 penalty for its alleged intentional discharge of oily water and 4,600 gallons of diesel fuel into New Bedford Harbor when one of its boats sank.

America's Largest Power Grid Says It Can Handle Peak Summer Load

By Tim Loh

The largest U.S. power grid operator said it has enough resources to keep electricity flowing across the eastern U.S. this summer even as demand is expected to exceed last year's peak.

VW CEO Is Said to Receive Rare Safe-Passage Deal from U.S.

By Tom Schoenberg and Christoph Rauwald

Not long after U.S. authorities filed sealed charges against Volkswagen AG's old chief executive officer, they granted the new CEO a rare safe-passage deal.

Old-Boys' Club That Ran the Power World Cracking With Its Model

By Christopher Martin

Mary Powell turned down the top job at Vermont utility Green Mountain Power Corp. three times. She said she didn't think she had the right qualifications and wasn't interested in working in a corporate environment.

Nissan to End Diesel Car Sales in Europe on Strict Emission Rule

By Ma Jie

Nissan Motor Co. will stop selling diesel cars in Europe as the region moves to tougher emission standards after Volkswagen AG's pollution-test scandal.

Three's a Trend: More EU Diesel Exits to Follow Nissan, Toyota

By Oliver Sachgau

Nissan Motor Co. Ltd.'s decision to quit sales of diesel cars in Europe, where demand has slumped since Volkswagen's emissions cheating, is set to see more automakers join in.

FRIDAY NIGHT WRAPUP

Australia Clamps Down on Land Clearing Off Great Barrier Reef
By Murray Griffin
Vast areas of vegetation around the Great Barrier Reef will be protected from clearing under a new law praised by environmentalists but bitterly opposed by major Australian farm groups.

Utilities Cutting Back on Uranium Purchases as Trade Case Looms
By Jim Efstathiou Jr.
Utilities that operate U.S. nuclear reactors are cutting back on uranium purchases, citing concerns that the Trump administration could impose trade barriers that would disrupt the market.

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Inside EPA's **Risk Policy Report,** 05/08/2018
https://insideepa.com/newsletters/risk-policy-report

Latest News

Pruitt's Science Plan Faces Host Of Legal Hurdles; Some Doubt Promulgation

Administrator Scott Pruitt's plan requiring EPA to use only publicly available information to justify its regulatory decisions faces a host of legal hurdles, industry officials and environmentalists say, including vague or undefined terminology, statutory mandates likely at odds with the rule and potential violations of administrative law.

EPA Floats More-Flexible Audit Policy For New Oil & Gas Facility Owners

EPA has released a new draft self-audit policy giving new owners of oil and gas facilities more latitude to negotiate timeframes for fixing equipment leaks, following through with prior agency suggestions that its current policy should be streamlined to address numerous oil and gas operations and a pattern of Clean Air Act violations at such facilities.

EPA Rejects States' Call For Large Multi-State Ozone Nonattainment Areas

EPA in its latest round of designations for areas attaining or violating the 2015 ozone air standard has rejected calls from some East Coast states and environmentalists to create large multi-state nonattainment areas with stricter pollution control mandates, saying states should pursue other Clean Air Act options to address ozone air transport.

'Flexible' Vehicle GHG Push May Require Stronger Automaker Advocacy

An electric vehicle (EV) coalition's plan urging EPA to retain Obama-era vehicle greenhouse gas rules while making them more flexible offers a fresh indication of industry resistance to draft Trump administration plans to scuttle the program, but it may not be enough to blunt momentum for a drastic rollback without more public intervention by automakers, according to observers.

Convictions For Falsified Data Raise Concerns Over Cleanup Contractor

The conviction and sentencing of two cleanup contractor supervisors in northern California who falsified radioactive soil sampling data at a former Navy shipyard calls into question whether the company that employed the men -- and reportedly has contracts at other contaminated sites -- could lose government contracts as a result, one environmental observer says.

Split Power Sector Signals Broad Openness To EPA's CPP Repeal Plan

Major power sector trade groups are not standing in the way of the Trump EPA's proposal to repeal the Obama-era Clean Power Plan (CPP) utility greenhouse gas rule, and some are actively applauding the plan along with several other industry associations even as environmentalists detail legal arguments against the move.

Daily Feed

Automakers push back against plan to freeze fuel economy limits

A statement from a top automaker trade group could be interpreted as something of a rebuke to the Trump administration's draft plan to freeze GHG and fuel economy standards at MY20 stringency levels through MY26.

Industry groups float economic study supporting HFC deal

Ratifying the treaty will provide “regulatory stability” and encourage U.S. investment in new technologies to reduce use of refrigerants, says an analysis by two refrigeration sector groups.

Sierra Club seeks to keep key air permit suit in D.C. Circuit

Environmentalists are fighting EPA's attempt to dismiss their U.S. Court of Appeals for the District of Columbia Circuit suit against what they say is a key air permit policy change.

Ewire: EPA political staff exodus grows with fourth aide's departure

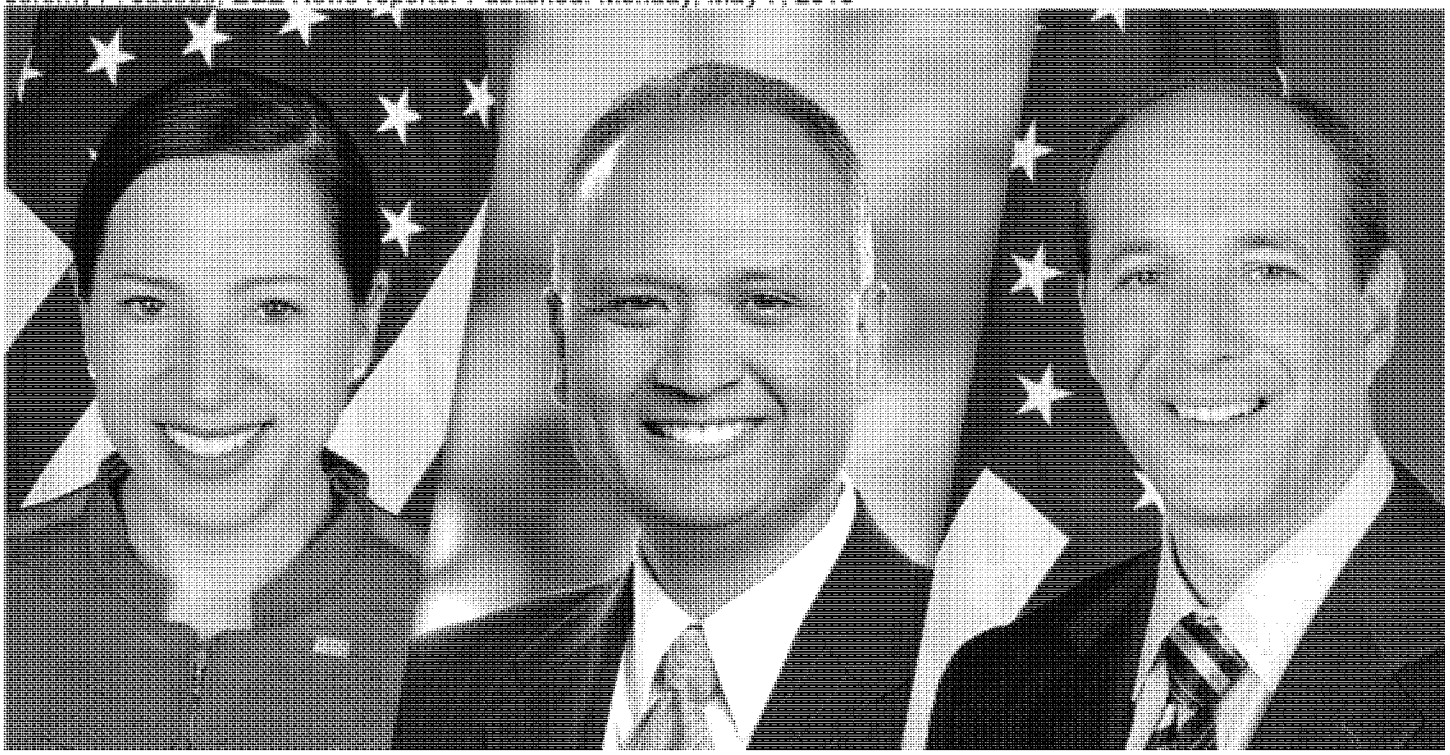
EPA public affairs official John Konkus' departure marks the fourth high-ranking political staffer to quit since Administrator Scott Pruitt's testimony at two contentious House hearings.

E&E
AN E&E NEWS PUBLICATION

CALIFORNIA

Green issues rule state's 'most interesting' race

Jeremy P. Jacobs, E&E News reporter Published: Monday, May 7, 2018



(Left to right) Former Ambassador Eleni Kounalakis, state Sen. Ed Hernandez and former Ambassador Jeff Bleich, all Democrats, are vying for California's lieutenant governor seat. California Optometric Association (Hernandez); State Department (Kounalakis and Bleich)

While the governor's race has sucked up most of the political oxygen in California, the battle for lieutenant governor is turning into one of the most unpredictable statewide contests this year.

And it is being waged on environmental issues, with leading contenders touting key endorsements and pledging to fight President Trump's plan to open up the coast to new offshore drilling and withdrawal from the Paris climate agreement.

The state's primary is four weeks away, when the top two vote-getters will advance to the general election regardless of party.

The field of nearly a dozen candidates has narrowed to three Democrats, said veteran Democratic strategist Darry Sragow, publisher of the "California Target Book," a tome of state politics.

Each has roughly the same amount of money in his or her war chest, but their fight has received hardly any attention, he said, making predictions — or even speculation — impossible.

"Voters in California have no idea what the lieutenant governor does; it's an office whose purpose and powers are little understood," he said.

"What's interesting this year is you have three Democrats running who are all viable and who are unquestionably qualified. Perhaps overqualified."

None of the three contenders has run in a statewide race before, and two are Democratic newcomers who both served as ambassadors in the Obama administration.

State Sen. Ed Hernandez (D), 60, an optometrist from the Los Angeles area, has emerged to some degree as the establishment pick, with endorsements of major labor groups and officials, including Attorney General Xavier Becerra (D) and Rep. Ted Lieu (D-Calif.).

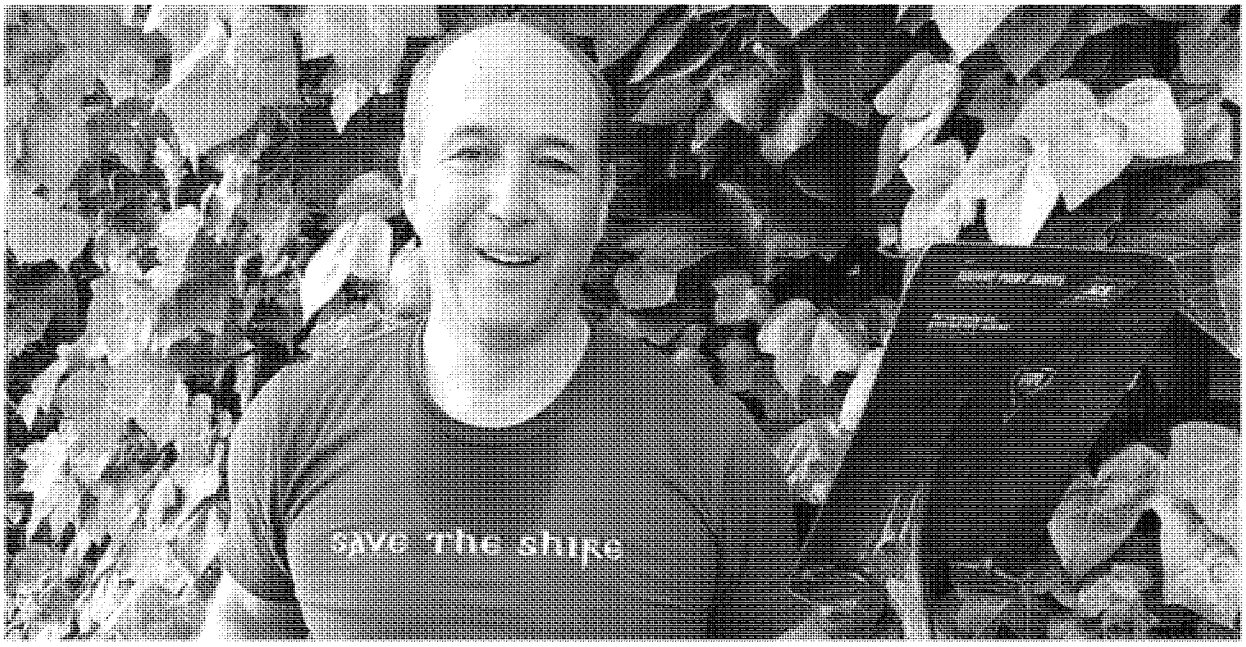
Another leading candidate is Eleni Kounalakis, 52, President Obama's ambassador to Hungary and the scion of a prominent Sacramento-area developer who once took a water dispute with EPA and the Army Corps of Engineers to the Supreme Court.

Rounding out the field is Oakland attorney Jeff Bleich, 56, a personal friend of Obama's who served as special counsel to the president and ambassador to Australia. Bleich has also been endorsed by Lieu.

Kathryn Phillips, director of Sierra Club California, said she considers the lieutenant governor's race to be "the most interesting" this year, noting that none of the candidates earned the endorsement of the state's Democratic Party.

"If you go through all of them, this is the one where it's wide open," she said. "There is nobody that has held statewide office; all of these folks are going to be new to all the people voting."

'Only one'



Lietenant governor candidate Jeff Bleich worked in Oakland, Calif.'s Montclair Park on Earth Day. @JeffBleichCA/Twitter

Current Lt. Gov. Gavin Newsom (D), who is now a leading contender for governor, once described the lieutenant governorship as a "largely ceremonial post" that has "no real authority." But the office comes with some responsibilities, many of which are related to the environment.

The lieutenant governor sits on the three-member State Lands Commission, which controls state-owned plots and offshore oil resources and issues permits for navigable waterways. The office also holds a seat on the California Coastal Commission.

Newsom used those parts of the job in high-profile ways. He worked to stymie Silicon Valley billionaire Vinod Khosla's effort to block public access to the pristine Martins Beach next to his property — a dispute that Khosla has now taken to the Supreme Court (*Greenwire*, March 15). Newsom also helped negotiate the closure of the state's last coastal sand mine (*Greenwire*, Aug. 23, 2017).

Now, each of the leading contenders for the office is claiming to be the rightful successor to Newsom for the environment.

The Sierra Club has backed Bleich, pointing to roughly three decades of work on environmental issues dating back to when he volunteered for the Massachusetts Public Interest Research Group as a graduate student at Harvard University.

"It's pretty clear he has a sophisticated understanding of environmental issues," Phillips said. "It's on these boards, commissions and bodies that you have to be a pretty wonky environmentalist to pay attention to, but they can make some very important decisions."

Bleich touted that resume in an interview. "I'm the only one with an environmental background," he said.

Bleich also has significant experience in another issue in the lieutenant governor's portfolio: education. The lieutenant governor sits on the University of California Board of Regents, and Bleich has previously served on the board of trustees of California State University, including a year as chairman.

'Proven record'

Eleni Kounalakis poses on a beach with "California is the best state ever" written in the sand. @EleniForCA/Twitter

Kounalakis has also sought to capitalize on environmental issues, emphasizing them in a recent television ad on protecting the coast from new offshore drilling.

And she recently picked up the endorsement of the California League of Conservation Voters and the chairs of the state Senate's two environmental committees.

"Eleni has a proven record of understanding the key environmental challenges facing the state and the planet," California LCV Interim Executive Director Rebecca Saltzman said in a statement.

Kounalakis also boasts endorsements from fellow California Democrats Sen. Kamala Harris and House Minority Leader Nancy Pelosi, as well as the influential EMILY's List. She would be the state's first female lieutenant governor if elected.

The Sacramento Bee endorsed Bleich and Kounalakis last weekend.

Kounalakis said she was motivated to run by President Trump's election, she said, adding that the next lieutenant governor will play a key role in standing up to the White House, particularly on offshore drilling.

"The vast majority of our people do not want this," she said in an interview. "We do have a mechanism to stop it, and that is the State Lands Commission ensuring that there would be no pipelines onto our shore for crude oil to refine it. ... That's an important tool we can use to stop the Trump administration plans."

Hernandez touts his support for some of California's landmark environmental bills, including legislation to significantly increase the state's use of renewable energy.

"Senator Hernandez is proud to have supported some of the furthest reaching environmental legislation in the nation — including voting for a move to 100 percent renewable energy in California," said spokesman Mac Zilber.

'Big difference'

Eleni Kounalakis (facing) speaks with construction workers. Kounalakis' campaign

Both Hernandez and Bleich have hit Kounalakis for her family's development company, AKT Development Corp., and for being the landlord for the one of the state's largest oil trade associations.

"There are some real concerns about how her commercial development company operated," Bleich said, "and in terms of the fact that they received rent from [the] Western States Petroleum Association.

"That's a big difference in terms of commitment to the environment," he added.

Hernandez's campaign was quick to echo the charge.

"The real oil issue in this race," Zilber said, "is that Eleni Kounalakis is literally profiting off the oil industry — reaping untold hundreds of thousands of dollars providing a Sacramento headquarters to one of the biggest arms of the oil lobby, who is a tenant of hers just blocks from the capitol."

Hernandez's campaign estimates that Kounalakis has received at least hundreds of thousands of dollars in rent from the group, though specifics are difficult to come by because the Western States Petroleum Association does not specifically disclose its rent on tax filings.

Kounalakis's father, Angelo Tsakopoulos, who launched that company, has spent nearly $5 million on an independent expenditure to support his daughter's lieutenant governor bid.

In 1993, Tsakopoulos purchased the Borden Ranch, 8,400 acres of farmland in California's Central Valley that he intended to subdivide into vineyards.

In the process, he deep ripped the soil, even though EPA and the Army Corps said such activity required a Clean Water Act permit due to wetlands on the property.

Lower courts ruled against him, saying the tillage violated the law. And the Supreme Court in 2002 ultimately upheld those decisions in a 4-4 split decision. Justice Anthony Kennedy did not participate because he had a personal relationship with Tsakopoulos.

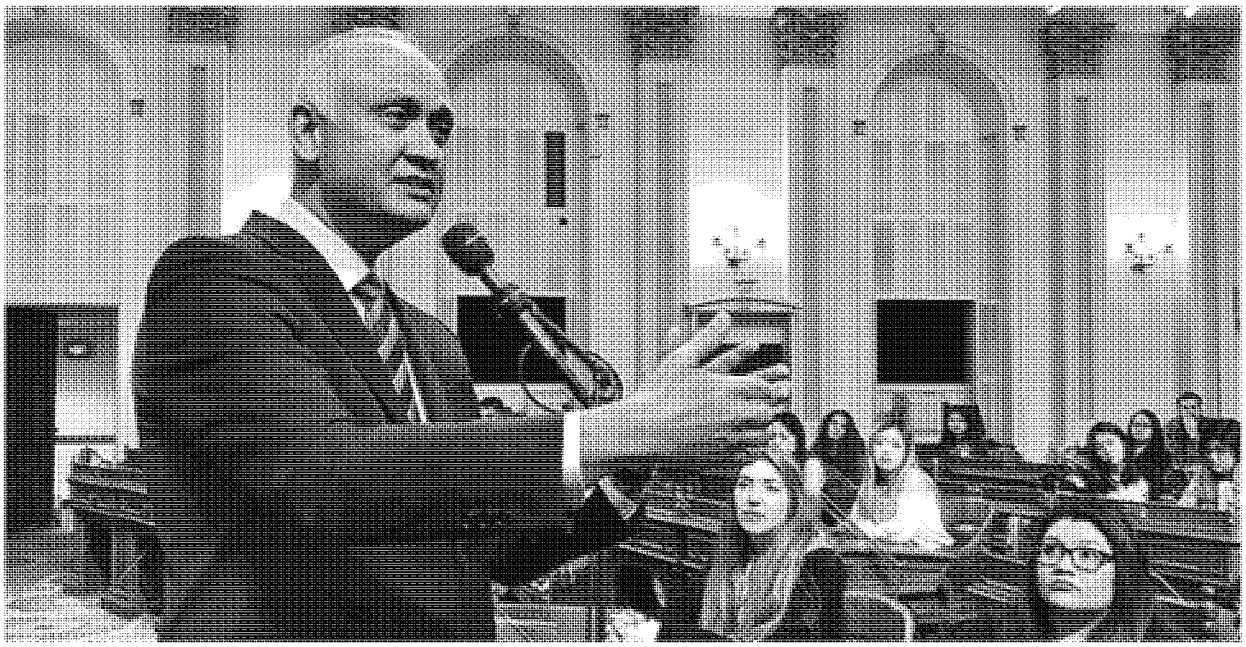
Kounalakis strongly defended her company's track record and disputed Bleich's characterization of the rent payments from the Western States Petroleum Association.

"We did have a dispute at the time with the regulation of farmland," she said. "The fact of the matter is we have been an excellent partner over many years with federal agencies."

She added: "We have preserved thousands of acres of land in the Sacramento area."

Further, she said that the rent she receives is now funneled directly to a fund at a foundation earmarked for fighting climate change.

'Not an environmentalist'



State Sen. Ed Hernandez (D) speaks with students last month. @SenatorDrEd22/Twitter

Both Kounalakis and Bleich are quick to attack Hernandez on these issues, as well.

In particular, both campaigns have pointed to more than $42,000 he has taken from the oil and gas industry since 2006, according to campaign finance disclosures compiled by FollowTheMoney.org.

Hernandez has also voted against 2014 legislation that would have imposed a moratorium on hydraulic fracturing, and did not vote on a bill that would have mandated an in-depth investigation into what caused the 2015 massive methane link at the Aliso Canyon storage facility in Los Angeles County.

"He's not an environmentalist," Bleich said.

Hernandez's campaign countered that he has not taken oil and gas money in the lieutenant governor's race and has pledged not to in the future.

Consequently, some prominent environmental activists have been reluctant to get involved in the race at all.

RL Miller, founder of Climate Hawks Vote and chair of the state Democratic Party's environmental caucus, hasn't backed any of them.

"The Democratic Party has not endorsed and I am personally unenthusiastic about each of the candidates," she said before criticizing Hernandez's vote on the Aliso Canyon bill, Kounalakis' "very thin track record" and Bleich's lack of a "compelling case for his candidacy."

Sragow, the Democratic strategist, said that all the candidates are limited by their modest campaign funds. Through April 21, the most recent filing deadline, Kounalakis had $1.68 million in her campaign account, while Bleich had $1.46 million and Hernandez had $906,000 in his war chest.

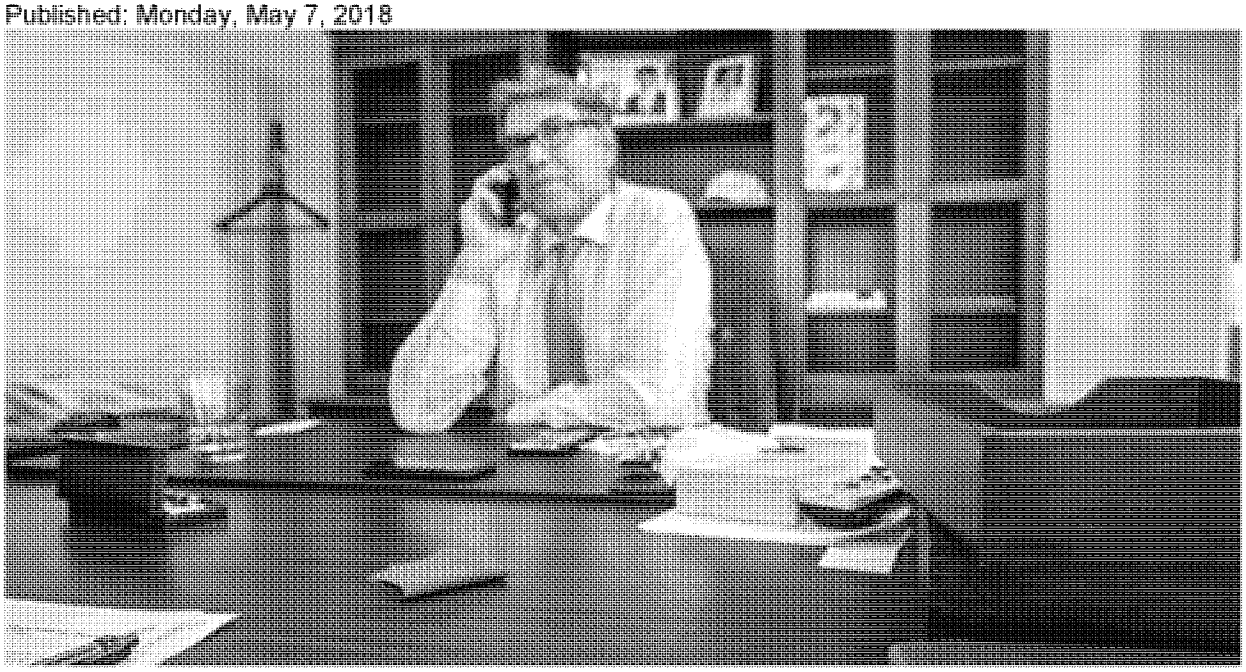
"Somehow," he said, "they have to break through, and somehow, voters have to get interested in them based on very little information."

DOE

Tab for refurnishing Rick Perry's office: $4,652

Christa Marshall, E&E News reporter

Published: Monday, May 7, 2018



Energy Secretary Rick Perry takes a phone call in his office at DOE headquarters in March 2017 before the agency spent $4,652 to refurnish the office. Department of Energy/Flickr

The Department of Energy spent $4,652 last year to refurnish Secretary Rick Perry's office, including $857 for a wingback chair and $1,157 for a sofa.

Those details emerged last weekend in letters sent from DOE Deputy General Counsel Eric Fygi to leaders of the Senate and House Appropriations committees about renovations at the James Forrestal Building.

The department spent $880 on two barrel chairs and $154 on pillows as part of the $4,993 refurnishing of Deputy Secretary Dan Brouillette's office. DOE also has spent more than $800,000 on "routine carpeting" since President Trump took office.

The letters appear amid controversies surrounding other Cabinet secretaries and their office expenditures, including U.S. EPA Administrator Scott Pruitt's installation of a $43,000 soundproof booth. In March, a top House Republican requested more information about Interior Secretary Ryan Zinke's office door replacements (*Greenwire*, March 23).

DOE is required by law to notify appropriations committees when some expenditures for offices of political appointees top $5,000.

Because Perry's and Brouillette's spending was under the threshold, the amount was not reported last year. But DOE said in the interest of transparency, it wanted to proactively release all renovation details that occurred since Jan. 20, 2017.

"The department is also providing examples of similar renovations made during the previous administration, demonstrating the department's ongoing efforts to maintain an aging building, the approval process and reporting practices have not changed with this administration," wrote DOE Deputy General Counsel Eric Fygi in one letter to Sen. Lamar Alexander (R-Tenn.), chairman of the Senate Energy and Water Development Appropriations Subcommittee.

Work at DOE under President Obama included $700,000 for an improved cafeteria, $2.7 million for a modernized telecommunications center and $500,000 for an updated fitness center "locker facility."

A Government Accountability Office report last year "created ambiguity and uncertainty" about when agencies must report expenditures to Congress, Fygi added.

Previously, DOE understood the reporting requirements to apply to refurnishing, redecorating and "similar expenses," but the GAO report expanded the scope to apply to virtually any expense associated with a presidential appointee's office space, Fygi said.

"While the department appreciates and respects the GAO's role, its opinions are not legally binding on executive branch agencies," Fygi said.

Along with the wingback chair and sofa, DOE spent $760 on two side chairs and $896 for two round back chairs of "two different fabrics" in Perry's office, the documents show.

The list of expenditures occurring in the Forrestal Building since January of last year reveal $577,000 spent on staff offices, $650,00 for routine painting and $750,000 for a planned renovation of the first-floor conference room.

Projects are reviewed by the DOE's Office of Management and Office of the General Counsel to ensure compliance with the law, DOE said.

Jeff Navin, who served as acting and deputy chief of staff at DOE during the Obama administration, said Perry has done a good job avoiding the spending scandals that have plagued Pruitt, Zinke and others, "so you can understand the motivation to stay ahead of this story, get out all the details and keep appropriators in the loop."

"It doesn't look like there is anything in either the secretary's office or the deputy secretary's office that is over the top or would trigger public outrage," he said.

FEDERAL WORKFORCE

Agency employees, Jeff Bezos up for government 'Oscars'

Nick Sobczyk, E&E News reporter

Published: Monday, May 7, 2018

Employees from EPA and the departments of Energy and the Interior are in the running for distinguished civil service awards.

The Partnership for Public Service yesterday announced 27 finalists for its Samuel J. Heyman Service to America Medals, known as the "Sammies" for short.

The group will be honored at a ceremony tomorrow to commemorate Public Service Recognition Week, and seven winners will be crowned at an Oct. 2 gala in Washington.

"Amid the political headlines, it's easy to overlook our nation's career public servants who perform the essential day-to-day work of government," said Max Stier, president and CEO of the Partnership for Public Service, in a statement. "That's why the Service to America Medals are so important — they showcase the many remarkable men and women who assist their fellow Americans with passion to maintain the safety, health and prosperity of the nation."

Gerald Ankley. EPA

Among the finalists for the career achievement medal is Gerald Ankley, an EPA research toxicologist who for decades has been at the forefront of studying chemical contamination in the Great Lakes.

His nearly 500 scientific papers have helped researchers identify chemicals like PCBs and dioxins in lakes and rivers and laid the groundwork for EPA regulations.

"He has that elite scientific knowledge and understanding, but there's no ambiguity in his commitment," Tina Bahadori, director of EPA's National Center for Environmental Assessment, told the partnership. "His job, his passion, is to do the work that makes this country and this planet a safer place to live. That's been his lifetime commitment and it's been unwavering."

Judith Lynn Allaire DesHarnais of the Army Corps of Engineers' St. Paul District is also up for the career achievement award for directing a series of major flood control projects. So is Allen Hefner of the National Institute of Standards and Technology for developing a power semiconductor model that revolutionized the electronics industry.

Interior's Mark Bathrick and his team of employees have been nominated for the homeland security and law enforcement medal for building the nation's largest civilian drone fleet. The department uses its 312 unmanned aerial vehicles to spot wildfires and pipeline leaks, as well as in wild horse roundups.

"Mark's program at Interior is the gold standard for civilian use of unmanned aerial vehicles in government," Philip Hall, who heads the drone initiative at NOAA, told the group.

DOE, meanwhile, will send Barbara Kutchko to the October gala. Kutchko is in the running for the science and environment medal for developing new industry standards for the foamed cement that lines oil wells after the 2010 Deepwater Horizon accident.

A pair of federal employees are also on the list of finalists for developing new ways to prepare for natural disasters. Tim Schmit is vying for the science and environment medal for helping create new weather satellite technology for NOAA. Jordan Manos is up for the promising innovation medal for saving the Federal Emergency Management Agency an estimated $20 million with new damage assessment techniques in the aftermath of Hurricane Harvey.

The winners of the awards will be chosen by a group of leaders from the public and private sectors, including Axios founder and CEO Jim VandeHei, Reps. David Price (D-N.C.) and Phil Roe (R-Tenn.), author Michael Lewis, and American University President Sylvia Mathews Burwell.

The Partnership for Public Service calls its medals the Oscars of government service.

But the Oct. 2 gala could feature one person who has attended the real Oscars: Amazon CEO Jeff Bezos.

The group will award Bezos its first ever private-sector Service to America Medal for collaborating with the federal government on advancements in cloud computing, space exploration and sustainable energy.

AIR POLLUTION

Illinois AG charges favoritism on ozone designation

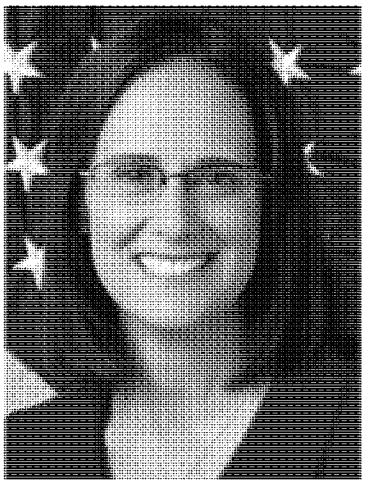
Sean Reilly, E&E News reporter

Published: Monday, May 7, 2018

Illinois Attorney General Lisa Madigan (D) is threatening a lawsuit after EPA reversed course last week on a closely watched compliance decision for a southeastern Wisconsin county slated to be home to a huge manufacturing complex.

In a Friday news release, Madigan said she would file suit within 60 days after EPA publishes the final rule deeming Racine County in attainment with its 2015 ground-level ozone standard of 70 parts per billion. A nonattainment designation would have forced Foxconn Technology Group to install "the most stringent pollution control equipment" for the complex, according to the release.

Instead, Madigan said, EPA "is putting a company's profit ahead of our natural resources and the public's health."



Lisa Madigan. @LisaMadigan/Twitter

An EPA spokeswoman, citing the agency's policy on pending litigation, would not comment this morning.

EPA last year had recommended a nonattainment listing for Racine County, based in part on 2016 monitoring data that showed ozone levels well above the 70 ppb threshold. But Wisconsin Gov. Scott Walker's administration had argued that the bulk of ozone-forming emissions around that part of Lake Michigan came from the Chicago area, not far to the south, and that the county instead warranted an attainment listing. In its decision announced last week, EPA did not offer a detailed explanation for its about-face but said the final nonattainment boundaries, which exclude Racine County, "are consistent with the state's input."

The Wisconsin-area designations were among hundreds announced last week by EPA in accordance with a court-ordered timetable (*Greenwire*, May 1). The Chicago area, within a 90-minute drive from Racine County, was among the areas listed in nonattainment for the 70 ppb standard.

The planned Foxconn plant, which will make consumer electronics and imaging equipment, is ultimately supposed to provide thousands of jobs. Walker, a Republican who helped lure the Taiwan-based company to Wisconsin with a $4 billion incentives package, has promoted it as an economic boon.

"With up to 13,000 jobs and a capital investment up to $10 billion, Foxconn's investment in Wisconsin is by far the state's largest economic development project and is the largest corporate attraction project in U.S. history, as measured by jobs," he said on Twitter this morning.

But the complex will also be a major new source of air pollution, according to an analysis by the environmental group Clean Wisconsin, which found that it would add significantly to emissions of ozone-forming nitrogen oxides and volatile organic compounds.

Ozone, the main ingredient in smog, is linked to asthma attacks in children and worsened breathing problems for people with emphysema and chronic respiratory diseases. EPA tightened the standard in 2015 from its previous 75 ppb level after determining that a stricter limit was needed to adequately protect public health. The attainment designations, which were all supposed to have been made by last October, are a key step because they start the clock for states to come up with cleanup plans for areas that are out of compliance.

NUCLEAR

Idaho university loses a gram of radioactive plutonium

Published: Monday, May 7, 2018

Idaho State University has lost about 1 gram of radioactive, weapons-grade plutonium.

The Nuclear Regulatory Commission proposed a $8,500 fine. Officials say that amount could be used to create a dirty bomb, though it's not enough for a nuclear bomb.

The plutonium was being used for research to make sure nuclear waste containers were not leaking.

School officials blamed a paperwork problem. Records from 14 and 15 years ago noted that the plutonium was awaiting disposal, but no documents indicated the disposal took place.

"Unfortunately, because there was a lack of sufficient historical records to demonstrate the disposal pathway employed in 2003, the source in question had to be listed as missing," said Cornelis Van der Schyf, vice president for research at the university (Keith Ridler, Associated Press, May 4). **— NB**

HAWAII

As lava destroys 26 homes, there's also a silent threat: Vog

Published: Monday, May 7, 2018

The fissures spewing lava near Hawaii's Kilauea volcano have highlighted a silent danger on the islands: volcanic smog.

The hazy air pollution, often called "vog," isn't a killer. But it has sickened thousands of visitors and residents over the years during periods of unfavorable winds. In past years, vog has spread as far as 200 miles.

The vents near Kilauea are currently spewing sulfur dioxide, which reacts to the air and sunlight to create gases similar to those given off by sulfurous coal-burning power plants, according to the Hawaii Interagency Vog Information Dashboard.

The result is a hazy, acrid-smelling fog that can cause respiratory issues and headaches.

That's concerning for local officials, who are still urging about a dozen people living near the Kilauea eruptions to evacuate. But even if they leave, the vog may follow with the wind, said Jeffrey Kam, head of allergy and immunology at Straub Medical Center in Honolulu.

"These poor people are stuck down there," he said. "You try to evacuate, but some of these evacuation centers are now getting inundated with the chemical smells and stuff, and they have to relocate them" (Allyson Chiu, *Washington Post*, May 7).

The eruption has so far destroyed 26 homes, and four structures are covered with lava, state officials said.

More than 1,700 residents have been evacuated, though some were able to return briefly to retrieve pets, medication and other important items.

The destroyed homes were in the Leilani Estates subdivision, where up to 10 fissures are venting lava, U.S. Geological Survey volcanologist Wendy Stovall said.

No one knows when the lava will stop flowing. "There's more magma in the system to be erupted," she said. "As long as that supply is there, the eruption will continue" (Jones/Peltz/Yan, Associated Press, May 7). **— NS**

AIR POLLUTION

EPA rejects petition to test downwind of Canadian smelter

Published: Monday, May 7, 2018

EPA rejected a petition from over 100 Washington state residents to conduct air quality testing downwind of a Canadian lead and zinc smelter, one of the world's largest.

Monitoring the air for two years would cost about $300,000, and the state will look into funding options.

State modeling found that Teck Resources Ltd. could be sending the highest known arsenic and lead levels in the region across the border.

Testing in the area halted in 2009.

Long-term exposure to heavy metals could cause cancer.

EPA officials said more testing is not needed. Teck has modernized the facility, and company officials said it has drastically cut air and water emissions.

"From our evaluation of data collected in 1999 to 2009, we believe that the risk to you from the outdoor air in Northport [Wash.] is low," wrote Cami Grandinetti, manager in EPA's remedial cleanup program (Becky Kramer, *Spokane Spokesman-Review*, May 5). **— NB**

VW SCANDAL

Germany won't extradite former Volkswagen CEO to U.S.

Published: Monday, May 7, 2018

The U.S. indictment of Volkswagen AG's former CEO has hardly made ripples in Germany.

Martin Winterkorn, who served as CEO from 2007 to 2015, was charged last week with conspiracy and wire fraud in connection with the criminal investigation into the company's attempts to cheat on U.S. diesel emissions tests (*Greenwire*, May 4).

The Justice Department's indictment was one of the highest-profile prosecutions in the United States in decades.

But in Germany, where Winterkorn was born and currently lives, the justice ministry has no plans to extradite the 70-year-old. And accounts of the indictment in the German media have been largely overshadowed by other news stories.

The German government has declined to comment on the charges. So has Wolfgang Porsche, the head of the family that controls most of VW's voting stock (William Boston, *Wall Street Journal*, May 4).

Meanwhile, DOJ has granted VW's new CEO a rare safe-passage deal, according to two people familiar with the matter.

The deal means Herbert Diess, who was promoted last month to lead the company, is free to travel the world without fear of being arrested in connection with the emissions cheating scandal, the sources said (Schoenberg/Rauwald, Bloomberg, May 7). **— MJ**

BUSINESS

Now Tesla's Elon Musk wants to start a candy company

Published: Monday, May 7, 2018

Billionaire inventor Elon Musk has a sweet new idea: launching a candy company.

The force behind Tesla Inc. and SpaceX tweeted Saturday, "I'm starting a candy company & it's going to be amazing."

He added in a second tweet, "I am super super serious."

The venture appears to be partly aimed at challenging Warren Buffett's Berkshire Hathaway Inc., which owns See's Candies Inc. (Charisse Jones, *USA Today*, May 6). **— MJ**

PAKISTAN

23 dead in coal mine methane explosions

Published: Monday, May 7, 2018

Methane gas explosions Saturday killed 23 people in two coal mines in Pakistan.

Mine inspectors said the rescue operations have been completed. Sixteen people died in the first blast and seven in the second.

Southwestern Pakistani coal mines are known for dangerous conditions. The explosions were not linked (AP/*Los Angeles Times*, May 6).

Another mine disaster in Poland left two dead and three missing after an earthquake hit yesterday morning in the southern part of the country.

The three missing are nearly 3,000 feet below ground. Over 200 workers joined rescue efforts (Monika Scislowska, Associated Press, May 6). **— NB**

AN E&E NEWS PUBLICATION

CLIMATEWIRE — Tue., May 8, 2018

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Climate champion Schneiderman exits after abuse allegations

New York Attorney General Eric Schneiderman (D) abruptly resigned last night following allegations that he had physically abused at least four women.

TOP STORIES

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N.Y. takes climate cues from Okla.

3. TOURISM:
Globe-trotting makes up 8% of all carbon emissions

TRUMP ADMINISTRATION

4. AUTOS:
Calif. preps for war over car rules

5. PARIS AGREEMENT:
U.S. skirts accord, talks 'innovation' at summit

SCIENCE

6. ARCTIC:
NOAA: Human-caused climate change spiked temperatures

7. ADAPTATION:
Artificial intelligence used to interpret 'climate signals'

8. SPECIES:
Higher temperatures are waking bears up

STATES

9. COURTS:
3 states fight for cities in suits against oil giants

10. ELECTRICITY:
Tenn. power agency moves away from coal

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11. FORESTS:
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TECHNOLOGY

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Jennifer Turley, Law Librarian
Arctic Slope Mission Services (ASMS) Contractor
U.S. Environmental Protection Agency
Office of General Counsel
202/564-3971
turley.jennifer@epa.gov

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 11/29/2018 5:40:23 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: EEPI SIT Call - Draft Agenda

Draft agenda for next week's December 5 SIT call. Anything else?

Deliberative Process / Ex. 5

Message

From: Sorrell, Virginia [Sorrell.Virginia@epa.gov]
Sent: 8/8/2018 8:46:28 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: FW: O&G Storage Vessel - pager
Attachments: OG.SVpager8.9.18final_ahb_vas.docx

Apple and Tim,

Attached is the latest briefing paper for Bill Wehrum for tomorrow. Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Please let me know your thoughts so that I can be sure that I am communicating OECA's positions correctly.

Thanks,
Ginny

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Phone: 303-312-6669

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Sorrell, Virginia
Sent: Wednesday, August 8, 2018 2:37 PM
To: Branning, Amy <Branning.Amy@epa.gov>; Marsh, Karen <Marsh.Karen@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: O&G Storage Vessel - pager

See attached for my thoughts on top of Amy's thoughts sent at 3:31 EST. I am not sure how this version relates to the version Amy linked to at 4:20 EST.

Virginia Sorrell
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency

Phone: 303-312-6669

This email, including attachments, may contain material that is confidential, privileged, and/or attorney work product.

From: Branning, Amy
Sent: Wednesday, August 8, 2018 1:31 PM
To: Marsh, Karen <Marsh.Karen@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Subject: RE: O&G Storage Vessel - pager

Here are my very quick comments.

Amy Huang Branning
EPA Office of General Counsel
phone: (202) 564-1744
fax: (202) 564-5603 or (202) 564-0070

This message may contain sensitive, privileged information covered by the deliberative process, attorney-client and/or attorney work product privileges. If you believe you have received this e-mail in error, please notify me and delete the e-mail immediately.

From: Marsh, Karen
Sent: Wednesday, August 08, 2018 3:03 PM
To: Branning, Amy <Branning.Amy@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>
Subject: FW: O&G Storage Vessel - pager

FYI – pager for Wehrum briefing tomorrow.

****

Karen R. Marsh, PE
US EPA, OAQPS, Sectors Policies and Programs Division
Fuels and Incineration Group
109 TW Alexander Drive, Mail Code E143-05
Research Triangle Park, NC 27711
Direct: (919) 541-1065; email: marsh.karen@epa.gov

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 5/3/2018 4:58:36 PM
To: Hull, George [Hull.George@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
Subject: FW: New OECA audit policy (IMPORTANT)

Good Afternoon George –

Deliberative Process / Ex. 5

I am off tomorrow, and what to provide the best product before I leave. I can take the last version of the Refresh we sent up, but I think you may have made edits.

Please advise.

Thanks

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Bodine, Susan
Sent: Thursday, May 3, 2018 12:44 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: New OECA audit policy

Deliberative Process / Ex. 5

From: Starfield, Lawrence
Sent: Tuesday, April 24, 2018 5:54 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: New OECA audit policy

Susan and Patrick,

As we move forward with the pilot project for audits in the old and gas sector, I had a couple of suggestions on messaging:

Deliberative Process / Ex. 5

A couple of suggested edits to the earlier message on this are included below.

Larry

From: "Hull, George" <Hull.George@epa.gov>
Date: April 20, 2018 at 11:37:27 AM EDT
To: "Bodine, Susan" <bodine.susan@epa.gov>
Cc: "Chapman, Apple" <Chapman.Apple@epa.gov>
Subject: New OECA audit policy

Susan,
This is language that was developed by OCE for posting on our website. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Please let me know what you think. - George

Deliberative Process / Ex. 5

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 7/20/2018 6:42:17 PM
To: Shiffman, Cari [Shiffman.Cari@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Kenney, James [Kenney.James@epa.gov]
Subject: Re: Inquiry from Inside EPA newsletter about public comments

Deliberative Process / Ex. 5

Sent from my iPhone

On Jul 20, 2018, at 2:34 PM, Shiffman, Cari <Shiffman.Cari@epa.gov> wrote:

> So how do you recommend we respond then?
>
> Thanks,
>
> Cari Shiffman, Chief of Staff
> U.S. Environmental Protection Agency
> Office of Enforcement and Compliance Assurance
> Office: (202) 564-2898 | Mobile: Personal Phone / Ex. 6
>
> ---
>
> **From:** Fried, Gregory
> **Sent:** Friday, July 20, 2018 2:33 PM
> **To:** Shiffman, Cari <Shiffman.Cari@epa.gov>
> **Cc:** Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Kenney, James <Kenney.James@epa.gov>
> **Subject:** Re: Inquiry from Inside EPA newsletter about public comments
>
> Cari,
>
> **Deliberative Process / Ex. 5**
>
> Greg
>
> Sent from my iPhone
>
> On Jul 20, 2018, at 2:15 PM, Shiffman, Cari <Shiffman.Cari@epa.gov> wrote:
>
>> Jim,
>>
>> Do we have a link to the public docket?
>>
>> Thanks,
>>
>> Cari Shiffman, Chief of Staff
>> U.S. Environmental Protection Agency
>> Office of Enforcement and Compliance Assurance

Office: (202) 564-2898 | Mobile: Personal Phone / Ex. 6

From: Daguillard, Robert
Sent: Friday, July 20, 2018 11:34 AM
To: Shiffman, Cari <Shiffman.Cari@epa.gov>
Subject: Fwd: Inquiry from Inside EPA newsletter about public comments

Cari, as requested.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Personal Phone / Ex. 6 (M)
202-564-6618 (O)

Begin forwarded message:

> **Resent-From:** <Press@epa.gov>
> **From:** David Reynolds <dreynolds@iwpnews.com>
> **Date:** July 17, 2018 at 3:46:32 PM EDT
> **To:** Press <Press@epa.gov>
> **Subject: Inquiry from Inside EPA newsletter about public comments**
>
> Hello:
>
> I would like to ask if there is a public docket for comments submitted on EPA's draft audit policy for new owners of oil and gas facilities.
>
> EPA took comment on the draft policy through July 2.
> https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production
>
> If there is no public docket, is it possible for EPA to provide a copy of the comments received? If not, could you provide a brief explanation why comments on this draft policy are not publicly available when comments on most other draft EPA rules and guidance documents are made available through regulations.gov?
>
> I would appreciate any assistance you can provide.
>
> Sincerely,
> Dave
> *Inside EPA* newsletter
> Personal Phone / Ex. 6

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 9/11/2018 10:11:16 PM
To: Jonesi, Gary [Jonesi.Gary@epa.gov]
CC: Milton, Philip [Milton.Philip@epa.gov]; Smith-Watts, David [Smith-Watts.David@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: OMB Pre-Brief

I recall there were talking points that Apple/Tim had the lead on and Phil saw them briefly before they went up. I have a vague recollection that it was late the week before the refresh (5/15/18) but I didn't find them when I searched - but got pulled off onto other things. I'm not really too worried about it.

From: Jonesi, Gary
Sent: Tuesday, September 11, 2018 6:09 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Milton, Philip <Milton.Philip@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: OMB Pre-Brief

Sure, will do it in the morning. Deliberative Process / Ex. 5

--Gary

Be kind to the environment.
Please do not print this email unless necessary.

Gary A. Jonesi
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (Rm. 4102-C)
Washington, D.C. 20004

202-564-4002 (direct)
Personal Phone / Ex. 6 (cell)
jonesi.gary@epa.gov

From: Porter, Amy
Sent: Tuesday, September 11, 2018 4:12 PM
To: Jonesi, Gary <Jonesi.Gary@epa.gov>
Cc: Milton, Philip <Milton.Philip@epa.gov>; Smith-Watts, David <Smith-Watts.David@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: OMB Pre-Brief

Gary – Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I want to make sure Phil, David, and Apple see the slides as well so please circulate.

Thanks,
Amy

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 3:27 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Deliberative Process / Ex. 5

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:49 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

OK thanks.

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:44 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Thx. If John D is at this afternoon's briefing I can mention to him that the two of you should get together.

I also just talked w/Dave Swack Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:40 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

See highlights. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:35 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Ok, will let you know what happens. Who is your principal OC counterpart for this?

From: Porter, Amy
Sent: Tuesday, September 11, 2018 2:30 PM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Hi John – No one from OC has reached out to me. Happy to help and standing by….

Thanks
Amy

From: Fogarty, Johnpc
Sent: Tuesday, September 11, 2018 2:11 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Subject: RE: OMB Pre-Brief

Amy – Personal Matters / Ex. 6 Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Has anyone from OC reached out to you on this? Thx.

Deliberative Process / Ex. 5

-----Original Appointment-----
From: Bodine, Susan
Sent: Tuesday, September 04, 2018 2:42 PM
To: Bodine, Susan; Starfield, Lawrence; Traylor, Patrick; Dombrowski, John; Mckeever, Michele; Kelley, Rosemarie; Mackey, Cyndy; DeLeon, Rafael; Badalamente, Mark; Swack, David; Warren, JohnM; Sullivan, Greg
Cc: Fogarty, Johnpc; McCray, Deborah; Deloatch, Melinda; Stanley, Pam; Pointer, Shereta; Alston, Wanda; Strickland, Francine; James, Christina; Barnet, Henry; Mazakas, Pam; Leff, Karin; Toy, Nancy; Conner, Debra; Lucas, Catherine; Gardner, Monica; Healy, Helena
Subject: FW: OMB Pre-Brief

When: Tuesday, September 11, 2018 3:15 PM-4:15 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216WJC-South

All, wanted to let you know that the meeting below has been scheduled with your OD/DOD for next Tuesday. This is our first pre-brief for our upcoming FY 20 OMB budget hearing. The hearing itself will take place on the 19th. The meeting invite includes a list of possible slides (and office leads) for the hearing. T Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 If past form holds, there will likely be another pre-brief before the hearing on the 19th. You can also expect drafts to be circulating after the meeting on the 11th.

If you have any questions, let me or John know.

David

-----Original Appointment-----
From: Bodine, Susan
Sent: Tuesday, September 04, 2018 2:32 PM
To: Bodine, Susan; Starfield, Lawrence; Traylor, Patrick; Dombrowski, John; Mckeever, Michele; Kelley, Rosemarie; Mackey, Cyndy; Sullivan, Tim; DeLeon, Rafael; Badalamente, Mark; Swack, David; Warren, JohnM
Subject: OMB Pre-Brief
When: Tuesday, September 11, 2018 3:15 PM-4:15 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216WJC-South

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 4/12/2018 11:15:44 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Couple of things

YES! Namaste!!

From: Chapman, Apple
Sent: Thursday, April 12, 2018 4:46 PM
To: Kenney, James <Kenney.James@epa.gov>
Subject: Re: Couple of things

Can we move the meeting to start at 11 my time? Personal Matters / Ex. 6

Sent from my iPhone

On Apr 12, 2018, at 5:05 PM, Kenney, James <Kenney.James@epa.gov> wrote:

> Hi Apple, Can we talk tomorrow morning? Personal Matters / Ex. 6
> Personal Matters / Ex. 6 | Deliberative Process / Ex. 5
> Deliberative Process / Ex. 5 I'll add something to our calendars... what a day!
>
> Thanks,
> Jim
>
> ---
>
> **From:** Chapman, Apple
> **Sent:** Thursday, April 12, 2018 6:41 AM
> **To:** Kenney, James <Kenney.James@epa.gov>
> **Subject:** Couple of things
>
> Let's chat today or tomorrow about Deliberative Process / Ex. 5
> Deliberative Process / Ex. 5
> Deliberative Process / Ex. 5 Personal Matters / Ex. 6
> Personal Matters / Ex. 6
> Let me know your availability.
> Thanks!
>
> *Ms. Apple Chapman* | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 6/27/2018 5:13:56 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: RE: EEPI SIT July Call

Ok – will do.

For our August call, let me know if you have any agenda items. I can think of a possible few right now:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, June 27, 2018 12:58 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: RE: EEPI SIT July Call

I think you can cancel.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

From: Lischinsky, Robert
Sent: Wednesday, June 27, 2018 11:38 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>
Subject: EEPI SIT July Call

Our July call falls on the 4th. Unless you would like the call rescheduled for another day, I will cancel and we will move forward with having our next call on Wednesday, August 1.

Rob

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/27/2018 6:10:39 PM
To: Milton, Philip [Milton.Philip@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner Audit Program - draft for review (Milton's Review)

Thank you for your review and comments, Phil – they are much appreciated.

Deliberative Process & Attorney-Client / Ex. 5

We will let you know if we have any additional questions on your comments.

Thanks again –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Milton, Philip
Sent: Friday, April 27, 2018 8:44 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: FW: New Owner Audit Program - draft for review (Milton's Review)

Agency Deliberative Process – Please do not release

Dear O&G New Owner Sector Audit Program Team

Deliberative Process & Attorney-Client / Ex. 5

If you would like to discuss, please do not hesitate to contact me.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Friday, April 20, 2018 2:22 PM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: New Owner Audit Program - draft for review (Milton's Review)

Agency Deliberative Process – Please do not release

Amy and Gary –

Deliberative Process & Attorney-Client / Ex. 5

I have some other comments, that I consider minor in the document as well, please let me know if you have other comments you would like included. Otherwise I intend to share this with Apple, Tim and Chris no later than next Thursday.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Friday, April 20, 2018 6:36 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: FW: New Owner Audit Program - draft for review

FYI – I reviewed earlier versions, I have not reviewed this one. I will let you know if I have any significant concerns.

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Thursday, April 19, 2018 5:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy. I Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: OKeefe, Susan [OKeefe.Susan@epa.gov]
Sent: 5/24/2018 5:52:57 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]
Subject: Re: Letter to Tribal Leaders

Deliberative Process & Attorney-Client / Ex. 5

Thanks,

SOK

Sent from my iPhone

On May 23, 2018, at 4:08 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> Rosemarie,
> Attached is the draft letter for your review. As you know, the date of the stakeholder meetings is being pushed to the week of June 11 or June 25 **Deliberative Process / Ex. 5** **Deliberative Process / Ex. 5** I am not available to join the XPS general tomorrow but I will get a debrief from Susan and Amy.
> Thanks.
>
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| **Personal Phone / Ex. 6** (mobile)|
>
> <Draft Letter to 11 Tribes Re Draft New Owner Audit Program Agrmt 5.22. 18.(AC).docx>

Message

From: Gonzalez, Christina [Gonzalez.Christina@epa.gov]
Sent: 4/19/2018 9:53:44 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: New Owner Audit Program - draft for review

Thanks. I'm going to ask Darrin. I'm the admin and probably won't be making such decisions.

Christina Gonzalez
Administrative Assistant to the Director of Compliance Assurance, and Enforcement
Environmental Protection Agency, Region 6
1445 Ross Ave.
Dallas, TX 75202
214-665-8597

From: Chapman, Apple
Sent: Thursday, April 19, 2018 4:51 PM
To: Gonzalez, Christina <Gonzalez.Christina@epa.gov>
Subject: Re: New Owner Audit Program - draft for review

I sent it to the entire AEM list. Please forward to anyone else you think should review it. Please note that the AEMs are not just attorneys and not every region has oil and gas activities. Thanks.

Sent from my iPhone

On Apr 19, 2018, at 5:46 PM, Gonzalez, Christina <Gonzalez.Christina@epa.gov> wrote:

> Was this supposed to go me or the lawyer, Kristina Gonzales?
>
> Christina Gonzalez
> Administrative Assistant to the Director of Compliance Assurance, and Enforcement
> Environmental Protection Agency, Region 6
> 1445 Ross Ave.
> Dallas, TX 75202
> 214-665-8597
> <image006.png> <image007.png> <image008.png> <image009.png> <image010.png>
>
> **From:** Chapman, Apple
> **Sent:** Thursday, April 19, 2018 4:15 PM
> **To:** Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
> **Cc:** Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
> **Subject:** New Owner Audit Program - draft for review
>
> **Deliberative Process / Ex. 5**
> **Deliberative Process / Ex. 5** Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at

the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th for potential incorporation into the draft Deliberative Process / Ex. 5 Deliberative Process / Ex. 5

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 9/4/2018 8:28:47 PM
To: Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Chavez, Kimberly [Chavez.Kimberly@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Kline, James [Kline.James@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Palmer, Daniel [Palmer.Daniel@epa.gov]
CC: augustine, bruce [augustine.bruce@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: AGENDA: September 5 Energy Extraction SIT Call
Attachments: Transition from National Enforcement Initiatives to National Compliance Initiatives (Aug. 21 2018).pdf

Agenda for our call this Wednesday at 3:00pm (eastern):

Deliberative Process / Ex. 5

HQ folks can meet in Conference Room 7140.

-----Original Appointment-----
From: Lischinsky, Robert
Sent: Monday, October 02, 2017 10:12 AM
To: Lischinsky, Robert; Theis, Joseph; Pollins, Mark; Beers, Samantha; Dubose, Dick; Triantafillou, Kathy; Anderson, Andrew; Fried, Gregory; Speir, Jeffrey; Russo, Todd; Mastro, Donna; Spagg, Beverly; Patefield, Scott; Elkins, Timothy; Buterbaugh, Kristin; Thompson, Steve; Saunders, Jerry; Larson, Darrin; Chadwick, Dan; Lindsey, William; Chapman, Apple; Fite, Mark; Thurmon, Clarke; Mia, Marcia; Chavez, Kimberly; Piantanida, David; Beeler, Cindy; Sullivan, Tim
Cc: augustine, bruce; Loukeris, Constantinos; Topinka, Natalie; Dressel, Paul; Denton, Loren; Tidmore, Guy; Eckhart, Jeanne
Subject: Energy Extraction NEI - Monthly SIT Calls
When: Wednesday, September 05, 2018 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call Number Conference Line/Code / Ex. 6 ; Conference ID: Conference Line/Code / Ex. 6

Update: Please note new call-in number:

Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

This is the recurring calendar invite for the Monthly EEPI SIT call held the 1st Wednesday of each month from 3:00-4:30pm Eastern Time. An agenda will be sent out each month prior to the call.

Thanks.

Rob

Message

From: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Sent: 12/10/2018 3:33:23 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
CC: Brooks, Phillip [Brooks.Phillip@epa.gov]
Subject: FW: Draft Tallgrass CAFO
Attachments: Tallgrass CAFO.DOCX; CIG CAFO.pdf

See note from Susan below.

Rosemarie

From: Bodine, Susan
Sent: Monday, December 10, 2018 10:16 AM
To: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Brooks, Phillip <Brooks.Phillip@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>
Subject: FW: Draft Tallgrass CAFO

Rosemarie,

Deliberative Process / Ex. 5

Susan

From: Traylor, Patrick
Sent: Thursday, December 6, 2018 10:21 AM
To: Bodine, Susan <bodine.susan@epa.gov>
Subject: FW: Draft Tallgrass CAFO

Susan, the note from Greg Fried below is a good summary of the matter; **Deliberative Process & Attorney-Client / Ex. 5**

Deliberative Process & Attorney-Client / Ex. 5

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
Personal Phone / Ex. 6 (m)
202.564.5238 (o)

From: "Fried, Gregory" <Fried.Gregory@epa.gov>
To: "Brooks, Phillip" <Brooks.Phillip@epa.gov>

Cc: "Chapman, Apple" <Chapman.Apple@epa.gov>
Subject: Draft Tallgrass CAFO

Phill,

Deliberative Process & Attorney-Client / Ex. 5

Greg

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/30/2018 7:52:39 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: FW: More recent Q&A document.
Attachments: OG New Owner Program - Qs&As - Draft_05.30.2018.docx; Questions and Answers on Interim Approach FR August 1, 2008.doc

Apple and Jim:

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Milton, Philip
Sent: Friday, May 25, 2018 8:16 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: More recent Q&A document.

Resending (adding Tim Sullivan to the cc's, sorry Tim)

Agency Deliberative Process – Please do not release

Apple

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Friday, May 25, 2018 8:08 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

> ***Agency Deliberative Process – Please do not release***
>
> Dear AED
>
> Deliberative Process / Ex. 5
>
> I would be happy to review any that you develop for the New Owner CAA Audit Program.
>
> V/r
>
> Phil
>
> Philip L. Milton
> **Chemical Engineer I U.S. Environmental Protection Agency**
> Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
> **1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460**
> Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010
>
> **From:** OKeefe, Susan
> **Sent:** Thursday, May 24, 2018 2:01 PM

To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Letter to Tribal Leaders

Phil - A Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
electronically. If possible, can you send them to Apple, Tim Sullivan, Christopher Williams and Jim Kenney? T Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Many thanks, Phil!!

Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Date:** May 23, 2018 at 3:35:53 PM EDT
> **To:** "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Cc:** "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>
> **Subject: RE: Letter to Tribal Leaders**
>
> See my responses below in red.
>
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|
>
> ---
>
> **From:** OKeefe, Susan
> **Sent:** Wednesday, May 23, 2018 3:15 PM
> **To:** Chapman, Apple <Chapman.Apple@epa.gov>
> **Cc:** Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
> **Subject:** Re: Letter to Tribal Leaders
>
> Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow. Sure. I will be working from home and my calendar is up to date.
>
> Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks! If the logistics have not been nailed down, the letter could go out now but I hope we could get back to the tribes by email very soon with date, time, etc. Deliberative Process / Ex. 5
> Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks. This would be helpful.

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,
I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Can Rosemarie send out the letter without having the final date included? Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

The tribal meeting will be separate.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 Personal Matters / Ex. 6 and won't get there until 10:30.) Can you be available?

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.

Thanks!

Susan

Sent from my iPhone

Begin forwarded message:

From: "Binder, Jonathan" <Binder.Jonathan@epa.gov>
Date: May 23, 2018 at 12:04:20 PM EDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Cc: "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
Subject: RE: stakeholder meetings

Thanks for the update. I've got two thoughts:

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I am now looking at June 11 – 13 or June 25-

28. The meeting with the tribes will have to move as well. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 |(mobile)|

<Questions and Answers on Second FR July 31.doc>

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 8/23/2018 6:17:29 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: TODAY IN ENERGY: Permian region is expected to drive U.S. crude oil production growth through 2019

This is a start... Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,
Jim

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

--
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple
Sent: Thursday, August 23, 2018 11:03 AM
To: Kenney, James <Kenney.James@epa.gov>
Subject: RE: TODAY IN ENERGY: Permian region is expected to drive U.S. crude oil production growth through 2019

If you have time, yes. It would be very helpful!

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Kenney, James
Sent: Thursday, August 23, 2018 1:02 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: TODAY IN ENERGY: Permian region is expected to drive U.S. crude oil production growth through 2019

Let me know how I can be helpful. I do think some talking points for your might be of use …want me to send you something? Personal Matters / Ex. 6 … Hahaha!

--
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple
Sent: Thursday, August 23, 2018 9:34 AM
To: Kenney, James <Kenney.James@epa.gov>
Subject: RE: TODAY IN ENERGY: Permian region is expected to drive U.S. crude oil production growth through 2019

Thanks. Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Kenney, James
Sent: Thursday, August 23, 2018 11:26 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: TODAY IN ENERGY: Permian region is expected to drive U.S. crude oil production growth through 2019

Deliberative Process / Ex. 5

Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Today In Energy [mailto:todayinenergy@eia.gov]
Sent: Thursday, August 23, 2018 6:08 AM
To: Kenney, James <Kenney.James@epa.gov>
Subject: TODAY IN ENERGY: Permian region is expected to drive U.S. crude oil production growth through 2019

Independent Statistics & Analysis
U.S. Energy Information Administration

TODAY IN ENERGY: Thursday, August 23, 2018

Permian region is expected to drive U.S. crude oil production growth through 2019

EIA's August *Short-Term Energy Outlook* (STEO) forecasts that U.S. crude oil production will average 10.7 million barrels per day (b/d) in 2018 and 11.7 million b/d in 2019. If realized, both of these forecast levels would surpass the previous record of 9.6 million b/d set in 1970. This national increase is almost entirely driven by tight oil. In particular, the Permian region in western Texas and eastern New Mexico is expected to account for more than half of the growth in crude oil production through 2019.

See graph and read more...

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 8/8/2018 5:10:02 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Feedback from Patrick

Yes – let's talk later when you are free. It looks like you free up around 2 pm eastern and I head into a settlement meeting at 4 pm eastern Deliberative Process / Ex. 5 Do you want to call me when you have a few minutes? T Deliberative Process & Attorney-Client / Ex. 5
Deliberative Process & Attorney-Client / Ex. 5

Thanks –

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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http://www.epa.gov/compliance/complaints/index.html

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From: Chapman, Apple
Sent: Wednesday, August 8, 2018 9:13 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Feedback from Patrick

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process / Ex. 5 Personal Matters / Ex. 6
Personal Matters / Ex. so the API meeting will have to be next week or pushed until after labor day (we can discuss timing).

Deliberative Process / Ex. 5

We can talk later today if you have time.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 9/19/2018 11:03:50 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Update on O&G audit program

Thanks

Sent from my iPhone

On Sep 19, 2018, at 6:51 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> Yes to both questions.
>
> Sent from my iPhone
>
> On Sep 19, 2018, at 5:28 PM, Porter, Amy <Porter.Amy@epa.gov> wrote:
>
> > And we would also like to be invited to the meeting with Susan and Patrick as well. You OK with that?
> >
> > **From:** Porter, Amy
> > **Sent:** Wednesday, September 19, 2018 5:19 PM
> > **To:** Chapman, Apple <Chapman.Apple@epa.gov>
> > **Subject:** RE: Update on O&G audit program
> >
> > Thanks, Apple. We would like to be involved in seeing the proposed changes as you develop them Deliberative Process / Ex. 5 Are you OK with that?
> >
> > **From:** Chapman, Apple
> > **Sent:** Wednesday, September 19, 2018 4:40 PM
> > **To:** Porter, Amy <Porter.Amy@epa.gov>
> > **Subject:** Re: Update on O&G audit program
> >
> > We are meeting with API next week. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5
> >
> > Sent from my iPhone
> >
> > On Sep 19, 2018, at 2:46 PM, Porter, Amy <Porter.Amy@epa.gov> wrote:
> >
> > > Hi Apple –
> > >
> > > I thought I'd check in again to see if there is an update on this. Does it make sense to schedule time for next week to touch base or will you not have anything to report by then?
> > >
> > > Thanks
> > > Amy
> > >
> > > Amy Porter, Director

Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: Lawrence, Rob [Lawrence.Rob@epa.gov]
Sent: 5/7/2018 1:32:51 PM
To: Kenney, James [Kenney.James@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Fwd: OIL AND GAS: EPA's self-reporting plan could be rolled out by summer

FYI

Sent from my iPhone

Begin forwarded message:

From: "Casso, Ruben" <Casso.Ruben@epa.gov>
Date: May 7, 2018 at 7:09:54 AM CDT
To: "Lawrence, Rob" <Lawrence.Rob@epa.gov>
Subject: OIL AND GAS: EPA's self-reporting plan could be rolled out by summer

OIL AND GAS: EPA's self-reporting plan could be rolled out by summer

Mike Lee, E&E News reporter

Published: Monday, May 7, 2018

OKLAHOMA CITY — An EPA plan that'll waive or reduce penalties for companies that self-report air emissions violations could be in place by June.

A senior official in the agency's enforcement and compliance office discussed the program with state oil and gas regulators gathered here for a meeting of the Interstate Oil and Gas Compact Commission. EPA on Friday posted a description of the program it's developing.

The program is designed to address the emissions from storage tanks used to hold oil, petroleum liquids and wastewater, said Patrick Traylor, EPA deputy assistant administrator for enforcement and compliance. It's one of the biggest sources of pollution from oil and gas operations.

The program is the latest move under the Trump administration and EPA Administrator Scott Pruitt to forge a collaborative relationship with the energy industry, although Traylor said EPA isn't completely abandoning tougher enforcement.

"We actually expect to have faster compliance through the use of this self-audit tool," he said. "This is one of our tools, not the only tool we'll be using in this sector."

Although it's not a formal rulemaking, EPA is taking comments on the proposal for 30 days, and it could go into effect soon after that, Traylor said.

If it's approved, the proposal would allow companies that acquire new oil and gas operations to self-audit their newly acquired properties and report any problems to EPA. The companies would then have a flexible timeline to fix the problems. In exchange, EPA would waive all or most of the civil and criminal penalties that would normally apply.

EPA has had a "new owner" program for traditional manufacturing plants since 2008. The agency has had difficulty applying it to the oil and gas industry because a typical oil field can include hundreds of tanks and other facilities.

Storage tanks are one of the major sources of pollution from the oil and gas industry. Volatile organic compounds such as benzene can leak from pressure-relief valves or from improperly secured hatches. In many cases, truck drivers open the tanks to the atmosphere when they measure the liquids that collect in tanks (*Energywire*, Aug. 22, 2017).

EPA plans to use a standard audit, based on a self-audit that the Texas-based gas producer Range Resources Corp. conducted in 2016 (*E&E News PM*, April 20).

It's similar to the approach that a half-dozen oil producing states have taken, sometimes through informal processes.

Texas and North Dakota have laws on the books that allow their state oil regulators to waive penalties for companies that report their own violations, state officials said during a roundtable discussion. Texas doesn't allow penalties to be waived, though, in cases that cause actual harm.

The Colorado Oil and Gas Conservation Commission adopted a similar policy in 2014, but it stipulates that the program doesn't apply to cases involving fraud, willful misconduct or gross negligence.

Environmentalists are likely to object to the program because it could encourage companies to flout the rules when they are developing new oil and gas fields, particularly if they plan to sell the field quickly.

That's unlikely to happen, Traylor said in an interview after his presentation.

"This shouldn't be interpreted as an incentive to not comply with the law," Traylor said.

Oil and Natural Gas New Owner Audit Program

June 28, 2018, Stakeholder Meeting 9:30 a.m. Sign in Sheet

Name/Contact Information & Organization

Apple Chapman	OECA	chapman.apple@epa.gov
Tim Sullivan	OECA	sullivan.tim@epa.gov
Adrienne Sandoval	Andeavor	adrienne.sandoval@andeavor.com
Leany Leiter	Earthworks	lleiter@earthworks.org
Matt Todd	API	toddm@api.org
Lesley Schaaff	Hess	lschaaff@hess.com
Randy Dann	DGS	randy.dann@dgslaw.com
Wayne D'Angelo	KDW	wdangelo@kelleydrye.com
J. Roger Kelley	DEPA/CLR	roger.kelley@CLR.com
Edmund Brose	Sidley Austin LLP	ebrose@sidley.com
Kathleen Sgamma	Western Energy Alliance	ksgamma@westernenergyalliance.org
Lee Fuller	IPAA	LFULLER@IPAA.ORG
Matt Morrison	Pillsbury/Range	matthew.morrison@pillsburylaw.com
Mike Sherman	Range Resources	mdsherman@rangeresources.com
Daniel Hoyt	OECA	hoyt.daniel@epa.gov
Phil Milton	OECA	MILTON.PHILIP@EPA.GOV
Marcia Mia	OECA	mia.marcia@epa.gov
Tricia Lynn	OPA	lynn.tricia@epa.gov
Maxine Joselow	ERE News	mjoselow@eenews.net
A.J. Ferate	OIPA	AJ@FERATEPLLC.com

By phone

Sarah Bartlett, PDCE
Mike Soraghan, E+E News
Andrew Grinberg, Clean Water Action
Greg Johnston, Chesapeake
Adam Berig, Encana
Christopher Williams, OECA
James Kenney, EPA

Oil and Natural Gas New Owner Audit Program

June 28, 2018, Stakeholder Meeting 1:30 p.m. Sign in Sheet

Name/Contact Information & Organization

Apple Chapman OECA
Jim Sullivan OECA
[illegible] lleitera@earthworks.org Earthworks
Phil Milton OECA MILTON.PHILIP@EPA.GOV
Vani Nayyar OECA
Angerica Li OECA
Daniel Hoyt OECA hoyt.daniel@epa.gov
JONATHAN BINDER OECA
MARCOS MIA OECA mia.marcos@epa.gov
BY phone
Maxine Paul, Pueblo of Santa Ana, Dept of Natural Resources
Michael Del Ocruz, TCEQ
Jia Parisien, ECOS
Ralph Gruebel, New Mexico Env Dept.
Shannon Duran, New Mexico Env Dept.
Nedra Murphy, New Mexico Env Dept.
Christopher Williams, OECA
James Kenney, EPA

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/23/2018 9:57:05 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23
Attachments: Energy Extraction and Production NEI AA Briefing 4 23 18.pptx

Attached is the revised PowerPoint presentation consistent with our discussion this afternoon. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5).

Deliberative Process / Ex. 5

As a reminder, we have been asked to submit updated briefing to Executive Board by Noon Tuesday.

Thanks.

Rob

From: Chapman, Apple
Sent: Monday, April 23, 2018 2:03 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

I'm free at 3:30.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Lischinsky, Robert
Sent: Monday, April 23, 2018 1:59 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Sure, I have a 2:30 I need to be at but can otherwise be available. When would you like to talk? I can come down to your office.

From: Chapman, Apple
Sent: Monday, April 23, 2018 1:47 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Can we talk through some of these?

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 mobile) |

From: Lischinsky, Robert
Sent: Monday, April 23, 2018 1:16 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

We now have more comments from David Hindin. They want a revised version by Noon Tuesday. I will provide an updated draft for review COB today.

From: Palmer, Daniel
Sent: Monday, April 23, 2018 1:01 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Rob,

See David Hindin's comments below and attached.

Can you all have a revised version for the board to review by noon tomorrow? Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Hindin, David
Sent: Monday, April 23, 2018 11:30 AM
To: Cozad, David <Cozad.David@epa.gov>; Palmer, Daniel <Palmer.Daniel@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5 I have marked up the slides with comment bubbles. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

David A. Hindin
Director, Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency, Washington, DC 20460
Phone 202-564-1300

From: Cozad, David
Sent: Friday, April 20, 2018 9:50 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/30/2018 7:50:02 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: oil and gas audit comments

'Will do.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Chapman, Apple
Sent: Wednesday, May 30, 2018 1:49 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: oil and gas audit comments

I am in a meeting. Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

From: Hull, George
Sent: Wednesday, May 30, 2018 3:32 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: oil and gas audit comments

Apple,
Could you help us with a draft answer to the press inquiry below? Thanks, George

From: Hull, George
Sent: Tuesday, May 29, 2018 5:11 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: oil and gas audit comments

Thanks, Tim. Yes, I'll loop in OPA and we will respond. - George

---

From: Sullivan, Tim
Sent: Tuesday, May 29, 2018 5:05 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: oil and gas audit comments

Hi, George.

We received the email inquiry below from E&E's Mike Soraghan. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, May 28, 2018 6:05 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: oil and gas audit comments

Hi. I'm following the "New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities" proposal. Will the comments be posted somewhere? How can we view them.

Mike Soraghan
msoraghan@eenews.net
Personal Phone / Ex. 6 (office and mobile)
@MikeSoraghan

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 4/27/2018 5:02:54 PM
To: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]
Subject: FW: IOGCC
Attachments: Draft - Agency Roundtable Work Plan (2018-04-26).docx

Hi Rosemarie – For our biweekly today, I thought we could discuss the attached document.
Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Kenney, James
Sent: Thursday, April 26, 2018 7:29 PM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: IOGCC

Robin, Nancy and Jack –
See the email chain and the attached document. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I'll keep you in the loop.
Thanks,
Jim

From: Kenney, James
Sent: Thursday, April 26, 2018 5:13 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: IOGCC

You're welcome! Glad this path forward is acceptable, I will talk to Shanita and see if we can connect for 30 minutes next week to close any loose ends before we depart for Oklahoma. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Happy to be of assistance and looking forward to seeing you soon.

Thanks,
Jim

From: Traylor, Patrick
Sent: Thursday, April 26, 2018 5:08 PM
To: Kenney, James <Kenney.James@epa.gov>
Subject: Re: IOGCC

This sounds great; thanks for staying ahead of me at every step.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

On Apr 26, 2018, at 5:12 PM, Kenney, James <Kenney.James@epa.gov> wrote:

Hi Patrick –
Following up on my comment today on the IOGCC planning call.

Deliberative Process / Ex. 5

Let me know if this sounds like a plan or you prefer a different approach. I'm here to help!
Thanks,
Jim
--

James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

<Draft - Agency Roundtable Work Plan (2018-04-26).docx>

Message

From: Gonzalez, Christina [Gonzalez.Christina@epa.gov]
Sent: 4/19/2018 9:46:21 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: New Owner Audit Program - draft for review

Was this supposed to go me or the lawyer, Kristina Gonzales?

Christina Gonzalez
Administrative Assistant to the Director of Compliance Assurance, and Enforcement
Environmental Protection Agency, Region 6
1445 Ross Ave.
Dallas, TX 75202
214-665-8597

From: Chapman, Apple
Sent: Thursday, April 19, 2018 4:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached

document prior to COB, April 27th for potential incorporation into the draft I Deliberative Process / Ex. 5
r Deliberative Process / Ex. 5

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Makepeace, Caroline [Makepeace.Caroline@epa.gov]
Sent: 9/11/2018 7:50:41 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: Third Party Audits "Cheat Sheet"
Attachments: Inclusion of Third Party Auditing or Verification Provisions in Settlement.7.26.18.docx

Per eial a second ago

Caroline Makepeace
Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-6012

This may contain enforcement confidential or privileged material. Do not release without appropriate review. If you have received this message in error, please inform the sender, and promptly delete.

From: Makepeace, Caroline
Sent: Tuesday, September 11, 2018 1:22 PM
To: Gregory Fried <Fried.Gregory@epa.gov>
Cc: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>; Amy Porter <Porter.Amy@epa.gov>
Subject: FW: Third Party Audits "Cheat Sheet"

Greg –
See attached re third-party audits. Just call if any questions or comments.

Caroline Makepeace
Senior Counsel
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-6012

This may contain enforcement confidential or privileged material. Do not release without appropriate review. If you have received this message in error, please inform the sender, and promptly delete.

From: Porter, Amy
Sent: Friday, July 27, 2018 1:58 PM
To: OECA-OCE-MANAGERS < Personal Email / Ex. 6 >
Subject: Third Party Audits "Cheat Sheet" - comments due August 10

OCE Managers –

Attached is a draft document for your review and comment. Deliberative Process / Ex. 5 to

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Please feel free to reach out to Caroline Makepeace to discuss any issues, and/or send any comments to her by COB August 10th.

Deliberative Process / Ex. 5

Thank you,
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 7/20/2018 6:34:02 PM
To: Shiffman, Cari [Shiffman.Cari@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: Inquiry from Inside EPA newsletter about public comments

Hi Cari,
Forwarding you a message from Apple in a moment. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Thanks,
Jim

--
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Shiffman, Cari
Sent: Friday, July 20, 2018 12:16 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: FW: Inquiry from Inside EPA newsletter about public comments

Jim,

Do we have a link to the public docket?

Thanks,

Cari Shiffman, Chief of Staff
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Office: (202) 564-2898 | Mobile: Personal Phone / Ex. 6

From: Daguillard, Robert
Sent: Friday, July 20, 2018 11:34 AM
To: Shiffman, Cari <Shiffman.Cari@epa.gov>
Subject: Fwd: Inquiry from Inside EPA newsletter about public comments

Cari, as requested.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Personal Phone / Ex. 6 (M)
202-564-6618 (O)

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: David Reynolds <dreynolds@iwpnews.com>
Date: July 17, 2018 at 3:46:32 PM EDT
To: Press <Press@epa.gov>
Subject: Inquiry from Inside EPA newsletter about public comments

Hello:

I would like to ask if there is a public docket for comments submitted on EPA's draft audit policy for new owners of oil and gas facilities.

EPA took comment on the draft policy through July 2.
https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

If there is no public docket, is it possible for EPA to provide a copy of the comments received? If not, could you provide a brief explanation why comments on this draft policy are not publicly available when comments on most other draft EPA rules and guidance documents are made available through regulations.gov?

I would appreciate any assistance you can provide.

Sincerely,
Dave
Inside EPA newsletter
Personal Phone / Ex. 6

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 4/23/2018 8:13:58 PM
To: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: Refresh Web Content

FYI

From: Hull, George
Sent: Monday, April 23, 2018 4:13 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Refresh Web Content

Amy and Apple,

To follow up on our conversation this morning, Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I'll circle back with her the day after tomorrow to ask what she wants to do. - George

Message

From: Chapman, Apple [Chapman.Apple@epa.gov]
Sent: 4/19/2018 9:14:34 PM
To: Air Enforcement Managers [Air_Enforcement_Managers@epa.gov]; Thompson, Christopher [Thompson.Christopher@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]
Subject: New Owner Audit Program - draft for review
Attachments: OG New Owner Program - Audit Agreement - Draft_Clean_04.19.2018.docx

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th for potential incorporation into the draft I Deliberative Process / Ex. 5 Deliberative Process / Ex. 5

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 9/19/2018 9:23:39 PM
To: Brooks, Phillip [Brooks.Phillip@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Enforcement/Investigatory / Ex. 7(a)

Phill,

Deliberative Process / Ex. 5 // Enforcement/Investigatory / Ex. 7(a)

Apple and I spoke to Steve yesterday by phone on another matter and at the end of the call Enforcement/Investigatory / Ex. 7(a)

Deliberative Process / Ex. 5 // Enforcement/Investigatory / Ex. 7(a)

I'll add this to the SSEB Weekly agenda.

Greg

From: Fried, Gregory
Sent: Wednesday, September 05, 2018 12:11 PM
To: Steve Thompson (thompson.steve@epa.gov) <thompson.steve@epa.gov>
Subject: Enforcement/Investigatory / Ex. 7(a)

Steve,

Deliberative Process / Ex. 5 // Enforcement/Investigatory / Ex. 7(a)

Greg

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 4/12/2018 5:39:58 PM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: AA NEI Presentations - Format and Content

Here is the highlights document from the RT. We can discuss what, if any, of the highlights or summary we want to include.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Marcia B Mia, Acting Chief
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Lischinsky, Robert
Sent: Tuesday, April 10, 2018 5:00 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: AA NEI Presentations - Format and Content

Below, Dan Palmer has provided additional information for the upcoming NEI briefings for the AA. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

A new NEI Dashboard providing the Initiative data is now available. I plan to meet with Dan Klaus to review Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Our AA Briefing is now currently scheduled for Thursday, April 26 at 11:15am. We are being asked to provide a draft presentation a week prior – Thursday, April 19.

Rob

From: Palmer, Daniel
Sent: Tuesday, April 10, 2018 11:45 AM
To: Haas, Craig <Haas.Craig@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: AA NEI Presentations - Format and Content

All,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

More to come on schedule, invitees, etc. in a separate email.

I hope this helps. Please call me or Michele if/when you have questions and we'll try to answer them.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Message

From: Thompson, Christopher [Thompson.Christopher@epa.gov]
Sent: 4/27/2018 3:21:28 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
CC: Portmess, Jessica [Portmess.Jessica@epa.gov]
Subject: OG New Owner Program - Audit Agreement - Draft_Clean_04.24.2018 CAT
Attachments: OG New Owner Program - Audit Agreement - Draft_Clean_04.24.2018 CAT.docx

Here are a few comments for consideration. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks for the opportunity to review.

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 4/23/2018 8:13:31 PM
To: Hull, George [Hull.George@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Refresh Web Content

Thank you, George.

From: Hull, George
Sent: Monday, April 23, 2018 4:13 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Refresh Web Content

Amy and Apple,

To follow up on our conversation this morning, Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I'll circle back with her the day after tomorrow to ask what she wants to do. - George

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 4/27/2018 2:44:14 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: FW: New Owner Audit Program - draft for review (Milton's Review)
Attachments: OG New Owner Program - Audit Agreement - Draft_Clean_04.19.2018 plm comments_4.20.18.docx

Agency Deliberative Process – Please do not release

Dear O&G New Owner Sector Audit Program Team

Deliberative Process & Attorney-Client / Ex. 5

If you would like to discuss, please do not hesitate to contact me.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Friday, April 20, 2018 2:22 PM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: RE: New Owner Audit Program - draft for review (Milton's Review)

Agency Deliberative Process – Please do not release

Amy and Gary –

I have reviewed the draft agreement, **Deliberative Process & Attorney-Client / Ex. 5**

Deliberative Process & Attorney-Client / Ex. 5

I have some other comments, that I consider minor in the document as well, please let me know if you have other comments you would like included. Otherwise I intend to share this with Apple, Tim and Chris no later than next Thursday.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Milton, Philip
Sent: Friday, April 20, 2018 6:36 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: FW: New Owner Audit Program - draft for review

FYI – I reviewed earlier versions, I have not reviewed this one. I will let you know if I have any significant concerns.

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Thursday, April 19, 2018 5:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

A Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and

comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th for potential incorporation into the draft [Deliberative Process / Ex. 5]

[Deliberative Process / Ex. 5]

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | [Personal Phone / Ex. 6] (mobile) |

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 5/1/2018 5:05:47 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Kenney, James [Kenney.James@epa.gov]
Subject: RE: Draft Roll Out Plan for New Owner Audit Program

Thanks, Apple. Yes, I was referring to entire refresh content for web posting. Amy Porter just wrote me asking if I had heard anything more from Susan. I haven't, but I will ask. - George

From: Chapman, Apple
Sent: Tuesday, May 01, 2018 11:34 AM
To: Hull, George <Hull.George@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: RE: Draft Roll Out Plan for New Owner Audit Program

Here is some initial comments. I am copying Jim and Tim Sullivan for input as well. When you say we need to understand better where we are on the web content, are you referring to the entire refresh issue (that XPS is more involved in)?

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Hull, George
Sent: Monday, April 30, 2018 5:46 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Senn, John <Senn.John@epa.gov>
Subject: Draft Roll Out Plan for New Owner Audit Program

Apple,
Following up on our Friday meeting, please find attached a draft roll out plan for the New Owner Audit Program for the Oil and Gas Sector. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Let me know what you think. I also need to understand better where we are on the web content. Thanks, George

Message

From: Fried, Gregory [Fried.Gregory@epa.gov]
Sent: 6/22/2018 7:55:24 PM
To: Argentieri, Sabrina [argentieri.sabrina@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Stuff for next week

Sabrina/Provi,

Thank you both for volunteering to help cover the branch chief duties next week. Here's what's on the radar:

Meetings:

Deliberative Process / Ex. 5

Briefings:

Deliberative Process / Ex. 5

Packages:

Deliberative Process / Ex. 5

Other Issues:

Deliberative Process / Ex. 5

Just an FYI

Deliberative Process / Ex. 5

Message

From: Argentieri, Sabrina [argentieri.sabrina@epa.gov]
Sent: 5/30/2018 3:06:24 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Materials for you to review

I'm trying to give her a well-rounded experience (with a heavy emphasis on NSR, which is unavoidable with me):

Deliberative Process / Ex. 5

That may be too much! We agreed to see how it goes.

From: Chapman, Apple
Sent: Wednesday, May 30, 2018 10:49 AM
To: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Subject: RE: Materials for you to review

Deliberative Process / Ex. 5

What else are you having her work on?

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Argentieri, Sabrina
Sent: Wednesday, May 30, 2018 10:43 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Materials for you to review

Apple,

What percentage of Angelica's time do you think will be spent on the audit policy project? I'm trying to figure out how much to give her to avoid overwhelming her. She works 40 hours/week.

From: Chapman, Apple
Sent: Wednesday, May 30, 2018 10:36 AM
To: Li, Angelica <li.angelica@epa.gov>
Cc: Argentieri, Sabrina <argentieri.sabrina@epa.gov>
Subject: Materials for you to review

Angelica,
These links include the materials I discussed this morning. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 It's pretty long. You should read the entire web page that I link below – it's a good summary of the audit program. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I will set up time again for us to meet tomorrow. Thanks.

This link includes all of the EPA audit policies and the draft agreement we are developing.

https://www.epa.gov/compliance/epas-audit-policy

Here is the link for the New Owner Audit Policy from 2008.

https://www.epa.gov/compliance/epas-interim-approach-applying-audit-policy-new-owners

This link goes directly to the oil and gas draft agreement.

https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office Personal Phone / Ex. 6 (mobile)|

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 11/28/2018 11:32:01 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Smith-Watts, David [Smith-Watts.David@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Oil and Gas New Owner comments / discussion
Attachments: OG New Owner Program - Audit Agreement - Rev Draft_11.28.2018.docx; OG New Owner Program - Audit Agreement - Compare Draft_11.06.2018 David Smith-Watts and GJonesi comments.docx

Hi, folks.

The following documents are attached for your reference in advance of tomorrow's discussion:

1. Revised draft of the Agreement template addressing comments Deliberative Process / Ex. 5 and
2. Initial draft Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Dan and Chris: I directed the highlighted comment on page 9 to you.

Please contact us with any questions ahead of the meeting. Thank you to all who reviewed and commented – your comments were helpful and much appreciated.

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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http://www.epa.gov/compliance/complaints/index.html

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-----Original Appointment-----
From: Chapman, Apple
Sent: Tuesday, November 27, 2018 2:18 PM
To: Chapman, Apple; Sullivan, Tim; Smith-Watts, David; Jonesi, Gary; Porter, Amy
Cc: Williams, Christopher; Hoyt, Daniel; Fried, Gregory; Milton, Philip
Subject: Oil and Gas New Owner comments / discussion

When: Thursday, November 29, 2018 1:00 PM-1:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: DCRoomARS1142/DC-ARIEL-RIOS-OECA-OCE

Call in number:

Conference Line/Code / Ex. 6

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 4/19/2018 9:04:49 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: draft email
Attachments: Draft email.docx

I put it into word thinking that would be easier…

From: Chapman, Apple
Sent: Thursday, April 19, 2018 2:22 PM
To: Kenney, James <Kenney.James@epa.gov>
Subject: draft email

Some of you have heard me talk about the New Owner Clean Air Act Audit program we are developing for the Oil and Gas Sector and Deputy AA, Patrick Traylor discussed the development of this program in February at the Oil and Gas Roundtable in Region 8. This program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community. We view this as an opportunity to achieve prompt and cost-effective return to compliance. W

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

We consider this to be a working draft and over the next several weeks we will be seeking input from states, tribes, industry and ENGOs. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 In order to help prepare for and facilitate that discussion, please provide any significant comments on this draft by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams [insert email] and Tim Sullivan [insert email].

Thank you,

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 4/26/2018 11:47:12 PM
To: Bates, William [bates.william@epa.gov]; Kobelski, Bruce [Kobelski.Bruce@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]; Davis, Alison [Davis.Alison@epa.gov]; Hambrick, Amy [Hambrick.Amy@epa.gov]; Elliott, Ross [Elliott.Ross@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Parikh, Pooja [Parikh.Pooja@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: IOGCC meeting
Attachments: Draft - Agency Roundtable Work Plan (2018-04-26).docx

Hi all –
Some developments to share and your input is needed –

Patrick Traylor, OECA DAA, is reporting out at the IOGCC on behalf of Ken Wagner. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

What I need from you is to review the attached and send me any revisions in terms of the project descriptions and timeframes as soon as possible but no later than COB Monday, April 30, 2018. Conversely, as you implement the actions in the work plan, **please** keep me updated on their status as they are now linked to this work plan.

Please call or email with any questions.

Thanks,
Jim
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

Message

From: Werner, Jacqueline [Werner.Jacqueline@epa.gov]
Sent: 5/1/2018 4:11:42 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Belser, Evan [Belser.Evan@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Miller, Anthony [Miller.Anthony@epa.gov]
Subject: RE: Draft AED General Agenda

Thanks for putting this together Apple!

Deliberative Process / Ex. 5

I'll print out the Agenda and bring to the General.

Jacqueline Robles Werner
Associate Director
Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
WJCSouth-1117C (MC-2242A)
Washington, DC 20460
t: 202-564-1036

From: Fried, Gregory
Sent: Tuesday, May 01, 2018 12:09 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Belser, Evan <Belser.Evan@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Miller, Anthony <Miller.Anthony@epa.gov>; Werner, Jacqueline <Werner.Jacqueline@epa.gov>
Subject: Re: Draft AED General Agenda

I have a call with R6. I will miss the first half of the General.

Sent from my iPhone

On May 1, 2018, at 12:02 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/23/2018 5:15:31 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23
Attachments: Energy Extraction and Production NEI AA Briefing April 2018 with DH comments.pptx

We now have more comments from David Hindin. They want a revised version by Noon Tuesday. I will provide an updated draft for review COB today.

From: Palmer, Daniel
Sent: Monday, April 23, 2018 1:01 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Rob,

See David Hindin's comments below and attached.

Can you all have a revised version for the board to review by noon tomorrow? Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Hindin, David
Sent: Monday, April 23, 2018 11:30 AM
To: Cozad, David <Cozad.David@epa.gov>; Palmer, Daniel <Palmer.Daniel@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5 I have marked up the slides with comment bubbles. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

David A. Hindin
Director, Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency, Washington, DC 20460
Phone 202-564-1300

From: Cozad, David
Sent: Friday, April 20, 2018 9:50 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 7/19/2018 4:55:55 PM
To: Hull, George [Hull.George@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Hoyt, Daniel [Hoyt.Daniel@epa.gov]; Li, Angelica [li.angelica@epa.gov]; Nayyar, Vani [nayyar.vani@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: FW: Latest News: Oil & Gas Producers Urge EPA To Scale Back Audit Policy For New Owners

---

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: InsideEPA.com [mailto:insideepa-alerts@iwpnews.com]
Sent: Thursday, July 19, 2018 10:46 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Latest News: Oil & Gas Producers Urge EPA To Scale Back Audit Policy For New Owners

July 19, 2018

Oil & Gas Producers Urge EPA To Scale Back Audit Policy For New Owners

Oil and gas producers are urging the Trump Administration to scale back EPA's draft self-audit policy intended to streamline disclosure of non-compliance for new owners, arguing that the proposal would rely on measures outside the agency's statutory authority and that compliance with similar state policies should satisfy federal regulators.

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Mailing address: 1919 South Eads Street, Suite 201, Arlington VA 22202

Telephone: 703-416-8500 or 1-800-424-9068

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Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/19/2018 8:22:07 PM
To: Palmer, Daniel [Palmer.Daniel@epa.gov]; Mckeever, Michele [Mckeever.Michele@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: AA NEI Presentations - Format and Content
Attachments: Energy Extraction and Production NEI AA Briefing April 2018.pptx

Dan/Michele,

On behalf of the Energy Extraction and Production NEI SIT, attached is the PowerPoint presentation for the upcoming April 26 AA Briefing.

Please let us know if you have any questions or need anything else.

Thanks.

Rob

From: Palmer, Daniel
Sent: Tuesday, April 10, 2018 11:45 AM
To: Haas, Craig <Haas.Craig@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: AA NEI Presentations - Format and Content

All,

The NEI Executive Board met yesterday and discussed format and content for the presentations that you all are preparing for the upcoming AA NEI briefings. Here are the **key points**:

1) Please put in PowerPoint.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

More to come on schedule, invitees, etc. in a separate email.

I hope this helps. Please call me or Michele if/when you have questions and we'll try to answer them.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/23/2018 4:25:34 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23
Attachments: Energy Extraction and Production NEI AA Briefing 4 23 18.pptx

Attached is the revised PowerPoint. With the edits, I have eliminated 4 slides and made other slides less "wordy." The changes are in redline/strikeout for ease of review.

Deliberative Process / Ex. 5

Rob

From: Chapman, Apple
Sent: Monday, April 23, 2018 11:29 AM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Thanks, sounds like the right approach.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Lischinsky, Robert
Sent: Monday, April 23, 2018 11:25 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5

I am editing now and as a result, we should be able to eliminate some slides. I will share soon so everyone can further edit as needed.

From: Mia, Marcia
Sent: Monday, April 23, 2018 11:00 AM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5

I can help you with the culling if you want to schedule some time. **Personal Matters / Ex. 6**

Personal Matters / Ex. 6

Marcia B Mia, Acting Chief
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Lischinsky, Robert
Sent: Monday, April 23, 2018 10:29 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

The Executive Board is meeting this afternoon at 1:00 and wants to see our changes to address David Cozad's comments. So, attached is the presentation with the following changes (in red):

Deliberative Process / Ex. 5

From: Lischinsky, Robert
Sent: Sunday, April 22, 2018 5:04 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <mia.marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

FYI… David Cozad has provided comment on the EEPI PowerPoint briefing. I will work to address and will send around revised briefing on Monday. I have not yet seen any comment from David H. or Rosemarie.

Rob

From: Cozad, David
Sent: Friday, April 20, 2018 12:55 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Hi,

I made specific comments on the first two slides.

Three general comments:

Deliberative Process / Ex. 5

From: Palmer, Daniel
Sent: Thursday, April 19, 2018 3:57 PM
To: Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Cozad, David <Cozad.David@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>
Subject: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

All,

Attached is the draft Energy Extraction NEI PPT prepared by the EE SIT. We asked for these presentations from the SITs a week in advance of the briefing for the AA so that you all would have an opportunity to provide substantial input. **Please provide your input by COB Monday, 4/23** so that: 1) the EE SIT will have time to incorporate your input (briefing Thursday @ 11:15am) and 2) you will have time to review the presentation for the next NEI in the queue (Air Toxics briefing Friday @ 11am). Sent your comments/edits to me and I will forward them to the EE SIT.

FYI, here are the instructions given to the SITs for preparing the AA NEI briefing PPTs:

1) *Please put in PowerPoint.*

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Lischinsky, Robert
Sent: Thursday, April 19, 2018 4:22 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: AA NEI Presentations - Format and Content

Dan/Michele,

On behalf of the Energy Extraction and Production NEI SIT, attached is the PowerPoint presentation for the upcoming April 26 AA Briefing.

Please let us know if you have any questions or need anything else.

Thanks.

Rob

From: Palmer, Daniel
Sent: Tuesday, April 10, 2018 11:45 AM
To: Haas, Craig <Haas.Craig@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: AA NEI Presentations - Format and Content

All,

The NEI Executive Board met yesterday and discussed format and content for the presentations that you all are preparing for the upcoming AA NEI briefings. Here are the **key points**:

1) Please put in PowerPoint.

Deliberative Process / Ex. 5

More to come on schedule, invitees, etc. in a separate email.

I hope this helps. Please call me or Michele if/when you have questions and we'll try to answer them.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 5/7/2018 1:15:54 AM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Segall, Martha [Segall.Martha@epa.gov]; Duffy, Rick [Duffy.Rick@epa.gov]; Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buenning, Hans [Buenning.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Tates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]
Subject: FW: Draft Standard Audit Program Agreement Template for Oil and Natural Gas

Marcia B Mia, Acting Chief
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Kenney, James
Sent: Friday, May 04, 2018 5:29 PM
To: Janifer, Pamela <Janifer.Pamela@epa.gov>; Passe, Loraine <Passe.Loraine@epa.gov>; Turk, David <Turk.David@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Parikh, Pooja <Parikh.Pooja@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Moskal, John <Moskal.John@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Smith, Brian

<Smith.Brian@epa.gov>; Hall, Richard <Hall.Richard@epa.gov>; Jann, Stephen <jann.stephen@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>; Hildebrandt, Kurt <Hildebrandt.Kurt@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Albright, David <Albright.David@epa.gov>; Werntz, James <Werntz.James@epa.gov>; Davis, Alison <Davis.Alison@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Senn, John <Senn.John@epa.gov>; Martin, JohnT <martin.johnt@epa.gov>; Gray, David <gray.david@epa.gov>; Smith, Paula <Smith.Paula@epa.gov>; Devito, Steve <Devito.Steve@epa.gov>; Byrne, Andrew <Byrne.Andrew@epa.gov>; Matthews, Lisa <Matthews.Lisa@epa.gov>; Dressel, Paul <DRESSEL.PAUL@EPA.GOV>; Buckley, Katherine <Buckley.Katherine@epa.gov>; Thompson, Lisa <Thompson.Lisa@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Coffman, Joel <Coffman.Joel@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Curtis, Jennifer <Curtis.Jennifer@epa.gov>; Hambrick, Amy <Hambrick.Amy@epa.gov>; Teichman, Kevin <Teichman.Kevin@epa.gov>; Bates, William <bates.william@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Kobelski, Bruce <Kobelski.Bruce@epa.gov>; Remnek, Alexandre <Remnek.Alexandre@epa.gov>; Hanson, Andrew <Hanson.Andrew@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: FW: Draft Standard Audit Program Agreement Template for Oil and Natural Gas

FYI, as discussed on the UOG POC call the OECA draft standard audit program agreement template is now available for public comment. The email below was sent to all the oil and gas roundtable participants.

Thanks,
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Kenney, James
Sent: Friday, May 4, 2018 3:18 PM
To: Kenney, James <Kenney.James@epa.gov>
Subject: Draft Standard Audit Program Agreement Template for Oil and Natural Gas

Hello Oil and Natural Gas Stakeholder –

As discussed at the Oil and Natural Gas Roundtable in February of this year, EPA is in the process of developing a New Owner Clean Air Act Audit Program tailored for the Oil and Natural Gas Sector. EPA developed a draft standard audit program agreement template and is now accepting comments through Monday, June 4, 2018. EPA will conduct outreach on the draft standard audit program and seek feedback from states, tribes, the regulated community, environmental organizations and other stakeholders. For those of you attending the Interstate Oil and Gas Compact Commission meeting starting on Sunday, May 6, we look forward to sharing more information on the draft standard audit program template during that meeting.

Please submit your individual comments directly to: chapman.apple@epa.gov, sullivan.tim@epa.gov, and williams.christopher@epa.gov. For questions regarding the draft, please contact Apple Chapman (Tel. 202-564-5666) or Tim Sullivan (Tel. 303-312-6196).

Sincerely,
Jim Kenney
--
James C. Kenney | Senior Policy Advisor for Unconventional Oil and Gas | US EPA
Desk/Mobile: Personal Phone / Ex. 6 | **Email:** kenney.james@epa.gov

---

Please note: *I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*
This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments. Namaste.

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 4/11/2018 8:49:51 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: RE: For Review: Draft O&G New Owner Audit Program Agreement

You're welcome, Tim. Let me know if you want to discuss anything. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Thanks,
Jim

From: Sullivan, Tim
Sent: Wednesday, April 11, 2018 2:34 PM
To: Kenney, James <Kenney.James@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: For Review: Draft O&G New Owner Audit Program Agreement

Thanks, Jim – appreciate your comments.

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Wednesday, April 11, 2018 2:18 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: For Review: Draft O&G New Owner Audit Program Agreement

FYI
Some comments from Jim for our consideration. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Kenney, James
Sent: Tuesday, April 10, 2018 12:40 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: For Review: Draft O&G New Owner Audit Program Agreement

Thanks Apple, I hope you don't mind but I reviewed and added some thoughts. Hope they are helpful!

Thanks,
Jim

From: Chapman, Apple
Sent: Tuesday, April 10, 2018 6:18 AM
To: Kenney, James <Kenney.James@epa.gov>
Subject: FW: For Review: Draft O&G New Owner Audit Program Agreement
Importance: High

I forgot to send this yesterday.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Thursday, April 05, 2018 3:37 PM
To: Brooks, Phillip <Brooks.Phillip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: For Review: Draft O&G New Owner Audit Program Agreement
Importance: High

Hello, again.

I am recirculating my email below from last night because I failed to include Chris – who was indispensable in getting the draft to this point – as a recipient on my email. This recirculation will hopefully ensure that we both receive your feedback.

Thanks to you all, and especially to Chris.

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Sullivan, Tim
Sent: Wednesday, April 4, 2018 8:49 PM
To: Brooks, Phillip <Brooks.Phillip@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: For Review: Draft O&G New Owner Audit Program Agreement
Importance: High

ATTORNEY-CLIENT AND DELIBERATIVE COMMUNICATION – ENFORCEMENT SENSITIVE

Hi, Phill, Apple, and Greg.

Please find a revised draft of the Agreement that reflects initial feedback from Apple and Phil Milton. Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

If possible, please try to make any edits using track changes and the comment tool.

Deliberative Process & Attorney-Client / Ex. 5

In the meantime, please let Chris and me know if you have any immediate questions.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Binder, Jonathan [Binder.Jonathan@epa.gov]
Sent: 5/30/2018 1:41:12 PM
To: Videtich, Callie [Videtich.Callie@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Tribal Engagement List.xlsx

<!--[if lte mso 15 || CheckWebRef]-->

Binder, Jonathan has shared a OneDrive for Business file with you. To view it, click the link below.

Tribal Engagement List.xlsx

<!--[endif]-->

Good morning Callie. Per my voicemail, Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I can fill you in more when we talk. Thanks much.

Jonathan

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/23/2018 3:20:54 PM
To: Caballero, Kathryn [Caballero.Kathryn@epa.gov]; Secrest, Cary [Secrest.Cary@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Comment on New Owner Audit Program - draft for review - Endangerment

Thanks for your input, Kathryn and Cary – much appreciated.

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Caballero, Kathryn
Sent: Monday, April 23, 2018 7:55 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Secrest, Cary <Secrest.Cary@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Comment on New Owner Audit Program - draft for review - Endangerment

I read the New Owner Audit Program draft language and copied the provision in question below (and added Tim to this email). **Deliberative Process & Attorney-Client / Ex. 5**

Deliberative Process & Attorney-Client / Ex. 5

Happy to discuss further. Cary, thanks for adding me to the discussion.

Kathryn Pirrotta Caballero
Senior Attorney
U.S. EPA Office of Civil Enforcement
Air Enforcement Division
(w) 202-564-1849

Mailing Address for USPS:
1200 Pennsylvania Avenue, N.W.
Mail Code 2242A
Washington, D.C. 20460

Mailing/Delivery Address for other carriers and for couriers:
1200 Pennsylvania Avenue, N.W.
Clinton Federal Building (South) Room 1147A
Washington, D.C. 20004

From: Chapman, Apple
Sent: Monday, April 23, 2018 9:09 AM
To: Secrest, Cary <Secrest.Cary@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: FW: Comment on New Owner Audit Program - draft for review - Endangerment

Cary
Thanks for the quick review and comment. I am sending you Tim's response. Please let me know if this addresses your concern or if you would like to discuss. Thanks!

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Sullivan, Tim
Sent: Friday, April 20, 2018 4:35 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Comment on New Owner Audit Program - draft for review - Endangerment

Thanks for sharing, Apple – I understand where Cary is coming from. Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Chapman, Apple
Sent: Friday, April 20, 2018 2:13 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: Comment on New Owner Audit Program - draft for review - Endangerment

FYI

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Secrest, Cary
Sent: Friday, April 20, 2018 9:36 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Caballero, Kathryn <Caballero.Kathryn@epa.gov>
Subject: Comment on New Owner Audit Program - draft for review - Endangerment

ENFORCEMENT CONFIDENTIAL

Hi Apple:

The whole idea is pretty fair. There is one matter that might need discussed futher; Kathryn - thoughts?

Deliberative Process & Attorney-Client / Ex. 5

Deliberative Process & Attorney-Client / Ex. 5

Best,

Cary

Mr. Cary Secrest
EPA Office of Enforcement and Compliance Assurance
Air Enforcement Division
WJ Clinton Bldg, South, Rm. 2111A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Office: (202) 564-8661

"Be yourself. Everyone else is already taken." Oscar Wilde

From: Chapman, Apple
Sent: Thursday, April 19, 2018 5:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Patrick announced our commitment to do so at the Oil and Gas Roundtable held in February in Region 8. In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy. E Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th for potential incorporation into the draft Patrick shares at the IOGCC meeting. I will keep you posted on the feedback we receive at and after the IOGCC meeting.

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Williams, Christopher [Williams.Christopher@epa.gov]
Sent: 5/6/2018 10:38:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Amena Saiyid Article

Thanks, Apple, for keeping me in the loop!

I hope things are going well and continue to at the conference. Anxious to hear your take on the program's reception by industry.

Chris

On May 6, 2018, at 10:48 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Traylor, Patrick" <traylor.patrick@epa.gov>
Date: May 6, 2018 at 9:40:39 AM CDT
To: "Chapman, Apple" <Chapman.Apple@epa.gov>
Subject: Fwd: Amena Saiyid Article

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

Begin forwarded message:

From: "Hull, George" <Hull.George@epa.gov>
Date: May 4, 2018 at 2:42:55 PM CDT
To: "Traylor, Patrick" <traylor.patrick@epa.gov>
Subject: Amena Saiyid Article

Patrick,
Initial article from Amena Saiyid. She said she may update later, after talking to others. – George

in 18 Months

U.S. Seeks Dismissal of Superfund Case Over Military Storage Drums

<image001.jpg>
A pumpjack operates above an oil well in the Bakken Formation outside Williston, N.D., on March 9, 2018.
Photographer: Daniel Acker/Bloomberg via Getty Images

News

More Time, Fewer Fines for Oil Companies That Fix Emissions Leaks

Posted May 4, 2018, 1:39 PM

By Amena H. Saiyid

- EPA to seek feedback from various officials, industry on updated self-auditing policy
- Timeline to fix problems will be negotiable

Oil and gas companies that acquire multiple new drilling sites would have more time to identify and fix leaking storage tanks under the EPA's first update to its self-auditing policy in a decade.

The Environmental Protection Agency's policy changes target the widespread problem of storage tanks leaking volatile organic compounds because of poor vapor controls, Patrick Traylor, deputy assistant EPA administrator for enforcement and compliance assurance, told Bloomberg Environment. The agency is expected to release draft policy updates May 4.

The self-auditing policy isn't designed to replace formal enforcement actions, Traylor said. Instead it is meant to foster compliance among companies that willingly come forth and agree to fix problems that cause environmental violations, he said.

Largest VOC Source

The oil and gas sector is the largest industrial source of volatile organic compounds air pollution, according to the EPA. Volatile organic compounds contribute to the formation of ground-level ozone, or smog, which is linked to respiratory problems in children, people with asthma, and older adults.

Emissions leaks occur when petroleum products are transferred from the wells to storage tanks that lack properly designed vapor control systems.

The auditing policy, last updated in 2008, worked when companies bought only a few new facilities, but "it wasn't efficient enough or nimble enough to deal with self disclosure of hundreds of facilities," Traylor said.

Previous Hurdles

The problem with the 2008 policy—as the EPA learned as more and more oil companies came to take advantage of self audits—is that the agency and the companies were spending more time negotiating agreements to cover all the wellpads where storage tanks leaked.

"We realized we can do better," Traylor said.

EPA enforcement staff came up with the idea to develop a standardized agreement that new companies can use to meet pollution control requirements under the Clean Air Act.

The policy update would give new owners up to six months after they have acquired the assets to approach the EPA for a self-audit agreement, Traylor said. New owners would be able to negotiate the time it takes to fix the tanks, as opposed to the fixed 60-day period in the 2008 policy.

"Obviously, the time will be negotiable because less time will be required for an owner of 10 assets as opposed to hundreds of assets," Traylor said.

The EPA will seek comment from states, environmental advocates, and the oil and gas sector before finalizing the auditing policy.

To contact the reporter on this story: Amena H. Saiyid in Washington at asaiyid@bloombergenvironment.com

To contact the editor responsible for this story: Rachael Daigle at rdaigle@bloombergenvironment.com

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/19/2018 7:22:26 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Fried, Gregory [Fried.Gregory@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Revised OGNO Program Drafts
Attachments: OG New Owner Program - Audit Agreement - Draft_Annotated_04.19.2018.docx; OG New Owner Program - Audit Agreement - Draft_Clean_04.19.2018.docx

Importance: High

Hi, Apple.

The following two revised drafts are attached:

1. Annotated draft for OECA management review; and

2. Clean draft for the Regions.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/29/2018 9:16:17 PM
To: Hull, George [Hull.George@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: oil and gas audit comments

Thanks, George.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Hull, George
Sent: Tuesday, May 29, 2018 3:11 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: oil and gas audit comments

Thanks, Tim. Yes, I'll loop in OPA and we will respond. - George

From: Sullivan, Tim
Sent: Tuesday, May 29, 2018 5:05 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: oil and gas audit comments

Hi, George.

We received the email inquiry below from E&E's Mike Soraghan. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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http://www.epa.gov/compliance/complaints/index.html

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From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, May 28, 2018 6:05 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: oil and gas audit comments

Hi. I'm following the "New Owner Clean Air Act Audit Program for Oil and Natural Gas Exploration and Production Facilities" proposal. Will the comments be posted somewhere? How can we view them.

Mike Soraghan
msoraghan@eenews.net
Personal Phone / Ex. 6 (office and mobile)
@MikeSoraghan

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 4/26/2018 4:49:09 PM
To: Kenney, James [Kenney.James@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Need to discuss roll out plan

Sure. Tomorrow is fine. Thanks, George

Sent from my iPhone

On Apr 26, 2018, at 12:43 PM, Kenney, James <Kenney.James@epa.gov> wrote:

> Sounds good.
>
> James C. Kenney | Senior Policy Advisor | Unconventional Oil and Gas | US EPA
> Desk/Mobile: Personal Phone / Ex. 6 | Email: kenney.james@epa.gov
>
> On Apr 26, 2018, at 10:37 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:
>
> > We met with Susan today Deliberative Process / Ex. 5
> > Deliberative Process / Ex. 5
> > Deliberative Process & Attorney-Client / Ex. 5 Can we talk tomorrow? Today is pretty full.
> >
> > Sent from my iPhone

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/23/2018 2:28:52 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23
Attachments: Energy Extraction and Production NEI AA Briefing April 2018.pptx

The Executive Board is meeting this afternoon at 1:00 and wants to see our changes to address David Cozad's comments. So, attached is the presentation with the following changes (in red):

Deliberative Process / Ex. 5

From: Lischinsky, Robert
Sent: Sunday, April 22, 2018 5:04 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <mia.marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

FYI… David Cozad has provided comment on the EEPI PowerPoint briefing. I will work to address and will send around revised briefing on Monday. I have not yet seen any comment from David H. or Rosemarie.

Rob

From: Cozad, David
Sent: Friday, April 20, 2018 12:55 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Hi,

I made specific comments on the first two slides.

Three general comments:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Palmer, Daniel
Sent: Thursday, April 19, 2018 3:57 PM
To: Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Cozad, David <Cozad.David@epa.gov>
Cc: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>
Subject: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

All,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Lischinsky, Robert
Sent: Thursday, April 19, 2018 4:22 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: AA NEI Presentations - Format and Content

Dan/Michele,

On behalf of the Energy Extraction and Production NEI SIT, attached is the PowerPoint presentation for the upcoming April 26 AA Briefing.

Please let us know if you have any questions or need anything else.

Thanks.

Rob

From: Palmer, Daniel
Sent: Tuesday, April 10, 2018 11:45 AM
To: Haas, Craig <Haas.Craig@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: AA NEI Presentations - Format and Content

All,

The NEI Executive Board met yesterday and discussed format and content for the presentations that you all are preparing for the upcoming AA NEI briefings. Here are the **key points**:

1) Please put in PowerPoint.

Deliberative Process / Ex. 5

More to come on schedule, invitees, etc. in a separate email.

I hope this helps. Please call me or Michele if/when you have questions and we'll try to answer them.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Message

From: Fogarty, Johnpc [Fogarty.Johnpc@epa.gov]
Sent: 8/23/2018 2:03:35 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: O&G new owner webpage - a few quick questions

Thx - Tim and Chris were listed for comments, but not questions. Do you want to add them for questions as well?

Sent from my iPhone

On Aug 23, 2018, at 10:00 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Fogarty, Johnpc
Sent: Thursday, August 23, 2018 9:35 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: O&G new owner webpage - a few quick questions

Apple, Chris & Tim – we're starting to go through a process of reviewing our web pages (Deliberative Process / Ex. 5 Deliberative Process / Ex. 5), and have 3 quick questions on the new owner audit for O&G page.

Deliberative Process / Ex. 5

THANKS!

<image001.jpg>

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 6/27/2018 2:10:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Stakeholder Mtg Desk Statement

Great. Thanks, George

From: Chapman, Apple
Sent: Wednesday, June 27, 2018 10:07 AM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: Stakeholder Mtg Desk Statement

This statement looks fine. Yes, there will be a sign in sheet. As far as I know only E&E is attending.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Hull, George
Sent: Wednesday, June 27, 2018 9:47 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Stakeholder Mtg Desk Statement

Apple,

I've got a couple of things for tomorrows New Owner Oil and Gas Audit Program meeting. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 I've got Tricia Lynn, the Press Officer who covers OECA, to sit in during the morning session. I'll cover the afternoon. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Will there be a sign in sheet?

Also, OPA asked me for a Desk Statement about the meeting, in case they get press calls. I put together the draft below Deliberative Process / Ex. 5 Can you let me know if this looks o.k. Thanks, George

Draft Desk Statement:

Deliberative Process / Ex. 5

For additional information and to read the Draft Audit Agreement: https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 8/8/2018 2:05:40 PM
To: Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buenning, Hans [Buenning.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kenney, James [Kenney.James@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Tates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]; North, Alexis [North.Alexis@epa.gov]
Subject: RE: Monthly ATW Call
Attachments: FY 2018 Reporting Plan Memo; NEI to NCI revised memo - REVIEW DRAFT 8 6 18.docx

Agenda

Conference Line/Code / Ex. 6

Deliberative Process / Ex. 5

Marcia B Mia
Air Branch

Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Mia, Marcia
Sent: Tuesday, August 07, 2018 4:31 PM
To: Adams, Sydnee <Adams.Sydnee@epa.gov>; Apple Chapman <chapman.apple@epa.gov>; Au, Doreen <Au.Doreen@epa.gov>; augustine, bruce <augustine.bruce@epa.gov>; Basinger, David <Basinger.David@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Bellairs, Katharina <bellairs.katharina@epa.gov>; Branning, Amy <Branning.Amy@epa.gov>; Breneman, Sara <breneman.sara@epa.gov>; Buenning, Hans <Buenning.Hans@epa.gov>; Campbell, Jean <Campbell.Jean@epa.gov>; Cheever, Robert <cheever.robert@epa.gov>; Chew, Andrew <Chew.Andrew@epa.gov>; Daniel, Kevin <Daniel.Kevin@epa.gov>; Dubose, Dick <DuBose.Dick@epa.gov>; Eisele, Adam <Eisele.Adam@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Flores, Carlos <Flores.Carlos@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Glowacki, Joanna <glowacki.joanna@epa.gov>; Groendyke, Todd <Groendyke.Todd@epa.gov>; Haas, Craig <Haas.Craig@epa.gov>; Hamre, Martha <Hamre.Martha@epa.gov>; Herrera, Esteban <Herrera.Esteban@epa.gov>; Hoffman, Jocelyn <Hoffman.Jocelyn@epa.gov>; Hunt, Mary <Hunt.Mary@epa.gov>; Iatropulos, Jamie <Iatropulos.jamie@epa.gov>; Jones, John-L <jones.john-l@epa.gov>; Kaleri, Cynthia <kaleri.cynthia@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Kline, James <Kline.James@epa.gov>; Landsman, Allison <Landsman.Allison@epa.gov>; Larson, Darrin <Larson.Darrin@epa.gov>; Law, Nicole <Law.Nicole@epa.gov>; Lawrence, Kathryn <Lawrence.Kathryn@epa.gov>; Lindsey, William <Lindsey.William@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Loiacono, Sara <loiacono.sara@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Lundelius, Diana <Lundelius.Diana@epa.gov>; Magyar, Raymond <Magyar.Raymond@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Malave, Maria <Malave.Maria@epa.gov>; Mastro, Donna <mastro.donna@epa.gov>; McFadden, Angela <McFadden.Angela@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; morris, makeba <morris.makeba@epa.gov>; Muller, Sheldon <Muller.Sheldon@epa.gov>; Ostrand, Laurie <Ostrand.Laurie@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Patel, Shilpa <patel.shilpa@epa.gov>; 'Peter Fulweiler' <Fulweiler.Peter@epa.gov>; Prout, Susan <prout.susan@epa.gov>; Radford, Nicole <Radford.Nicole@epa.gov>; Rapp, Steve <Rapp.Steve@epa.gov>; Reed, Wendell <Reed.Wendell@epa.gov>; Rieck, Stephen <Rieck.Stephen@epa.gov>; Robledo, Tony <Robledo.Tony@epa.gov>; Root, Kathleen <Root.Kathleen@epa.gov>; Rountree, Marthea <Rountree.Marthea@epa.gov>; Salazar, Matt <Salazar.Matt@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>; Smith, Mark A. <Smith.Marka@epa.gov>; Sorrell, Virginia <Sorrell.Virginia@epa.gov>; Stovern, Michael <Stovern.Michael@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Tates, Samuel <Tates.Samuel@epa.gov>; Taylor, Kevin <Taylor.Kevin@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Tong, Stanley <Tong.Stanley@epa.gov>; Topinka, Natalie <topinka.natalie@epa.gov>; Triantafillou, Kathy <triantafillou.kathy@epa.gov>; Vyas, Himanshu <vyas.himanshu@epa.gov>; Welsh, Mike <Welsh.Mike@epa.gov>; wentworth, paul <wentworth.paul@epa.gov>; Werner, Leslye <Werner.Leslye@epa.gov>; Willard, Erin <Willard.ErinM@epa.gov>; Wilwerding, Joseph <Wilwerding.Joseph@epa.gov>; Zafonte, Charles <Zafonte.Charles@epa.gov>; North, Alexis <North.Alexis@epa.gov>
Subject: RE: Monthly ATW Call

My apologies for not sending this out sooner. Pls let me know if you have any agenda items for the call tomorrow.

Deliberative Process / Ex. 5

Marcia B Mia
Air Branch

Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

-----Original Appointment-----
From: Mia, Marcia
Sent: Wednesday, November 01, 2017 3:35 PM
To: Mia, Marcia; Adams, Sydnee; Apple Chapman; Au, Doreen; augustine, bruce; Basinger, David; Beeler, Cindy; Bellairs, Katharina; Branning, Amy; Breneman, Sara; Buenning, Hans; Campbell, Jean; Cheever, Robert; Chew, Andrew; Daniel, Kevin; Dubose, Dick; Eisele, Adam; Fite, Mark; Flores, Carlos; Fried, Gregory; Glowacki, Joanna; Groendyke, Todd; Haas, Craig; Hamre, Martha; Herrera, Esteban; Hoffman, Jocelyn; Hunt, Mary; Iatropulos, Jamie; Jones, John-L; Kaleri, Cynthia; Kenney, James; Kler, Denis; Kline, James; Landsman, Allison; Larson, Darrin; Law, Nicole; Lawrence, Kathryn; Lindsey, William; Lischinsky, Robert; Loiacono, Sara; Loukeris, Constantinos; Lundelius, Diana; Magyar, Raymond; Makepeace, Caroline; Malave, Maria; Mastro, Donna; McFadden, Angela; Messina, Edward; morris, makeba; Muller, Sheldon; Ostrand, Laurie; Patefield, Scott; Patel, Shilpa; Peter Fulweiler; Prout, Susan; Radford, Nicole; Rapp, Steve; Reed, Wendell; Rieck, Stephen; Robledo, Tony; Root, Kathleen; Rountree, Marthea; Salazar, Matt; Smith, Claudia; Smith, Kristi; Smith, Mark A.; Sorrell, Virginia; Stovern, Michael; Sullivan, Tim; Suriano, Elaine; Tates, Samuel; Taylor, Kevin; Thompson, Steve; Tong, Stanley; Topinka, Natalie; Triantafillou, Kathy; Vyas, Himanshu; Welsh, Mike; wentworth, paul; Werner, Leslye; Willard, Erin; Wilwerding, Joseph; Zafonte, Charles; North, Alexis
Subject: Monthly ATW Call
When: Wednesday, August 08, 2018 11:00 AM-12:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call Number: Conference Line/Code / Ex. 6

Recurring Monthly Meeting.
Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Message

From: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Sent: 9/18/2018 1:34:20 PM
To: Fried, Gregory [Fried.Gregory@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Brooks, Phillip [Brooks.Phillip@epa.gov]
Subject: WITH ATTACHMENT RE: response to EIP re: Devon
Attachments: Response to EIP letter re Devon 9-4-18 rak rev.docx

Rosemarie

From: Kelley, Rosemarie
Sent: Tuesday, September 18, 2018 9:34 AM
To: Gregory Fried (Fried.Gregory@epa.gov) <Fried.Gregory@epa.gov>; Apple Chapman (Chapman.Apple@epa.gov) <Chapman.Apple@epa.gov>
Cc: Phillip Brooks (Brooks.Phillip@epa.gov) <Brooks.Phillip@epa.gov>
Subject: response to EIP re: Devon

Deliberative Process / Ex. 5

Rosemarie

Message

From: Fogarty, Johnpc [Fogarty.Johnpc@epa.gov]
Sent: 8/23/2018 1:34:31 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: O&G new owner webpage - a few quick questions

Apple, Chris & Tim – we're starting to go through a process of reviewing our web pages f Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

THANKS!

Deliberative Process / Ex. 5

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/29/2018 8:59:32 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: More recent Q&A document.
Attachments: OG New Owner Program - Qs&As - Draft_05.29.2018.docx

Hi, Apple.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 But, I am still working through the draft as I am just coming back online today after an extended meeting this morning and then losing about four hours while I was getting a new laptop and setting it up after my previous laptop's keyboard stopped working sometime over the weekend (one-year old laptop – second time the keyboard died since January). So, I will send a complete draft of these Qs&As to you and Jim once I complete the remaining Qs and As and give a quick proof.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Friday, May 25, 2018 12:00 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Re: More recent Q&A document.

Yes that's correct that was one of the questions I was going to draft a response to but go ahead and include it if you have time.

Sent from my iPhone

On May 25, 2018, at 1:54 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

Got it.

Deliberative Process / Ex. 5

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Friday, May 25, 2018 11:52 AM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: Re: More recent Q&A document.
Thanks. That would be great. I have a couple of other questions that I'm working on and I'll get to you next week.

Sent from my iPhone

On May 25, 2018, at 1:48 PM, Sullivan, Tim <Sullivan.Tim@epa.gov> wrote:

> Hi, Apple.
>
> **Deliberative Process / Ex. 5**
>
> Thanks –
> Tim
>
> Timothy J. Sullivan
> Air Enforcement Division
> Office of Civil Enforcement
> Office of Enforcement and Compliance Assurance
> U.S. Environmental Protection Agency
> 1595 Wynkoop Street (MC 8MSU)
> Denver, Colorado 80202
>
> Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Milton, Philip
Sent: Friday, May 25, 2018 8:16 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: More recent Q&A document.
Resending (adding Tim Sullivan to the cc's, sorry Tim)
Agency Deliberative Process – Please do not release
Apple

Deliberative Process / Ex. 5

V/r
Phil
Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Chapman, Apple
Sent: Friday, May 25, 2018 8:08 AM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: OKeefe, Susan <OKeefe.Susan@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, James <Sullivan.James@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Deliberative Process / Ex. 5

Sent from my iPhone

On May 25, 2018, at 7:41 AM, Milton, Philip <Milton.Philip@epa.gov> wrote:

Agency Deliberative Process – Please do not release
Dear AED

Deliberative Process / Ex. 5

I would be happy to review any that you develop for the New Owner CAA Audit Program.
V/r
Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: OKeefe, Susan
Sent: Thursday, May 24, 2018 2:01 PM
To: Milton, Philip <Milton.Philip@epa.gov>
Cc: Makepeace, Caroline <Makepeace.Caroline@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: Letter to Tribal Leaders
Phil - A Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Many thanks, Phil!!
Susan

Sent from my iPhone

Begin forwarded message:

> **From:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Date:** May 23, 2018 at 3:35:53 PM EDT
> **To:** "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Cc:** "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Williams, Christopher" <Williams.Christopher@epa.gov>, "Porter, Amy" <Porter.Amy@epa.gov>, "Binder, Jonathan" <Binder.Jonathan@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Milton, Philip" <Milton.Philip@epa.gov>, "Jonesi, Gary" <Jonesi.Gary@epa.gov>
> **Subject: RE: Letter to Tribal Leaders**
>
> See my responses below in red.
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 3:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Subject: Re: Letter to Tribal Leaders

Thanks very much, Apple. Sorry that you cannot attend the XPS General tomorrow. Perhaps we can find another 15 minutes to meet with Rosemarie tomorrow.

Sure. I will be working from home and my calendar is up to date.

Jonathan or I will send you the revised draft in Word ASAP. I got it. Thanks! Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks. This would be helpful.

Thanks, Apple.

Sent from my iPhone

On May 23, 2018, at 1:37 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Susan,

I have a conflict from 10 – 11 tomorrow so I am not able to attend the XPS General. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5

I tried to edit it in share point but it wasn't working so if someone can send me the latest draft in a word document (including the comments) that would be helpful.

The tribal meeting will be separate.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 Personal Phone / Ex. 6 (mobile)|

From: OKeefe, Susan
Sent: Wednesday, May 23, 2018 1:05 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: Letter to Tribal Leaders

Apple - If you can get the draft letter to Rosemarie today (with copies to Amy, Jonathan and me), we can all discuss the draft with Rosemarie during our XPS General tomorrow between 10:30-11:00. (It starts at 10:00 Personal Matters / Ex. 6 Personal Matters / Ex. 6 Personal Matters / Ex. 6) Can you be available?

I know you don't yet have the dates set for the stakeholder meetings but this would keep it moving so it can be ready to go and not delay the extended public comment period. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Will that work for you?

Deliberative Process / Ex. 5

Let us know if you'd like to chat about this.
Thanks!
Susan
Sent from my iPhone

Begin forwarded message:

> **From:** "Binder, Jonathan" <Binder.Jonathan@epa.gov>
> **Date:** May 23, 2018 at 12:04:20 PM EDT
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Cc:** "Porter, Amy" <Porter.Amy@epa.gov>, "OKeefe, Susan" <OKeefe.Susan@epa.gov>
> **Subject: RE: stakeholder meetings**
>
> Thanks for the update.
> I've got two thoughts:
>
> Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Wednesday, May 23, 2018 11:57 AM
To: Porter, Amy <Porter.Amy@epa.gov>; OKeefe, Susan <OKeefe.Susan@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>
Subject: stakeholder meetings

We met with Patrick today re: the oil and natural gas program stakeholder meetings.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 This means the email to all the stakeholders announcing the in person meetings (except the tribes) will not go out today as planned. This will require us to make a change in the meeting date. I am now looking at June 11 – 13 or June 25-28. The meeting with the tribes will have to move as well.

Thanks.

Ms. Apple Chapman
|Deputy Director, Air

Enforcement Division |
U.S. Environmental
Protection Agency
1200 Pennsylvania Ave.
NW, Washington DC,
20004 | 202-564-5666
(office) | Personal Phone / Ex. 6
(mobile) |

Message

From: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Sent: 5/1/2018 11:11:19 AM
To: Starfield, Lawrence [Starfield.Lawrence@epa.gov]
CC: Theis, Joseph [Theis.Joseph@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: audit pilot

Okay.

Rosemarie

On May 1, 2018, at 6:33 AM, Starfield, Lawrence <Starfield.Lawrence@epa.gov> wrote:

> That makes sense. It would be good to have a short conversation with Susan, maybe on Thursday.
>
> Sent from my iPhone
>
> On Apr 30, 2018, at 6:10 PM, Kelley, Rosemarie <Kelley.Rosemarie@epa.gov> wrote:
>
> > Larry—
> >
> > **Deliberative Process / Ex. 5**
> >
> > Rosemarie
> >
> > **From:** Starfield, Lawrence
> > **Sent:** Monday, April 30, 2018 12:10 PM
> > **To:** Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
> > **Subject:** audit pilot
> >
> > **Deliberative Process / Ex. 5**
> >
> > Larry
> >
> > This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.

Message

From: Kenney, James [Kenney.James@epa.gov]
Sent: 5/3/2018 2:56:17 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Did you send me the straw document?
Attachments: Draft - Agency Roundtable Work Plan (2018-05-01).docx

Latest…will include you as I update it.

--
Jim
Desk/Mobile: Personal Phone / Ex. 6

From: Chapman, Apple
Sent: Thursday, May 3, 2018 8:42 AM
To: Kenney, James <Kenney.James@epa.gov>
Subject: Did you send me the straw document?

I can't find it.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

Message

From: Branning, Hannah [Branning.Hannah@epa.gov]
Sent: 6/26/2018 5:58:57 PM
Subject: Monthly Joint Enforcement Directors and Regional Counsel VTC - Materials Enclosed
Attachments: June 2018 ED RC Call Materials.pdf

All,

Please see the attached materials for the June ED/RC Call.

Thanks,

Hannah Branning, MSc.
Special Assistant
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW MC 2201A
Washington, DC 20460

Office: (202) 564-3317 | Cell: Personal Phone / Ex. 6

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 6/13/2018 9:17:05 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner Audit Policy Q&A Edits and Comments

<!--[if lte mso 15 || CheckWebRef]-->

Sullivan, Tim has shared OneDrive for Business files with you. To view them, click the links below.

Edits Oil and Natural Gas New Owner Audit Program QA Comments - TJS_06.13.2018.docx

OGNO - Comment Summaries - Annoted_TJS.docx

<!--[endif]-->

Thanks for the heads-ups, Apple.

I went through the Qs&As and accepted certain edits and recommended that we not accept others (rationale provided).

I am out of the office starting tomorrow and I will not be back until next Thursday (Personal Matters / Ex. 6 Personal Matters / Ex. 6 My work phone will ring on my mobile phone, so that will be the easiest way to reach me if needed between now and next Thursday. I will also try to periodically check email.

Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 I attached this document for your reference.

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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From: Chapman, Apple
Sent: Wednesday, June 13, 2018 12:35 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: FW: New Owner Audit Policy Q&A Edits and Comments

Tim
Patrick and Susan gave us the go-ahead to publish and distribute the Q&A. I asked the interns to review for typos, readability, etc. Let me know what you think of their suggestions. I Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Once we have a final draft, I will send to XPS so they know we are publishing. Also, so far only one ENGO has asked to attend the meeting. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5
Thanks.

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Li, Angelica
Sent: Wednesday, June 13, 2018 1:31 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Nayyar, Vani <nayyar.vani@epa.gov>
Subject: New Owner Audit Policy Q&A Edits and Comments

Hi Apple,

Vani and I have gone through this Q&A and made some edits that we thought proper. If you turn on track changes in the Review tab and view all markups, the changes should appear.

Angelica

Law Clerk
Air Enforcement Division
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 12/4/2018 10:52:37 PM
To: Adams, Sydnee [Adams.Sydnee@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Au, Doreen [Au.Doreen@epa.gov]; augustine, bruce [augustine.bruce@epa.gov]; Basinger, David [Basinger.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Bellairs, Katharina [bellairs.katharina@epa.gov]; Branning, Amy [Branning.Amy@epa.gov]; Breneman, Sara [breneman.sara@epa.gov]; Buenning, Hans [Buenning.Hans@epa.gov]; Campbell, Jean [Campbell.Jean@epa.gov]; Cheever, Robert [cheever.robert@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Daniel, Kevin [Daniel.Kevin@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Eisele, Adam [Eisele.Adam@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Flores, Carlos [Flores.Carlos@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Groendyke, Todd [Groendyke.Todd@epa.gov]; Haas, Craig [Haas.Craig@epa.gov]; Hamre, Martha [Hamre.Martha@epa.gov]; Herrera, Esteban [Herrera.Esteban@epa.gov]; Hoffman, Jocelyn [Hoffman.Jocelyn@epa.gov]; Hunt, Mary [Hunt.Mary@epa.gov]; Iatropulos, Jamie [Iatropulos.jamie@epa.gov]; Jones, John-L [jones.john-l@epa.gov]; Kaleri, Cynthia [kaleri.cynthia@epa.gov]; Kler, Denis [Kler.Denis@epa.gov]; Kline, James [Kline.James@epa.gov]; Landsman, Allison [Landsman.Allison@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Lindsey, William [Lindsey.William@epa.gov]; Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Loiacono, Sara [loiacono.sara@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Lundelius, Diana [Lundelius.Diana@epa.gov]; Magyar, Raymond [Magyar.Raymond@epa.gov]; Makepeace, Caroline [Makepeace.Caroline@epa.gov]; Malave, Maria [Malave.Maria@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; McFadden, Angela [McFadden.Angela@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; morris, makeba [morris.makeba@epa.gov]; Muller, Sheldon [Muller.Sheldon@epa.gov]; Ostrand, Laurie [Ostrand.Laurie@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Patel, Shilpa [patel.shilpa@epa.gov]; wentworth, paul [wentworth.paul@epa.gov]; Fulweiler, Pete [Fulweiler.Peter@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Radford, Nicole [Radford.Nicole@epa.gov]; Rapp, Steve [Rapp.Steve@epa.gov]; Reed, Wendell [Reed.Wendell@epa.gov]; Rieck, Stephen [Rieck.Stephen@epa.gov]; Robledo, Tony [Robledo.Tony@epa.gov]; Root, Kathleen [Root.Kathleen@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Smith, Claudia [Smith.Claudia@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Mark A. [Smith.Marka@epa.gov]; Sorrell, Virginia [Sorrell.Virginia@epa.gov]; Stovern, Michael [Stovern.Michael@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Tates, Samuel [Tates.Samuel@epa.gov]; Taylor, Kevin [Taylor.Kevin@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Tong, Stanley [Tong.Stanley@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Vyas, Himanshu [vyas.himanshu@epa.gov]; Welsh, Mike [Welsh.Mike@epa.gov]; Werner, Leslye [Werner.Leslye@epa.gov]; Willard, Erin [Willard.ErinM@epa.gov]; Wilwerding, Joseph [Wilwerding.Joseph@epa.gov]; Zafonte, Charles [Zafonte.Charles@epa.gov]
Subject: RE: Monthly ATW Call

Call for Agenda Items.

We are combining our Air Technical Call with the regular EEPI SIT Call.

The SIT would like to discuss the following topics with the ATW, but we have time for more agenda items and the round robin.

Deliberative Process / Ex. 5

Marcia B Mia

Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

This message may contain deliberative, attorney-client or otherwise privileged material. Do not release this message without the appropriate review. If you are not the intended recipient, kindly advise and delete this message/attachments.

-----Original Appointment-----
From: Mia, Marcia
Sent: Tuesday, December 04, 2018 5:49 PM
To: Mia, Marcia; Adams, Sydnee; Apple Chapman; Au, Doreen; augustine, bruce; Basinger, David; Beeler, Cindy; Bellairs, Katharina; Branning, Amy; Breneman, Sara; Buenning, Hans; Campbell, Jean; Cheever, Robert; Chew, Andrew; Daniel, Kevin; Dubose, Dick; Eisele, Adam; Fite, Mark; Flores, Carlos; Fried, Gregory; Glowacki, Joanna; Groendyke, Todd; Haas, Craig; Hamre, Martha; Herrera, Esteban; Hoffman, Jocelyn; Hunt, Mary; Iatropulos, Jamie; Jones, John-L; Kaleri, Cynthia; Kler, Denis; Kline, James; Landsman, Allison; Larson, Darrin; Law, Nicole; Lawrence, Kathryn; Lindsey, William; Lischinsky, Robert; Loiacono, Sara; Loukeris, Constantinos; Lundelius, Diana; Magyar, Raymond; Makepeace, Caroline; Malave, Maria; Mastro, Donna; McFadden, Angela; Messina, Edward; morris, makeba; Muller, Sheldon; Ostrand, Laurie; Patefield, Scott; Patel, Shilpa; Paul Wentworth; Peter Fulweiler; Prout, Susan; Radford, Nicole; Rapp, Steve; Reed, Wendell; Rieck, Stephen; Robledo, Tony; Root, Kathleen; Rountree, Marthea; Salazar, Matt; Smith, Claudia; Smith, Kristi; Smith, Mark A.; Sorrell, Virginia; Stovern, Michael; Sullivan, Tim; Suriano, Elaine; Tates, Samuel; Taylor, Kevin; Thompson, Steve; Tong, Stanley; Topinka, Natalie; Triantafillou, Kathy; Vyas, Himanshu; Welsh, Mike; Werner, Leslye; Willard, Erin; Wilwerding, Joseph; Zafonte, Charles
Subject: Monthly ATW Call
When: Wednesday, December 12, 2018 11:00 AM-12:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call Number: Conference Line/Code / Ex. 6

2019 Recurring Monthly Meeting.
Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

I will send out an agenda in advance of each month's meeting.

Thank you!

Marcia B Mia
Office of Compliance/Air Branch
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Message

From: Lee Fuller [lfuller@ipaa.org]
Sent: 5/29/2018 8:34:34 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: EPA New Owner Self Audit Program for O&G

I appreciate it. I'm circulating the information that you sent earlier – and discovering how many people are on vacation.

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Tuesday, May 29, 2018 4:31 PM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA New Owner Self Audit Program for O&G

Thanks. That's helpful. I can schedule the industry meeting on June 28.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Tuesday, May 29, 2018 4:15 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA New Owner Self Audit Program for O&G

Thanks. Will let people know. Let me vote for June 28 (IPAA's midyear meeting runs from June 24-27).

Lee

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Tuesday, May 29, 2018 4:13 PM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA New Owner Self Audit Program for O&G

Yes, I will include you. The date will be June 27 or 28. I am still getting the logistics settled. Please forward the information to your membership when you get it. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Tuesday, May 29, 2018 3:59 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA New Owner Self Audit Program for O&G

Apple,

You mentioned that EPA was planning a public discussion session here in Washington sometime in the near future. I'd appreciate being included on the invitation to that session if that is possible.

Thanks,

Lee

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, May 24, 2018 11:24 AM
To: Lee Fuller <lfuller@ipaa.org>
Subject: RE: EPA New Owner Self Audit Program for O&G

https://www.epa.gov/compliance/epas-audit-policy

https://www.epa.gov/compliance/epa-announces-renewed-emphasis-self-disclosed-violation-policies

Let me know if you have questions.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Thursday, May 24, 2018 11:17 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: EPA New Owner Self Audit Program for O&G

Are there some links to the other self-audit programs that you described?

From: Chapman, Apple <Chapman.Apple@epa.gov>
Sent: Thursday, May 24, 2018 8:30 AM
To: Lee Fuller <lfuller@ipaa.org>
Subject: EPA New Owner Self Audit Program for O&G

https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production

Here is the link. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

Message

From: Morrison, Matthew W. [matthew.morrison@pillsburylaw.com]
Sent: 4/21/2018 3:15:20 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Fuller Article on Oil and Gas Audit Policy

Personal Matters / Ex. 6 Help is on the way.

Sent from my iPhone

On Apr 20, 2018, at 5:47 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> Well, there was a lot of internal negotiating against ourselves.
>
> Sent from my iPhone
>
> On Apr 20, 2018, at 5:03 PM, Morrison, Matthew W. <matthew.morrison@pillsburylaw.com> wrote:
>
> > Thanks – I just saw this more expanded version.
> >
> > Substantial agency resources? Hmmm.
> >
> > Substantial penalty reduction? Woo wee.
> >
> > Why wasn't Stormy mentioned?
> >
> > **Matthew W. Morrison** | Partner
> > Pillsbury Winthrop Shaw Pittman LLP
> > 1200 Seventeenth Street NW | Washington, DC 20036-3006
> > t Personal Phone / Ex. 6 | f 202.663.8007 | m Personal Phone / Ex. 6
> > matthew.morrison@pillsburylaw.com | website bio
> >
> > ---
> >
> > **From:** Hennessey, Brendan J.
> > **Sent:** Friday, April 20, 2018 4:52 PM
> > **To:** Morrison, Matthew W. <matthew.morrison@pillsburylaw.com>
> > **Subject:** Fuller Article on Oil and Gas Audit Policy
> >
> > Matt, see the article published on E&E's website. This article mentions that EPA settled with Range for a "substantial penalty reduction." It also links to our case study. The article doesn't mention us or Pillsbury, but the case study specifically states that Range brought in attorneys from Pillsbury. It also has the footer that mentions your name:
> >
> > <image004.jpg>

OIL AND GAS

EPA considers expanding self-audit program

Mike Lee, E&E News reporter

<image001.jpg>
Published: Friday, April 20, 2018

An oil and gas well produces on public lands in Utah. Ellen M. Gilmer/E&E News

DALLAS — EPA may expand an existing self-audit program to the oil and gas industry, the agency's enforcement chief said today.

EPA already has a "new owner audit policy" effort that allows buyers of industrial facilities to inspect them and self-report regulatory violations, in exchange for a chance at reducing their penalties.

The agency is working on including the oil and gas industry, which is going through a period of mergers and acquisitions, Susan Bodine, assistant administrator for the Office of Enforcement and Compliance Assurance, said during a panel discussion at the EarthX festival here.

"One of our strategic goals is to have facilities come into compliance more quickly. Having them do it themselves is the quickest way," Bodine said in an interview on the sidelines of the conference.

The agency is using a 2016 agreement with Range Resources Corp. as a template.

Including oil and gas into the self-audit scheme falls in line with Administrator Scott Pruitt's goals of streamlining regulation while boosting domestic energy production.

The policy change is still under consideration, and a final decision hasn't been made, Bodine said, adding that it was difficult to determine when the review process would be complete.

Range, a drilling company based in Fort Worth, bought the drilling rights to 220,000 acres in the Terryville field in Louisiana in September 2016.

Attorneys for the company began assessing whether the property complied with EPA's air emissions regulations under the Clean Air Act. They soon discovered that "noncompliance at its newly-acquired facilities was fairly widespread," according to a case study prepared by Range's attorneys.

The company self-reported problems at 390 facilities to EPA and asked to be considered under the new owner program. EPA ultimately agreed and settled with Range for a "substantial penalty reduction," Bodine said.

It took a substantial amount of the agency's resources to negotiate the deal, Bodine said, so it makes sense to use the case as a model agreement for other companies.

She was asked whether expanding the policy would create an incentive for companies to cut corners on regulatory compliance, since some companies might assume they could sell an oil and gas property and allow the new owner to bring it into compliance.

If that happened, Bodine said, "they would be breaking the law."

Twitter: @mikeleefw Email: mlee@eenews.net

Brendan J. Hennessey | Associate
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street NW | Washington, DC 20036-3006
t Personal Phone / Ex. 6
brendan.hennessey@pillsburylaw.com | website bio
<imagec95376.PNG>
<imageed803a.PNG>

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Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 12/4/2018 6:40:40 PM
To: Theis, Joseph [Theis.Joseph@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Dubose, Dick [DuBose.Dick@epa.gov]; Triantafillou, Kathy [triantafillou.kathy@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Speir, Jeffrey [speir.jeffrey@epa.gov]; Russo, Todd [Russo.Todd@epa.gov]; Mastro, Donna [Mastro.Donna@epa.gov]; Spagg, Beverly [Spagg.Beverly@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Elkins, Timothy [elkins.timothy@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]; Saunders, Jerry [Saunders.Jerry@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Chadwick, Dan [Chadwick.Dan@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Thurmon, Clarke [Thurmon.Clarke@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Piantanida, David [Piantanida.David@epa.gov]; Beeler, Cindy [Beeler.Cindy@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Kline, James [Kline.James@epa.gov]
CC: augustine, bruce [augustine.bruce@epa.gov]; Loukeris, Constantinos [loukeris.constantinos@epa.gov]; Topinka, Natalie [topinka.natalie@epa.gov]; Denton, Loren [Denton.Loren@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: Cancelled: Energy Extraction NCI - December 5 SIT Call

With Wednesday's closure of the federal government, we are cancelling this meeting. However, an Air Technical Workgroup (ATW) call is being scheduled for next week and we plan to have a combined call with the SIT to go over the agenda items below as well as any ATW items. So, please look out for both a cancellation for this SIT call and an invite to the ATW call.

Thanks.

Rob

From: Lischinsky, Robert
Sent: Friday, November 30, 2018 5:48 PM
To: Theis, Joseph <Theis.Joseph@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Beers, Samantha <beers.samantha@epa.gov>; Dubose, Dick <DuBose.Dick@epa.gov>; Triantafillou, Kathy <triantafillou.kathy@epa.gov>; Anderson, Andrew <anderson.andrew@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Russo, Todd <Russo.Todd@epa.gov>; Mastro, Donna <mastro.donna@epa.gov>; Spagg, Beverly <Spagg.Beverly@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Elkins, Timothy <elkins.timothy@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>; Saunders, Jerry <Saunders.Jerry@epa.gov>; Larson, Darrin <Larson.Darrin@epa.gov>; Chadwick, Dan <Chadwick.Dan@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Thurmon, Clarke <Thurmon.Clarke@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Piantanida, David <Piantanida.David@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Kline, James <Kline.James@epa.gov>
Cc: augustine, bruce <augustine.bruce@epa.gov>; Loukeris, Constantinos <loukeris.constantinos@epa.gov>; Topinka, Natalie <topinka.natalie@epa.gov>; Denton, Loren <Denton.Loren@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>; Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: AGENDA: Energy Extraction NCI - December 5 SIT Call

Agenda – December 5 SIT Call (3:00pm eastern)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

-----Original Appointment-----
From: Lischinsky, Robert
Sent: Monday, October 02, 2017 10:12 AM
To: Lischinsky, Robert; Theis, Joseph; Pollins, Mark; Beers, Samantha; Dubose, Dick; Triantafillou, Kathy; Anderson, Andrew; Fried, Gregory; Speir, Jeffrey; Russo, Todd; Mastro, Donna; Spagg, Beverly; Patefield, Scott; Elkins, Timothy; Buterbaugh, Kristin; Thompson, Steve; Saunders, Jerry; Larson, Darrin; Chadwick, Dan; Lindsey, William; Chapman, Apple; Fite, Mark; Thurmon, Clarke; Mia, Marcia; Chavez, Kimberly; Piantanida, David; Beeler, Cindy; Sullivan, Tim; Kline, James
Cc: augustine, bruce; Loukeris, Constantinos; Topinka, Natalie; Dressel, Paul; Denton, Loren; Tidmore, Guy; Eckhart, Jeanne
Subject: Energy Extraction NEI - Monthly SIT Calls
When: Wednesday, December 05, 2018 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call Number: Conference Line/Code / Ex. 6 Conference ID: Conference Line/Code / Ex. 6

Update: Please note new call-in number:

Conference Call Number: Conference Line/Code / Ex. 6
Conference ID: Conference Line/Code / Ex. 6

This is the recurring calendar invite for the Monthly EEPI SIT call held the 1st Wednesday of each month from 3:00-4:30pm Eastern Time. An agenda will be sent out each month prior to the call.

Thanks.

Rob

Message

From: Lee Fuller [lfuller@ipaa.org]
Sent: 4/25/2018 7:17:22 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: EPA Self Audit Program

Flag: Flag for follow up

Yes. I will not be at IOGCC.

Sent from my iPhone

On Apr 25, 2018, at 3:02 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> I know. We are planning to distribute a draft policy (styled as a bi-later agreement) at the IOGCC meeting in the beginning of May. I don't know if you will be at that meeting but either way, I will make sure you get a draft that you can distribute to your members and then we will come up with a plan for getting feedback. Does that sound ok to you?
>
> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|
>
> ---
>
> **From:** Lee Fuller [mailto:lfuller@ipaa.org]
> **Sent:** Wednesday, April 25, 2018 2:49 PM
> **To:** Chapman, Apple <Chapman.Apple@epa.gov>
> **Subject:** Re: EPA Self Audit Program
>
> Thanks, Apple. I only know what I've read in the news reports.
>
> Sent from my iPhone
>
> On Apr 25, 2018, at 2:41 PM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:
>
>> Thanks, Patrick.
>>
>> Lee, I will follow up with you later this week to discuss getting IPAA input on the program we are developing.
>>
>> Apple
>>
>> ***Ms. Apple Chapman*** |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
>> 1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|
>>
>> ---
>>
>> **From:** Traylor, Patrick
>> **Sent:** Wednesday, April 25, 2018 2:25 PM
>> **To:** Lee Fuller <lfuller@ipaa.org>
>> **Cc:** Chapman, Apple <Chapman.Apple@epa.gov>
>> **Subject:** RE: EPA Self Audit Program
>>
>> Lee:

Thanks for reaching out to us on this; I think the input of trade associations will be an important part of our stakeholder engagement efforts. I've asked Apple Chapman to work with IPAA to discuss the program we are developing.

Warm regards,
Patrick

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 cell)

From: Lee Fuller [mailto:lfuller@ipaa.org]
Sent: Monday, April 23, 2018 3:30 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: EPA Self Audit Program

Patrick,

You had expressed an interest in meeting to discuss the EPA self audit program and I've seen several press reports on the effort. Do you still want to meet?

Thanks,

Lee Fuller

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/20/2018 9:43:20 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Comment on new OECA audit policy

E&E article from this afternoon: https://www.eenews.net/eenewspm/2018/04/20/stories/1060079719

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

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From: Chapman, Apple
Sent: Friday, April 20, 2018 9:22 AM
To: Fried, Gregory <Fried.Gregory@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: FW: Comment on new OECA audit policy

Well that was fast. I just sent the email out last night.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Kelley, Rosemarie
Sent: Friday, April 20, 2018 10:45 AM
To: Theis, Joseph <Theis.Joseph@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Fw: Comment on new OECA audit policy

From: Bodine, Susan
Sent: Friday, April 20, 2018 10:42 AM
To: Traylor, Patrick; Starfield, Lawrence; Kelley, Rosemarie
Subject: Fwd: Comment on new OECA audit policy

Sent from my iPhone

Begin forwarded message:

> **From:** "Daniell, Kelsi" <daniell.kelsi@epa.gov>
> **Date:** April 20, 2018 at 8:59:10 AM CDT
> **To:** "Bodine, Susan" <bodine.susan@epa.gov>, "Hull, George" <Hull.George@epa.gov>
> **Cc:** "Abboud, Michael" <abboud.michael@epa.gov>
> **Subject: FW: Comment on new OECA audit policy**
>
> Susan/George – We would like to provide Miranda with a response to her questions? Please note that her story is up, but she will add whatever comment we send. The sooner the better, let me know how I can help.
>
> http://thehill.com/policy/energy-environment/384078-epa-to-unveil-new-policy-aimed-at-avoiding-legal-action-over-oil
>
> Thanks!
> Kelsi
>
> **From:** Miranda Green [mailto:mgreen@thehill.com]
> **Sent:** Thursday, April 19, 2018 10:03 PM
> **To:** Press <Press@epa.gov>
> **Subject:** Comment on new OECA audit policy
>
> Hi,
> I'm looking for comment on a new audit policy being developed under OECA aiming to give more flexibility for oil and gas industries to comply when self auditing.
>
> Can EPA, or OECA comment on the position behind the new policy being determined?
>
> Thank you,
> Miranda
>
> --
> Miranda Green
> Energy and Environment Reporter, The Hill
> Personal Phone / Ex. 6
> mgreen@thehill.com
> @mirandacgreen

Message

From: Morrison, Matthew W. [matthew.morrison@pillsburylaw.com]
Sent: 4/20/2018 9:03:35 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: Fuller Article on Oil and Gas Audit Policy

Thanks – I just saw this more expanded version.

Substantial agency resources? Hmmm.

Substantial penalty reduction? Woo wee.

Why wasn't Stormy mentioned?

Matthew W. Morrison | Partner
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street NW | Washington, DC 20036-3006
t Personal Phone / Ex. 6 f 202.663.8007 | m Personal Phone / Ex. 6
matthew.morrison@pillsburylaw.com | website bio

From: Hennessey, Brendan J.
Sent: Friday, April 20, 2018 4:52 PM
To: Morrison, Matthew W. <matthew.morrison@pillsburylaw.com>
Subject: Fuller Article on Oil and Gas Audit Policy

Matt, see the article published on E&E's website. This article mentions that EPA settled with Range for a "substantial penalty reduction." It also links to our case study. The article doesn't mention us or Pillsbury, but the case study specifically states that Range brought in attorneys from Pillsbury. It also has the footer that mentions your name:

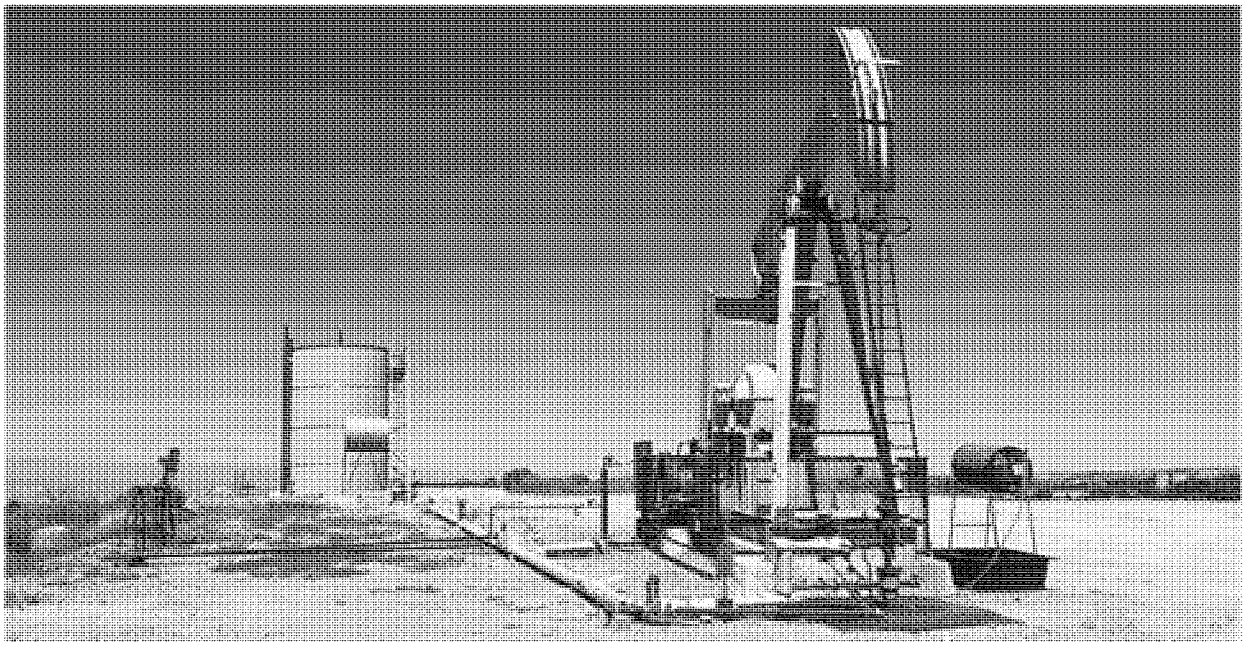
---

[1] This case study summary is provided only for discussion purposes by Matthew Morrison of Pillsbury Winthrop Shaw Pittman, counsel to Range Resources Corporation. The views and statements herein should not be attributed to Range Resources. Any questions or comments can be directed to Mr. Morrison at matthew.morrison@pillsburylaw.com.

OIL AND GAS

EPA considers expanding self-audit program

Mike Lee, E&E News reporter



Published: Friday, April 20, 2018

An oil and gas well produces on public lands in Utah. Ellen M. Gilmer/E&E News

DALLAS — EPA may expand an existing self-audit program to the oil and gas industry, the agency's enforcement chief said today.

EPA already has a "new owner audit policy" effort that allows buyers of industrial facilities to inspect them and self-report regulatory violations, in exchange for a chance at reducing their penalties.

The agency is working on including the oil and gas industry, which is going through a period of mergers and acquisitions, Susan Bodine, assistant administrator for the Office of Enforcement and Compliance Assurance, said during a panel discussion at the EarthX festival here.

"One of our strategic goals is to have facilities come into compliance more quickly. Having them do it themselves is the quickest way," Bodine said in an interview on the sidelines of the conference.

The agency is using a 2016 agreement with Range Resources Corp. as a template.

Including oil and gas into the self-audit scheme falls in line with Administrator Scott Pruitt's goals of streamlining regulation while boosting domestic energy production.

The policy change is still under consideration, and a final decision hasn't been made, Bodine said, adding that it was difficult to determine when the review process would be complete.

Range, a drilling company based in Fort Worth, bought the drilling rights to 220,000 acres in the Terryville field in Louisiana in September 2016.

Attorneys for the company began assessing whether the property complied with EPA's air emissions regulations under the Clean Air Act. They soon discovered that "noncompliance at its newly-acquired facilities was fairly widespread," according to a case study prepared by Range's attorneys.

The company self-reported problems at 390 facilities to EPA and asked to be considered under the new owner program. EPA ultimately agreed and settled with Range for a "substantial penalty reduction," Bodine said.

It took a substantial amount of the agency's resources to negotiate the deal, Bodine said, so it makes sense to use the case as a model agreement for other companies.

She was asked whether expanding the policy would create an incentive for companies to cut corners on regulatory compliance, since some companies might assume they could sell an oil and gas property and allow the new owner to bring it into compliance.

If that happened, Bodine said, "they would be breaking the law."

Twitter: @mikeleefw Email: mlee@eenews.net

Brendan J. Hennessey | Associate
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street NW | Washington, DC 20036-3006
t: Personal Phone / Ex. 6
brendan.hennessey@pillsburylaw.com | website bio

ABU DHABI AUSTIN BEIJING DUBAI HONG KONG HOUSTON LONDON
LOS ANGELES MIAMI NASHVILLE NEW YORK NORTHERN VIRGINIA
PALM BEACH SACRAMENTO SAN DIEGO SAN DIEGO NORTH COUNTY
SAN FRANCISCO SHANGHAI SILICON VALLEY TOKYO WASHINGTON, DC

pillsbury

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the original sender or the Pillsbury Winthrop Shaw Pittman Help Desk at Tel: 800-477-0770, Option 1, immediately by telephone or by return E-mail and delete this message, along with any attachments, from your computer. Thank you.

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/19/2018 3:04:09 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: AA NEI Presentations - Format and Content
Attachments: Energy Extraction and Production NEI AA Briefing April 2018.pptx

Attached is the PowerPoint presentation for the AA Briefing. It is the same as what I sent you on Monday except for 2 additional changes:

Deliberative Process / Ex. 5

We are to submit the presentation today. Please let me know if you have any additional revision. I'll need to finalize (remove the redline/strikeout) and forward to Dan Palmer/Michele McKeever.

Thanks.

Rob

From: Lischinsky, Robert
Sent: Monday, April 16, 2018 11:25 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: AA NEI Presentations - Format and Content

Hi all,

I have made just a couple of edits to the attached presentation. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please make any other changes you feel needed. We have until Thursday to submit the presentation to the Executive Board.

Thanks.

Rob

From: Chapman, Apple
Sent: Tuesday, April 10, 2018 5:13 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: AA NEI Presentations - Format and Content

Thanks, Rob. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 (mobile) |

From: Lischinsky, Robert
Sent: Tuesday, April 10, 2018 5:00 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: AA NEI Presentations - Format and Content

Below, Dan Palmer has provided additional information for the upcoming NEI briefings for the AA. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Our AA Briefing is now currently scheduled for Thursday, April 26 at 11:15am. We are being asked to provide a draft presentation a week prior – Thursday, April 19.

Rob

From: Palmer, Daniel
Sent: Tuesday, April 10, 2018 11:45 AM
To: Haas, Craig <Haas.Craig@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: AA NEI Presentations - Format and Content

All,

The NEI Executive Board met yesterday and discussed format and content for the presentations that you all are preparing for the upcoming AA NEI briefings. Here are the **key points**:

1) Please put in PowerPoint.

Deliberative Process / Ex. 5

More to come on schedule, invitees, etc. in a separate email.

I hope this helps. Please call me or Michele if/when you have questions and we'll try to answer them.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 6/19/2018 9:38:25 PM
To: Branning, Hannah [Branning.Hannah@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: FW: ED/RC Call Topic
Attachments: Refresh of EPA Self-Disclosed Violation Policy 5.15.18.pdf

Hannah – Here is the Disclosure write up. Will get you the other one tomorrow.

Deliberative Process / Ex. 5

From: Porter, Amy
Sent: Monday, June 18, 2018 4:36 PM
To: Branning, Hannah <Branning.Hannah@epa.gov>
Subject: RE: ED/RC Call Topic

Hi Hannah -

Deliberative Process / Ex. 5 Please advise.

Deliberative Process / Ex. 5

Thank you!

Amy

From: Branning, Hannah
Sent: Friday, June 15, 2018 12:57 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Subject: ED/RC Call Topic

Amy,

Can I get the following from you for the June ED/RC call? I'll need it be COB Tuesday June 19th.

Deliberative Process / Ex. 5

Thanks!

Hannah Branning, MSc.
Special Assistant
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW MC 2201A
Washington, DC 20460

Office: (202) 564-3317 | Cell: Personal Phone / Ex. 6

EPA Announces Renewed Emphasis on Self-Disclosed Violation Policies

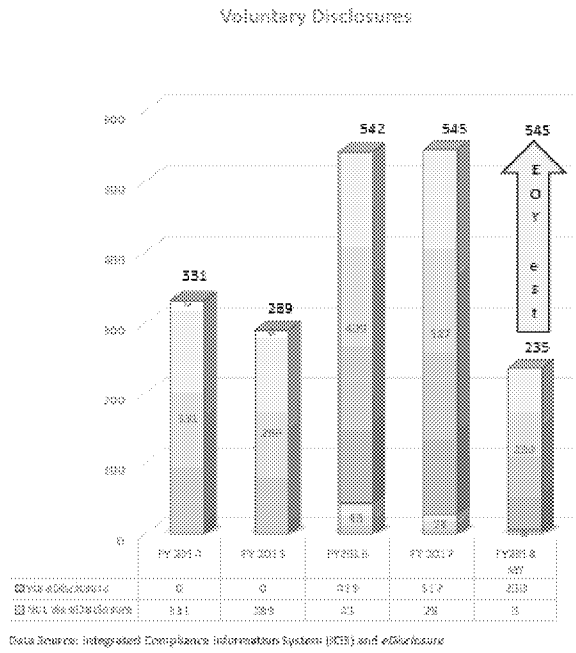
(5/15/2018)

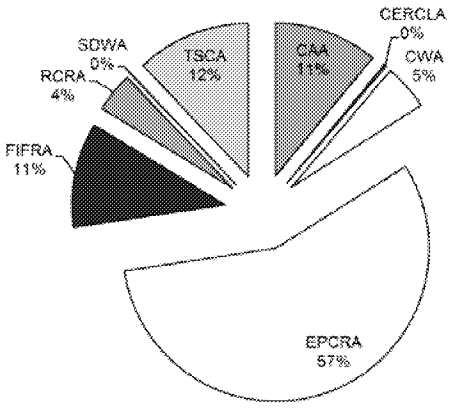
As part of EPA's priority to address noncompliance in an efficient and timely manner, applying a broad range of enforcement and compliance tools (see *e.g.*, Goal 3 in EPA's FY 2018-2022 Strategic Plan), the Agency today announced a renewed emphasis on encouraging regulated entities to voluntarily discover, promptly disclose, expeditiously correct, and take steps to prevent recurrence of environmental violations.

Specifically, EPA is taking steps to enhance and promote: (a) its already highly successful online "eDisclosure" program; (b) the additional flexibility that is available to new owners who self-disclose violations; and (c) opportunities to increase compliance through use of existing self-disclosure policies or tailored programs.

A. eDisclosure

The *eDisclosure* system provides a centralized web-based portal to receive and automatically process self-disclosed civil environmental violations. Large and small businesses are quickly and efficiently disclosing and correcting many violations using *eDisclosure*. In the two years since launching eDisclosure, EPA has seen more than a 75% increase in the number of annual self-disclosures (from 310 to ~545) and a continuing comparable mix of disclosure types (with just over half involving EPCRA violations and almost half involving other environmental laws).





eDisclosures by Law (12/9/2015 -12/9/2017)
EPCRA over 50% because federal only program

To encourage the continued and expanded use of these self-disclosure tools, EPA plans to supplement its 2015 eDisclosure FAQs, its 2007 Audit Policy Frequently Asked Questions (FAQs), and the 1997 Audit Policy Interpretive Guidance to clarify a number of issues that the regulated community has raised to EPA.

Additionally, EPA is reminding the regulated community that EPA's self-disclosure policies:

(1) eliminate 100% of the gravity-based civil penalty that otherwise might apply if all policy conditions are met;

(2) allow EPA to waive the economic benefit penalty component where EPA deems it insignificant (since the launch of the policies (EPA's Audit Policy, Small Business Compliance Policy, and New Owner Audit Policy), EPA has received over 10,500 disclosures and has sought to recover only the economic benefit component in less than 1% of them);

(3) do not require advance notice to EPA of an audit;

(4) do not impose time limits on audit completion;

(5) do not require an affirmative admission that a violation has occurred (stating that violations "may have" occurred is sufficient);

(6) provide entities with clarity by defining an objective time period for disclosing violations; and

(7) provide entities with clarity by defining allowable violation correction time periods.

EPA believes that the above clarifications should help to dispel some common misconceptions that may unnecessarily discourage even greater use of EPA's self-disclosure policies.

B. New Owner Audit Policy

In publishing the New Owner Audit Policy on August 1, 2008, EPA offered additional flexibility and incentives to new owners that want to make a ''clean start'' at their newly acquired facilities by addressing environmental noncompliance that began prior to acquisition. Some of the policy's key incentives and areas of flexibility include, for example:

(1) the ability of new owners to enter into audit agreements that incorporate disclosure reporting that is appropriate to their unique situation;

(2) the waiver of economic benefit penalties that otherwise might apply to delayed expenditures; and

ED_002311A_00002751-00002

(3) a more generous application of the Voluntary Discovery condition to allow consideration of all violations which would otherwise be ineligible for Audit Policy consideration because they are already required to be identified through a legally mandated monitoring, sampling or auditing protocol, and thus not "voluntarily discovered." (*e.g.*, to allow violations that would have been discovered pursuant to Clean Air Act Title V certification activities to be considered voluntarily discovered if the discloser enters into an audit agreement or discloses violations before the first instance when the Title V monitoring, sampling or auditing is required).

Although dozens of new owners that have acquired over 1,000 facilities have availed themselves of the benefits of the New Owner Policy, EPA believes that it can encourage greater use of the policy by expanding its outreach and education efforts to the regulated community and other stakeholders. To the extent that interpretive issues arise during such efforts, EPA will supplement its FAQs and/or interpretive guidance as needed.

C. New Owner Clean Air Act Audit Program for the Oil and Gas Sector

The EPA is in the process of developing a New Owner Clean Air Act Audit Program tailored to the oil and natural gas sector and focused on, at a minimum, tank battery vapor control systems. This program will provide environmentally protective efficiencies and certainty in the oil and natural gas sector based on the Agency's analysis of the sector's unique operations. We view this as an opportunity to help new owners to achieve prompt and cost-effective return to compliance.

The program initially will be made available to upstream exploration and production sites where EPA and states have seen significant noncompliance. We believe offering additional flexibilities under a specific and tailored new owner audit program will make it easier for the regulated community to self-disclose and correct violations, thereby providing additional protection for public health and the environment.

A key program component will require that companies assess storage tank battery vapor control system design as part of the audit process. EPA has developed a draft standard audit program agreement template, and will be conducting outreach and seeking feedback from states, tribes, the regulated community, environmental NGOs and other stakeholders on the draft agreement.

For more information:

See EPA's eDisclosure and New Owner Policy websites or contact the National Audit Policy Coordinator, Philip Milton (milton.philip@epa.gov or 202-564-5029).

ED_002311A_00002751-00003

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/25/2018 7:01:33 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: FW: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin
Attachments: Energy Extraction and Production NEI AA Briefing 4 24 18.pptx

FYI...

From: Palmer, Daniel
Sent: Wednesday, April 25, 2018 2:48 PM
To: Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: FW: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin

Attached is the final version of the Energy Extraction PPT for the NEI briefing for Susan tomorrow.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Palmer, Daniel
Sent: Wednesday, April 25, 2018 12:32 PM
To: Loving, Shanita <Loving.Shanita@epa.gov>
Subject: FW: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin

Shanita,

Attached is the presentation for the briefing tomorrow for Susan on the Energy Extraction National Enforcement Initiative. Please provide to Susan, Larry and Patrick.

Please let me know if you have any questions.

Thank you.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Lischinsky, Robert
Sent: Tuesday, April 24, 2018 7:06 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin

Dan,

Deliberative Process / Ex. 5

If anything else is needed, please let me know.

Thanks.

Rob

From: Hindin, David
Sent: Tuesday, April 24, 2018 5:10 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>
Subject: RE: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin

Here are my comments.

Deliberative Process / Ex. 5

David A. Hindin
Director, Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency, Washington, DC 20460
Phone 202-564-1300

From: Palmer, Daniel
Sent: Tuesday, April 24, 2018 2:44 PM
To: Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: Revised EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

For Exec Board review.

The PPT is due to OECA IO tomorrow for the 11:15 am AA briefing on Thursday. So ... get me comments by COB today if possible. **(Please send them to Rob Lischinsky, too, as I leave at 4 pm today.)**

Thanks.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Lischinsky, Robert
Sent: Tuesday, April 24, 2018 1:24 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Dan,

On behalf of the EEPI SIT, attached is the revised PowerPoint presentation for the AA. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you or the Executive Board have any questions or would like additional information, please let us know.

Deliberative Process / Ex. 5

Thanks.

Rob

From: Palmer, Daniel
Sent: Monday, April 23, 2018 1:01 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Rob,

See David Hindin's comments below and attached.

Can you all have a revised version for the board to review by noon tomorrow? Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Hindin, David
Sent: Monday, April 23, 2018 11:30 AM
To: Cozad, David <Cozad.David@epa.gov>; Palmer, Daniel <Palmer.Daniel@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

I agree with comments. I have marked up the slides with comment bubbles. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

David A. Hindin
Director, Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency, Washington, DC 20460
Phone 202-564-1300

From: Cozad, David
Sent: Friday, April 20, 2018 9:50 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5

Appointment

From: Bailey, Ethel [Bailey.Ethel@epa.gov]
Sent: 5/3/2018 1:08:41 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]

Subject: Oil and Gas New Owner Audit Program, Call-in Number: Conference Line/Code / Ex. 6, Conference ID: Conference Line/Code / Ex. 6
Location: 3204 WJC-South

Start: 5/3/2018 3:00:00 PM
End: 5/3/2018 4:00:00 PM
Show Time As: Tentative

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 4/18/2018 4:43:50 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
Subject: FW: Refresh for Disclosure Program
Attachments: Refresh Announcement for Disclosures 4-17-18 clean.docx

Agency Deliberative Process – Please do not release

Hi Apple –

Please find the refresh piece for the disclosure programs attached. Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 We are still waiting to hear back from George Hull on how this information will be released.

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Porter, Amy
Sent: Tuesday, April 17, 2018 5:38 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Subject: Refresh for Disclosure Program

George –

As discussed, I'm attaching the latest version of the Refresh piece for EPA disclosure programs. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Let us know what you think and we will go from there. Gary Jonesi and Phil Milton are staff on this effort and are working with Munsel Norris on timing of posting. Please keep them in the loop on related issues, I will be out of the office for the remainder of the week but checking email periodically.

Thank you
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/18/2018 3:12:40 PM
To: Stahle, Susan [Stahle.Susan@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: O&G New Owner Program Draft Agreement
Attachments: OG New Owner Program - Audit Agreement - Draft_Clean_04.04.2018 (JK).docx

Attached.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

Message

From: Porter, Amy [Porter.Amy@epa.gov]
Sent: 5/4/2018 7:22:53 PM
To: Hull, George [Hull.George@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]
Subject: RE: Oil and Gas new program language

Thanks, George. I am adding others here so everyone has the same info. Standing by on instructions for refresh!

From: Hull, George
Sent: Friday, May 04, 2018 3:18 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: Oil and Gas new program language

I just spoke with Patrick. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Let me know if you see any concerns. - George

From: Sullivan, Tim
Sent: Friday, May 04, 2018 2:22 PM
To: Hull, George <Hull.George@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Oil and Gas new program language

George:

I note a few edits in the text below in green highlight – they are as follows:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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http://www.epa.gov/compliance/complaints/index.html

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From: Hull, George
Sent: Friday, May 4, 2018 11:57 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: RE: Oil and Gas new program language

Apple, Tim and Chris,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Can you let me know if this looks right? Thanks, George

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Friday, May 04, 2018 12:44 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: Re: Oil and Gas new program language

Comments should be sent to me Tim Sullivan and Christopher Williams. Any other questions I can probably chat in a few minuets.

Sent from my iPhone

On May 4, 2018, at 12:16 PM, Hull, George <Hull.George@epa.gov> wrote:

> Apple,
>
> I met with Susan and Patrick this morning. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Thursday, May 03, 2018 4:29 PM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: Oil and Gas new program language

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

From: Hull, George
Sent: Thursday, May 03, 2018 4:26 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Oil and Gas new program language

Apple,

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Thursday, May 03, 2018 3:47 PM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: Oil and Gas new program language

Yes, that's my understanding.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: Hull, George
Sent: Thursday, May 03, 2018 3:47 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Oil and Gas new program language

Apple,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 - George

From: Chapman, Apple
Sent: Thursday, May 03, 2018 3:28 PM
To: Hull, George <Hull.George@epa.gov>
Subject: Oil and Gas new program language

Something like this:

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

Appointment

From: Stahle, Susan [Stahle.Susan@epa.gov]
Sent: 4/18/2018 1:25:51 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]

Subject: Accepted: New Owner Audit Program
Location: Conference Line/Code / Ex. 6 code Conference Line/Code / Ex. 6

Start: 4/18/2018 3:00:00 PM
End: 4/18/2018 4:00:00 PM
Show Time As: Busy

Message

From: Patefield, Scott [Patefield.Scott@epa.gov]
Sent: 4/25/2018 4:44:11 PM
To: Lischinsky, Robert [Lischinsky.Robert@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: Revised EE NEI PPT for AA Briefing - Any final Comments?

Thanks, Rob. I do have the invite and will plan to call in at 9:15 MST.

From: Lischinsky, Robert
Sent: Wednesday, April 25, 2018 10:42 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: Revised EE NEI PPT for AA Briefing - Any final Comments?

FYI… I think we are good to go with the briefing presentation. Thanks for everyone's help.

Deliberative Process / Ex. 5

Scott – did want to confirm that you would be calling in (you have the invite)…

From: Cozad, David
Sent: Wednesday, April 25, 2018 11:19 AM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Re: Revised EE NEI PPT for AA Briefing - Any final Comments?

Thanks. This is good to go as far as I am concerned

Sent from my iPhone

On Apr 25, 2018, at 9:41 AM, Lischinsky, Robert <Lischinsky.Robert@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Cozad, David
Sent: Wednesday, April 25, 2018 10:29 AM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>
Cc: Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: Re: Revised EE NEI PPT for AA Briefing - Any final Comments?

Deliberative Process / Ex. 5

Sent from my iPhone

On Apr 25, 2018, at 9:13 AM, Palmer, Daniel <Palmer.Daniel@epa.gov> wrote:

Board,

Any final comments or edits before I send the EE PPT on to the OECA IO – by noon?

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Lischinsky, Robert
Sent: Tuesday, April 24, 2018 7:06 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin

Dan,

Deliberative Process / Ex. 5 ed

If anything else is needed, please let me know.

Thanks.

Rob

From: Hindin, David
Sent: Tuesday, April 24, 2018 5:10 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>
Subject: RE: Revised EE NEI PPT for AA Briefing - For Exec Board Review - final comments from David Hindin

Here are my comments.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

David A. Hindin
Director, Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency, Washington, DC 20460
Phone 202-564-1300

From: Palmer, Daniel
Sent: Tuesday, April 24, 2018 2:44 PM
To: Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>
Cc: Porter, Amy <Porter.Amy@epa.gov>; Mckeever, Michele <Mckeever.Michele@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: Revised EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

For Exec Board review.

The PPT is due to OECA IO tomorrow for the 11:15 am AA briefing on Thursday. So ... get me comments by COB today if possible. **(Please send them to Rob Lischinsky, too, as I leave at 4 pm today.)**

Thanks.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division

OECA/Office of Compliance
(202) 564-5034

From: Lischinsky, Robert
Sent: Tuesday, April 24, 2018 1:24 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Dan,

On behalf of the EEPI SIT, attached is the revised PowerPoint presentation for the AA. Except for one comment, we have addressed the input received. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

If you or the Executive Board have any questions or would like additional information, please let us know.

Deliberative Process / Ex. 5

Thanks.

Rob

From: Palmer, Daniel
Sent: Monday, April 23, 2018 1:01 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: FW: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Rob,

See David Hindin's comments below and attached.

Can you all have a revised version for the board to review by noon tomorrow? Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

From: Hindin, David
Sent: Monday, April 23, 2018 11:30 AM
To: Cozad, David <Cozad.David@epa.gov>; Palmer, Daniel <Palmer.Daniel@epa.gov>;

Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

I agree with comments. I have marked up the slides with comment bubbles. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

David A. Hindin
Director, Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency, Washington, DC 20460
Phone 202-564-1300

From: Cozad, David
Sent: Friday, April 20, 2018 9:50 PM
To: Palmer, Daniel <Palmer.Daniel@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>
Subject: Fwd: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Subject: RE: EE NEI PPT for AA Briefing - For Exec Board Review, Input Due COB Monday, 4/23

Deliberative Process / Ex. 5

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 5/4/2018 6:23:45 PM
To: Sullivan, Tim [Sullivan.Tim@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]
Subject: RE: Oil and Gas new program language

Thanks, Tim.

From: Sullivan, Tim
Sent: Friday, May 04, 2018 2:22 PM
To: Hull, George <Hull.George@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Williams, Christopher <Williams.Christopher@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>
Subject: RE: Oil and Gas new program language

George:

I note a few edits in the text below in green highlight – they are as follows:

Deliberative Process / Ex. 5

Thanks –

Tim

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

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http://www.epa.gov/compliance/complaints/index.html

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From: Hull, George
Sent: Friday, May 4, 2018 11:57 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: RE: Oil and Gas new program language

Apple, Tim and Chris,

Deliberative Process / Ex. 5

Can you let me know if this looks right? Thanks, George

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Friday, May 04, 2018 12:44 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: Re: Oil and Gas new program language

Comments should be sent to me Tim Sullivan and Christopher Williams. Any other questions I can probably chat in a few minuets.

Sent from my iPhone

On May 4, 2018, at 12:16 PM, Hull, George <Hull.George@epa.gov> wrote:

Apple,

I met with Susan and Patrick this morning. T Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Thursday, May 03, 2018 4:29 PM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: Oil and Gas new program language

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

From: Hull, George
Sent: Thursday, May 03, 2018 4:26 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Oil and Gas new program language

Apple,

Deliberative Process / Ex. 5

From: Chapman, Apple
Sent: Thursday, May 03, 2018 3:47 PM
To: Hull, George <Hull.George@epa.gov>
Subject: RE: Oil and Gas new program language

Yes, that's my understanding.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 (mobile)|

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Sent: Thursday, May 03, 2018 3:47 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Oil and Gas new program language

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This looks good from my perspective. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 - George

From: Chapman, Apple
Sent: Thursday, May 03, 2018 3:28 PM
To: Hull, George <Hull.George@epa.gov>
Subject: Oil and Gas new program language

Something like this:

Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 5/4/2018 6:21:35 PM
To: Hull, George [Hull.George@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: Oil and Gas new program language

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Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
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Sent: 5/4/2018 5:57:23 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Sullivan, Tim [Sullivan.Tim@epa.gov]; Williams, Christopher [Williams.Christopher@epa.gov]
Subject: RE: Oil and Gas new program language

Apple, Tim and Chris,

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Sent: Friday, May 04, 2018 12:44 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
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Sent from my iPhone

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Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

From: Hull, George
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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 4/25/2018 2:24:18 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: FW: news story

Deliberative Process / Ex. 5

Marcia B Mia, Acting Chief
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Fite, Mark
Sent: Wednesday, April 25, 2018 10:11 AM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>
Subject: FW: news story

FYI

Mark J. Fite
Technical Authority for CAA, TSCA, FIFRA, & EPCRA
Office of Enforcement Coordination
U.S. EPA Region 4
61 Forsyth St., SW
Atlanta, GA 30303
fite.mark@epa.gov
404.562.9740

From: Gordon, Scott
Sent: Tuesday, April 24, 2018 8:01 AM
To: R4 CASC <R4_CASC@epa.gov>
Subject: FW: news story

From: Starfield, Lawrence
Sent: Monday, April 23, 2018 1:49 PM
To: OECA Office Directors and Deputy Directors <OECA_Office_Directors_and_Deputy_Directors@epa.gov>; Enforcement Division Directors <Enforcement_Division_Directors@epa.gov>; Regional Enforcement Counsels

<Regional_Enforcement_Counsels@epa.gov>
Subject: news story

I thought you might be interested in the following story about Susan Bodine's recent speech on Earth Day.

Larry

EPA

'Shocked' by noncompliance, enforcement chief warns industry

Sean Reilly, E&E News reporter

Published: Monday, April 23, 2018

With an expression of surprise at the continuing lack of compliance with environmental laws, EPA enforcement chief Susan Bodine warned businesses Friday against cutting corners to save money.

While that's bad for the environment and public health, it's also bad for the company, Bodine said at the EarthX festival in Dallas, "because you're going to lose whatever those savings were in penalties, lost reputation, even debarment from getting federal government contracts."

Alongside the Volkswagen emissions cheating scandal — which cost the German automaker $4.3 billion in civil and criminal fines — Bodine cited several lower-profile incidents that also led to penalties for criminal behavior.

Those included a case in which Tyson Foods Inc.'s poultry unit agreed to a $2 million fine for discharge of acidic wastewater that led to a massive fish kill in Missouri after the company dumped the liquid into a municipal sewer system that wasn't equipped to handle it (*E&E News PM*, Sept. 27, 2017).

Bodine also mentioned the case of explosives maker Dyno Nobel Inc., which pleaded guilty to a felony in February after releasing six tons of anhydrous ammonia from an Oregon plant in 2015 and then failing to report the discharge to regulators for almost a week.

While such violations are not the norm, Bodine said, "I'm shocked that they're happening as often as they do happen."

Bodine, a former congressional staffer who enjoyed bipartisan support in winning Senate confirmation last December to serve as head of EPA's Office of Enforcement and Compliance Assurance (OECA), also used her appearance to talk about carrots as well as sticks.

She referenced the possible expansion of an existing self-audit program for the oil and gas industry and noted that agency Administrator Scott Pruitt has stressed the need for companies to operate "under the rule of law" (*E&E News PM*, April 20).

Still, the relatively stern tenor of her comments stood out in an administration that's more inclined to highlight the importance of cooperation with the corporate sector through initiatives like EPA's Smart Sectors program (*Greenwire*, Sept. 25, 2017).

"There's still a lot of noncompliance going on out there," she said. "We need to deter violations; we need to deter future misconduct."

Environmental groups are already watching closely. While Bodine in February touted EPA's fiscal 2017 enforcement record, Cynthia Giles, her predecessor at OECA, argued that credit for most of the civil and criminal penalties for that year belonged with the Obama administration (*E&E News PM*, Feb. 8).

In a report last August, well before Bodine took over as enforcement chief, the Environmental Integrity Project found a steep drop in one gauge of enforcement activity during the first six months of the Trump administration.

In her Friday remarks at the EarthX event, Bodine also outlined several broad categories for why businesses fail to comply with environmental laws. Those may include ignorance of requirements or a lack of "capacity" to meet them, she said.

But Bodine added that she has also seen cases in which company leaders drive employees "to make a profit or to increase a profit, and that pressure has resulted in situations where people cut corners to save money."

"And cutting corners to save money in the environmental regulatory world is a really bad idea," she said.

The EarthX event, hosted by a Texas nonprofit over more than a week in Dallas, was billed as the world's largest environmental exposition, conference and film festival.

Reporter Mike Lee contributed from Dallas.

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 5/4/2018 1:55:08 PM
To: Porter, Amy [Porter.Amy@epa.gov]
CC: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Milton, Philip [Milton.Philip@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Proposed rollout for Refresh

Thanks, Amy.

From: Porter, Amy
Sent: Friday, May 04, 2018 9:25 AM
To: Hull, George <Hull.George@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Proposed rollout for Refresh

George – **Deliberative Process / Ex. 5**

Proposed rollout plan for Disclosure Refresh:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: Miller, Anthony [Miller.Anthony@epa.gov]
Sent: 4/17/2018 1:16:20 PM
To: Belser, Evan [Belser.Evan@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Brooks, Phillip [Brooks.Phillip@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Werner, Jacqueline [Werner.Jacqueline@epa.gov]
Subject: Re: Issues for Rosemarie this week?

Deliberative Process / Ex. 5

Sent from my iPhone

On Apr 17, 2018, at 7:04 AM, Belser, Evan <Belser.Evan@epa.gov> wrote:

Deliberative Process / Ex. 5

Thanks,
Evan

Evan Belser
Chief, Vehicle and Engine Enforcement Branch
United States Environmental Protection Agency
202-564-6850

Do not release this email. This is confidential attorney-client communication and privileged attorney work product created for law enforcement purposes.

On Apr 17, 2018, at 8:42 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

What were the issues we needed to discuss with Rosemarie this week? She is asking to reschedule the AED general Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 What else?

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

Message

From: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]
Sent: 4/17/2018 1:08:28 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: Draft New Owner Audit Bi-lateral agreement

Thanks. I was aware but it is helpful to have a reminder.

Rosemarie

On Apr 17, 2018, at 8:48 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

Rosemarie,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 I will work with Catherine on rescheduling the AED General. Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) Personal Phone / Ex. 6 (mobile)|

From: Kelley, Rosemarie
Sent: Monday, April 16, 2018 12:06 AM
To: Chapman, Apple <Chapman.Apple@epa.gov>
Cc: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>
Subject: Re: Draft New Owner Audit Bi-lateral agreement

Deliberative Process / Ex. 5 Could we talk about it at the AED general this week?

Rosemarie

From: Chapman, Apple
Sent: Tuesday, April 10, 2018 8:25:57 AM
To: Kelley, Rosemarie
Cc: Fogarty, Johnpc; Theis, Joseph; Brooks, Phillip; Fried, Gregory; Sullivan, Tim; Williams, Christopher
Subject: Draft New Owner Audit Bi-lateral agreement

Rosemarie,

Attached for your review is a draft Bi-Lateral New Owner Audit Agreement. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks.

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office) | Personal Phone / Ex. 6 |(mobile)|

Message

From: Milton, Philip [Milton.Philip@epa.gov]
Sent: 4/20/2018 5:44:44 PM
To: Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]; Chapman, Apple [Chapman.Apple@epa.gov]
CC: Norris, Munsel [Norris.Munsel@epa.gov]
Subject: RE: New OECA audit policy

Deliberative Process / Ex. 5

V/r

Phil

Philip L. Milton
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Kelley, Rosemarie
Sent: Friday, April 20, 2018 1:25 PM
To: Theis, Joseph <Theis.Joseph@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: Fwd: New OECA audit policy

Seems to be two threads here **Deliberative Process / Ex. 5** I will leave it to those of you who are in the office today to sort this out.

Rosemarie

Begin forwarded message:

> **From:** "Bodine, Susan" <bodine.susan@epa.gov>
> **Date:** April 20, 2018 at 1:15:07 PM EDT
> **To:** "Hull, George" <Hull.George@epa.gov>
> **Cc:** "Traylor, Patrick" <traylor.patrick@epa.gov>, "Kelley, Rosemarie" <Kelley.Rosemarie@epa.gov>, "Starfield, Lawrence" <Starfield.Lawrence@epa.gov>
> **Subject: Re: New OECA audit policy**
>
> **Deliberative Process / Ex. 5**
>
> Sent from my iPhone

On Apr 20, 2018, at 10:42 AM, Hull, George <Hull.George@epa.gov> wrote:

Deliberative Process / Ex. 5 - George

From: Bodine, Susan
Sent: Friday, April 20, 2018 11:41 AM
To: Hull, George <Hull.George@epa.gov>
Cc: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: Re: New OECA audit policy

Deliberative Process / Ex. 5

Sent from my iPhone

On Apr 20, 2018, at 10:37 AM, Hull, George <Hull.George@epa.gov> wrote:

Susan,
This is language that was developed by OCE for posting on our website. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Please let me know what you think. - George

Deliberative Process / Ex. 5

Message

From: Lawrence, Rob [Lawrence.Rob@epa.gov]
Sent: 6/12/2018 4:04:36 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Kenney, James [Kenney.James@epa.gov]
Subject: RE: Oil and Gas Audit Program Invitation

Deliberative Process / Ex. 5

Rob Lawrence
Region 6
Policy Advisor - Energy Issues
214.665.6580

From: Chapman, Apple
Sent: Tuesday, June 12, 2018 10:36 AM
To: Lawrence, Rob <Lawrence.Rob@epa.gov>
Cc: Kenney, James <Kenney.James@epa.gov>
Subject: FW: Oil and Gas Audit Program Invitation

Rob

Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) Personal Phone / Ex. 6 (mobile) |

From: Traylor, Patrick
Sent: Friday, June 01, 2018 6:16 PM
Cc: Chapman, Apple <Chapman.Apple@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>; Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: Oil and Gas Audit Program Invitation

On May 4, 2018, the EPA made available for public comment a draft standard audit program agreement tailored for new owners of oil and natural gas exploration and production facilities.
At that time, we stated that we would be accepting stakeholder comments on the draft agreement until Monday, June 4, 2018, and conducting outreach to seek individual feedback from states, tribes, the regulated community, environmental NGOs, and other stakeholders. EPA is pleased to announce we are extending the comment period until Monday, July 2, 2018, and we are hosting in-person opportunities to engage on the draft agreement.

On Thursday, June 28, from 1:30 p.m. to 4:00 p.m. (EDT), EPA staff will be hosting a stakeholder meeting in Washington, DC at 1200 Pennsylvania Avenue NW in the William Jefferson Clinton South Building, Room 5213. The purpose of the meeting is to afford stakeholders the opportunity to provide individual, verbal feedback on the draft agreement directly to EPA staff. During the meeting, EPA staff may provide some clarifications on the draft agreement as necessary to help understand your verbal comments. However, EPA staff will not discuss the merits of the draft agreement, negotiate specific changes, or respond to verbal comments. You may participate

in this stakeholder meeting for States in-person or by conference call (see registration details below). If you are unable to participate in this stakeholder meeting at this date and time, you are encouraged to provide written comments to EPA by Monday, July 2, 2018. EPA is providing all segments of the oil and natural gas stakeholder community with this opportunity and cannot offer make-up sessions. If you participate at the meeting or provide comments, EPA requests that you do so on an individual basis.

While EPA has made every attempt to inform interested parties of the opportunity to provide individual written comments on the draft agreement and provide verbal comments, we encourage you to share this email with your colleagues in the oil and natural gas stakeholder community.

To register for the in-person meeting please send an email to Apple Chapman at chapman.apple@epa.gov by 5:00 p.m. (EDT) on Friday, June 22. The subject line of the email should say "Oil and Natural Gas Program Registration." In the body of the email please indicate if you plan to participate in person or by teleconference. Apple will provide you with additional logistics and information in an upcoming message. We have also prepared the attached Q&A document with information regarding meeting logistics. If you have questions about the in-person stakeholder meeting, please contact Apple by email.

We look forward to your participation.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

Message

From: Sullivan, Tim [Sullivan.Tim@epa.gov]
Sent: 4/30/2018 10:21:59 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Williams, Christopher [Williams.Christopher@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: RE: New Owner Audit Program

I will attempt to get something on the schedule now.

Timothy J. Sullivan
Air Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1595 Wynkoop Street (MC 8MSU)
Denver, Colorado 80202

Phone: 303.312.6196 | Email: sullivan.tim@epa.gov

Help eliminate environmental violations - report tips and complaints at:
http://www.epa.gov/compliance/complaints/index.html

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

From: Chapman, Apple
Sent: Monday, April 30, 2018 4:21 PM
To: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: Fwd: New Owner Audit Program

Can we find time tomorrow or Wednesday to discuss his comments so we are prepared for the Thursday meeting? Thanks.

Sent from my iPhone

Begin forwarded message:

> **From:** "Traylor, Patrick" <traylor.patrick@epa.gov>
> **To:** "Chapman, Apple" <Chapman.Apple@epa.gov>
> **Cc:** "Kelley, Rosemarie" <Kelley.Rosemarie@epa.gov>, "Sullivan, Tim" <Sullivan.Tim@epa.gov>, "Kenney, James" <Kenney.James@epa.gov>, "Brooks, Phillip" <Brooks.Phillip@epa.gov>, "Bodine, Susan" <bodine.susan@epa.gov>
> **Subject: RE: New Owner Audit Program**
>
> Thanks for this very good work. I'm attaching my comments/questions for discussion later this week with Susan.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Personal Phone / Ex. 6 (cell)

From: Chapman, Apple
Sent: Friday, April 27, 2018 4:02 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Sullivan, Tim <Sullivan.Tim@epa.gov>; Kenney, James <Kenney.James@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>
Subject: New Owner Audit Program

Susan,

I wanted to update you on where we are with the New Owner Audit Program for the oil and gas sector. On April 20, I forwarded you the email that I sent to the regions and other offices requesting feedback on the draft bi-lateral agreement by COB today. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

The attached version highlights areas (in bubble comments) where we are still seeking management input. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thank you,
Apple

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 (mobile)|

Message

From: Brooks, Phillip [Brooks.Phillip@epa.gov]
Sent: 4/17/2018 12:23:35 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: Re: NACAA Invitation - May 21, 2018 -- Chattanooga, TN

Ok. I will do NACAA.

Sent from my iPhone

On Apr 17, 2018, at 7:50 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:

> Interstate oil and gas compact commission. Patrick will be there and so will Jim. Supposed to talk about the oil and gas new owner audit program and other follow up items from the round table.
>
> Sent from my iPhone
>
> On Apr 17, 2018, at 7:42 AM, Brooks, Phillip <Brooks.Phillip@epa.gov> wrote:
>
>> What is IOGCC?
>>
>> Sent from my iPhone
>>
>> On Apr 17, 2018, at 7:18 AM, Chapman, Apple <Chapman.Apple@epa.gov> wrote:
>>
>>> This is the week after the AEM. I may also be going to IOGCC the beginning of May so that would be a lot of travel in May for me. Personal Matters / Ex. 6
>>> Personal Matters / Ex. 6 I guess we should discuss this today.
>>>
>>> Sent from my iPhone
>>>
>>> Begin forwarded message:
>>>
>>>> **From:** Mary Sullivan Douglas <mdouglas@4cleanair.org>
>>>> **Date:** April 16, 2018 at 4:41:01 PM EDT
>>>> **To:** "Brooks, Phillip" <Brooks.Phillip@epa.gov>
>>>> **Cc:** "Chapman, Apple" <Chapman.Apple@epa.gov>
>>>> **Subject: RE: NACAA Invitation - May 21, 2018 -- Chattanooga, TN**
>>>>
>>>> Hi, Phill and Apple,
>>>>
>>>> I'm just checking in again to see if it has been determined which of you will be presenting at the NACAA meeting. We are trying to add the names to the agenda.
>>>>
>>>> Thanks.
>>>>
>>>> Mary

From: Mary Sullivan Douglas
Sent: Monday, April 09, 2018 11:06 AM
To: 'Brooks, Phillip'
Cc: 'Chapman, Apple'
Subject: RE: NACAA Invitation - May 21, 2018 -- Chattanooga, TN

Hi, Phill and Apple,

Our meeting folks have reminded us that the deadline for hotel reservations is April 26. I just wanted to put that on your radar so you don't have difficulties down the road in securing a reservation. I look forward to hearing from you on who can attend our meeting.

Thanks.

Mary

From: Mary Sullivan Douglas
Sent: Monday, April 02, 2018 12:45 PM
To: 'Brooks, Phillip'
Cc: Chapman, Apple
Subject: RE: NACAA Invitation - May 21, 2018 -- Chattanooga, TN

Great news! Thanks.

Based on what I have been seeing on I-66, it seems that everyone in the world (except me, apparently) went on some kind of spring break last week or this week, so extending invitations this time of year was dicey. No worries on the delay in responding (esp since the answer was "yes").

Once you and Apple have had a chance to confer, please let me know whose name I should put on the agenda. In the meantime, here is the link to the meeting information, including hotel, etc.. We also ask that speakers register with us for the meeting so that we have all the contact info. That link is also available through this URL. http://www.4cleanair.org/Spring_2018

Thanks again.

Mary

From: Brooks, Phillip [mailto:Brooks.Phillip@epa.gov]
Sent: Monday, April 02, 2018 12:35 PM

To: Mary Sullivan Douglas
Cc: Chapman, Apple
Subject: RE: NACAA Invitation - May 21, 2018 -- Chattanooga, TN

Mary

I am so sorry for the delay in responding, I was out of the office last week. I thought I was doing a good job of watching my email, but I see that I was not.

Apple or I would be honored to attend your meeting, **Personal Matters / Ex. 6** we will work with you to plan something that your membership will find worthwhile.

Phill

From: Mary Sullivan Douglas [mailto:mdouglas@4cleanair.org]
Sent: Monday, April 02, 2018 12:00 PM
To: Brooks, Phillip <Brooks.Phillip@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: NACAA Invitation - May 21, 2018 -- Chattanooga, TN

Hi, Phill,

I'm just checking in again to see if you will be able to participate in the NACAA meeting on Monday, May 21 in Chattanooga (details below)? Fingers crossed.

Thanks.

Mary

From: Mary Sullivan Douglas
Sent: Tuesday, March 27, 2018 1:02 PM
To: 'brooks.phillip@epa.gov'
Cc: 'Chapman, Apple'
Subject: NACAA Invitation - May 21, 2018 -- Chattanooga, TN

Hi, Phill,

NACAA will hold its Spring Membership Meeting in Chattanooga, TN on May 21-23, 2018 (at the Westin Chattanooga). We would like to invite you to speak at our meeting during a session on Monday, May 21, 2018 at 10:15 a.m. As you may know, we had invited Susan Bodine, but she is unavailable and her office suggested we extend an invitation to you, which we are very happy to do.

We have 90 minutes set aside for the enforcement session. We hoped you could spend 15-20 minutes telling us about the Administration's plans, philosophies, initiatives, etc. with respect to enforcement. We will have additional time for Q and A after that. We also plan to include several state/local speakers to discuss enforcement initiatives going on in their areas.

We look forward to hearing from you. Please let me know if you have any questions.

Mary

****

Mary Sullivan Douglas
National Association of Clean Air Agencies
444 North Capitol Street, NW, Suite 307
Washington, DC 20001
Personal Phone / Ex. 6
mdouglas@4cleanair.org
www.4cleanair.org

Message

From: Johnson, Catherine M. [johnson.catherinem@epa.gov]
Sent: 6/12/2018 4:01:51 PM
To: dmartinez@puebloofacoma.org
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Sullivan, Tim [Sullivan.Tim@epa.gov]
Subject: Notice of Opportunity
Attachments: Riley.pdf

Good afternoon. Please see the attached letter regarding a notice of opportunity to comment on a New Owner Clean Air Act Audit Program tailored for the Oil and Natural Gas Sector. EPA developed a draft standard audit program template and is now accepting comments through July 9, 2018. The letter also provides information on regarding an opportunity on June 27, 2018 to learn more about the Draft Agreement and Audit Program and provide EPA your comments.

Catherine M. Johnson
Executive Assistant
NOWCC SEE Enrollee
Office of Enforcement and Compliance Assurance/OCE (MC 2241A)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone (202) 564-1106

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

JUN 08 2018

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Honorable Kurt Riley, Governor
Pueblo of Acoma
P.O. Box 309
Acoma, NM 87034

Re: Notice of Opportunity to Comment on Draft New Owner Audit Program Agreement Template for Oil and Natural Gas Exploration and Production Facilities

Dear Governor Riley:

The U.S. Environmental Protection Agency (EPA) is in the process of developing a New Owner Clean Air Act Audit Program (Program) tailored for the Oil and Natural Gas Sector. EPA developed a draft standard audit program template (Draft Agreement) and is now accepting comments through July 9, 2018. EPA is asking to engage with you because of the subsurface oil and natural gas interests within the boundaries of your tribe's reservation.

Under this voluntary program, oil and natural gas production companies that are new owners, as that term is defined in the final agreement, can agree to audit, disclose and correct Clean Air Act violations at the newly acquired facilities. Upon successful completion of the audit and any necessary corrective actions, EPA will resolve the company's civil penalty liability for the disclosed and corrected violations. We anticipate that participation in the Program will improve the oil and natural gas sector's Clean Air Act compliance while minimizing costs for all involved parties. Some of the companies that may seek to participate in the Program, once finalized, may be operating facilities on your reservation.

EPA values our relationship with you and would like to invite you and your designated representative(s) to participate in-person or by conference call on June 27, 2018 at 1:30 p.m. (EST) to learn more about the Draft Agreement and Audit Program and provide EPA your comments. The meeting will be held in Washington, DC at 1200 Pennsylvania Avenue NW in the William Jefferson Clinton South Building, Room 6226. To register for the meeting please send an email to Apple Chapman at chapman.apple@epa.gov by 5:00 p.m. (EDT) on Friday, June 22. The subject line of the email should say "Oil and Natural Gas Program Registration." In the body of the email please indicate if you plan to participate in person or by teleconference. The teleconference number is 1-866-299-3188 and the conference ID number is 2025645666. If you decide to submit written comments, please send them directly by email to Apple Chapman at

ED_002311A_00002796-00001

chapman.apple@epa.gov and Tim Sullivan at sullivan.tim@epa.gov; by Wednesday, July 9, 2018. After considering your input (as well as input from other stakeholders), EPA will revise the Draft Agreement, as appropriate, and provide a written response to your comments. EPA is taking this approach to engaging you consistent with the process outlined in *EPA Policy on Consultation and Coordination with Indian Tribes*.

Details on the Draft Agreement are available on EPA's New Audit Program Webpage at www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production.

If you have any questions about the Draft Agreement, please do not hesitate to contact Apple Chapman, the Deputy Director of the Air Enforcement Division, at 202-564-5666, or Tim Sullivan at 303-312-6196.

I look forward to hearing from you on this important matter.

Sincerely,

Rosemarie A. Kelley

Rosemarie A. Kelley, Director

cc: Donna Martinez, Environmental Contact
Apple Chapman, Deputy Director, EPA, Air Enforcement Division
Tim Sullivan, Attorney, Air Enforcement Division

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 4/20/2018 4:25:50 PM
To: Milton, Philip [Milton.Philip@epa.gov]; Porter, Amy [Porter.Amy@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Norris, Munsel [Norris.Munsel@epa.gov]; Jonesi, Gary [Jonesi.Gary@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]
Subject: RE: Refresh for Disclosure Program

Yes, that is my understanding. - George

From: Milton, Philip
Sent: Friday, April 20, 2018 12:23 PM
To: Hull, George <Hull.George@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: RE: Refresh for Disclosure Program

George --

Thank you for the update.

Deliberative Process / Ex. 5 Does it concern the proposed Oil & Gas Sector Audit Program?

Thanks

V/r

Phil

Philip L. Milton, National Audit Policy Coordinator
Chemical Engineer I U.S. Environmental Protection Agency
Office of Enforcement & Compliance Assurance I Office of Civil Enforcement I Waste and Chemical Enforcement Division I Chemical Risk and Reporting Enforcement Branch
1200 Pennsylvania Avenue, NW I Mail Code: 2249A I WJC South Bldg Rm 3124-B I Washington, DC 20460
Milton.philip@epa.gov I phone: 202-564-5029 I fax: 202-564-0010

From: Hull, George
Sent: Friday, April 20, 2018 11:58 AM
To: Porter, Amy <Porter.Amy@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>
Cc: Chapman, Apple <Chapman.Apple@epa.gov>
Subject: FW: Refresh for Disclosure Program

FYI - We are holding on the posting. **Deliberative Process / Ex. 5**
Thanks, George

From: Porter, Amy
Sent: Tuesday, April 17, 2018 5:38 PM

To: Hull, George <Hull.George@epa.gov>
Cc: Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Jonesi, Gary <Jonesi.Gary@epa.gov>; Norris, Munsel <Norris.Munsel@epa.gov>
Subject: Refresh for Disclosure Program

George –

As discussed, I'm attaching the latest version of the Refresh piece for EPA disclosure programs. This is a "companion" piece to the Earth Day talking points Rosemarie sent you last night. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Gary Jonesi and Phil Milton are staff on this effort and are working with Munsel Norris on timing of posting. Please keep them in the loop on related issues, I will be out of the office for the remainder of the week but checking email periodically.

Thank you
Amy

Amy Porter, Director
Crosscutting Policy Staff
Office of Civil Enforcement
US Environmental Protection Agency
202-564-2431

Message

From: Lischinsky, Robert [Lischinsky.Robert@epa.gov]
Sent: 4/16/2018 3:25:05 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Patefield, Scott [Patefield.Scott@epa.gov]; Mia, Marcia [Mia.Marcia@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: RE: AA NEI Presentations - Format and Content
Attachments: Energy Extraction and Production NEI AA Briefing April 2018.pptx

Hi all,

I have made just a couple of edits to the attached presentation. For ease in review, the redline/strikeout changes appear on slides 9, 11, 15, 16, 23, 25, 26, 28.

Deliberative Process / Ex. 5

Please make any other changes you feel needed. We have until Thursday to submit the presentation to the Executive Board.

Thanks.

Rob

From: Chapman, Apple
Sent: Tuesday, April 10, 2018 5:13 PM
To: Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: RE: AA NEI Presentations - Format and Content

Thanks, Rob Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | Personal Phone / Ex. 6 mobile) |

From: Lischinsky, Robert
Sent: Tuesday, April 10, 2018 5:00 PM
To: Chapman, Apple <Chapman.Apple@epa.gov>; Patefield, Scott <Patefield.Scott@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>
Subject: FW: AA NEI Presentations - Format and Content

Below, Dan Palmer has provided additional information for the upcoming NEI briefings for the AA. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Our AA Briefing is now currently scheduled for Thursday, April 26 at 11:15am. We are being asked to provide a draft presentation a week prior – Thursday, April 19.

Rob

From: Palmer, Daniel
Sent: Tuesday, April 10, 2018 11:45 AM
To: Haas, Craig <Haas.Craig@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; Heminway, Seth <Heminway.Seth@epa.gov>; Duffy, Rick <Duffy.Rick@epa.gov>; Burke, Shaun <Burke.Shaun@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Cc: Mckeever, Michele <Mckeever.Michele@epa.gov>; Klaus, Dan <Klaus.Dan@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Porter, Amy <Porter.Amy@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: AA NEI Presentations - Format and Content

All,

The NEI Executive Board met yesterday and discussed format and content for the presentations that you all are preparing for the upcoming AA NEI briefings. Here are the **key points**:

1) Please put in PowerPoint.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Date	Time	New
	Deliberative Process / Ex. 5	

More to come on schedule, invitees, etc. in a separate email.

I hope this helps. Please call me or Michele if/when you have questions and we'll try to answer them.

Daniel Palmer, Deputy Director
Planning, Measures and Oversight Division
OECA/Office of Compliance
(202) 564-5034

Message

From: Hull, George [Hull.George@epa.gov]
Sent: 4/30/2018 9:45:36 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Senn, John [Senn.John@epa.gov]
Subject: Draft Roll Out Plan for New Owner Audit Program
Attachments: New Owner Audit Roll Out Plan.docx

Apple,
Following up on our Friday meeting, please find attached a draft roll out plan for the New Owner Audit Program for the Oil and Gas Sector. I spoke a little bit with Patrick. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Let me know what you think. I also need to understand better where we are on the web content. Thanks,
George

Message

From: Mia, Marcia [Mia.Marcia@epa.gov]
Sent: 4/30/2018 8:33:58 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]; Kenney, James [Kenney.James@epa.gov]
Subject: RE: could you pls look at this presentation

Next Thursday 5/10.

Marcia B Mia, Acting Chief
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

From: Chapman, Apple
Sent: Monday, April 30, 2018 4:29 PM
To: Mia, Marcia <Mia.Marcia@epa.gov>; Kenney, James <Kenney.James@epa.gov>
Subject: RE: could you pls look at this presentation

Marcia
What is the timing on this workshop? We are meeting with Patrick on Thursday to talk about the new owner audit program Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Ms. Apple Chapman |Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 |202-564-5666 (office)| Personal Phone / Ex. 6 mobile)|

From: Mia, Marcia
Sent: Wednesday, April 25, 2018 6:25 PM
To: Kenney, James <Kenney.James@epa.gov>; Chapman, Apple <Chapman.Apple@epa.gov>
Subject: could you pls look at this presentation

For a Region 6 air inspector workshop. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5
Deliberative Process / Ex. 5. This is just the content it will look prettier…

Thanks.

Marcia B Mia, Acting Chief
Air Branch
Office of Compliance
2227A WJCS
U.S. Environmental Protection Agency
202-564-7042

Message

From: Secrest, Cary [Secrest.Cary@epa.gov]
Sent: 4/20/2018 1:36:22 PM
To: Chapman, Apple [Chapman.Apple@epa.gov]
CC: Caballero, Kathryn [Caballero.Kathryn@epa.gov]
Subject: Comment on New Owner Audit Program - draft for review - Endangerment

ENFORCEMENT CONFIDENTIAL

Hi Apple:

Deliberative Process & Attorney-Client / Ex. 5 // Law Enforcement / Ex. 7(a)

Best,

Cary

Mr. Cary Secrest
EPA Office of Enforcement and Compliance Assurance
Air Enforcement Division
WJ Clinton Bldg, South, Rm. 2111A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Office: (202) 564-8661

"Be yourself. Everyone else is already taken." Oscar Wilde

From: Chapman, Apple
Sent: Thursday, April 19, 2018 5:15 PM
To: Air Enforcement Managers <Air_Enforcement_Managers@epa.gov>; Thompson, Christopher <Thompson.Christopher@epa.gov>
Cc: Sullivan, Tim <Sullivan.Tim@epa.gov>; Williams, Christopher <Williams.Christopher@epa.gov>; Milton, Philip <Milton.Philip@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>
Subject: New Owner Audit Program - draft for review

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 In March at the Environmental Councils of States (ECOS) meeting, he again reiterated EPA's commitment to the develop such a policy. I Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 Deliberative Process / Ex. 5 The working draft is to begin to solicit feedback from stakeholders, consistent with the oil and natural gas roundtable feedback (see www.epa.gov/uog to read through the highlights document from the roundtable).

In anticipation of sharing the working draft, I wanted to afford you the opportunity to share your reactions with OECA. Attached please find the most recent working draft of the proposed policy. As you will note, this program will be separate from the New Owner Audit Policy and will provide additional flexibilities to the regulated community.

Deliberative Process / Ex. 5

If you can, please provide any significant comments on the attached document by COB, Friday April 27th. Please send your comments directly to me, Christopher Williams (williams.christopher@epa.gov) and Tim Sullivan (sullivan.tim@epa.gov). Please know that we anticipate multiple opportunities for internal review and comment, as well as external review and comment. We will consider any comments received on the attached document prior to COB, April 27th f Deliberative Process / Ex. 5 Deliberative Process / Ex. 5

Please forward this email as appropriate.

Thank you,

Ms. Apple Chapman | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | 202-841-6076 (mobile) |