

Arvin Ganesan/DC/USEPA/US

01/09/2012 05:20 PM

To Scott Fulton, Avi Garbow, Michael Goo, Janet McCabe, Bob Perciasepe, Laura Vaught, Diane Thompson, Brendan Gilfillan

cc

bcc

Subject Fw: Activity in Case 1:11-cv-01278-PLF SIERRA CLUB v. JACKSON Memorandum & Opinion

It appears that the court has ruled on the Boiler stay litigation and the outcome does not appear particularly favorable. I haven't gone through this in any detail but it would be helpful if OGC can summarize what the outcome and the impact of this ruling is. I suspect that we will get some press/Hill interest in this.

Thanks.

----- Forwarded by Arvin Ganesan/DC/USEPA/US on 01/09/2012 05:17 PM -----

From: John Coequyt <john.coequyt@sierraclub.org>
To: Arvin Ganesan/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA
Date: 01/09/2012 05:08 PM
Subject: Fwd: FW: Activity in Case 1:11-cv-01278-PLF SIERRA CLUB v. JACKSON Memorandum & Opinion

FYI

----- Forwarded message -----

From: **Sanjay Narayan** <sanjay.narayan@sierraclub.org>
Date: Mon, Jan 9, 2012 at 5:04 PM
Subject: Fwd: FW: Activity in Case 1:11-cv-01278-PLF SIERRA CLUB v. JACKSON Memorandum & Opinion
To: Pat Gallagher <pat.gallagher@sierraclub.org>, John Coequyt <john.coequyt@sierraclub.org>
>
Cc: "joanne.spalding" <joanne.spalding@sierraclub.org>

Here's the decision vacating the Stay. Have not read in detail, but in short: we win, because EPA lacks authority for the stay.

----- Forwarded message -----

From: **James Pew** <jpew@earthjustice.org>
Date: Mon, Jan 9, 2012 at 1:58 PM
Subject: FW: Activity in Case 1:11-cv-01278-PLF SIERRA CLUB v. JACKSON Memorandum & Opinion
To: Sanjay Narayan <sanjay.narayan@sierraclub.org>

From: David Woodsmall
Sent: Monday, January 09, 2012 4:58 PM
To: James Pew
Subject: FW: Activity in Case 1:11-cv-01278-PLF SIERRA CLUB v. JACKSON Memorandum & Opinion

From: DCD_ECFNotice@dcd.uscourts.gov [mailto:DCD_ECFNotice@dcd.uscourts.gov]
Sent: Monday, January 09, 2012 4:56 PM
To: DCD_ECFNotice@dcd.uscourts.gov
Subject: Activity in Case 1:11-cv-01278-PLF SIERRA CLUB v. JACKSON Memorandum & Opinion

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U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 1/9/2012 at 4:55 PM EDT and filed on 1/9/2012

Case Name: SIERRA CLUB v.
JACKSON
Case Number: [1:11-cv-01278-PLF](#)
Filer:
Document
Number: [54](#)

Docket Text:

OPINION granting in part and denying in part the parties' cross-motions for summary judgment; the court will enter judgment for EPA on Claim 1 and Claim 2 and for Sierra Club on Claim 3; as a result, the Court will declare unlawful EPA's Delay Notice, will vacate the Delay Notice, and will remand the Delay Notice to EPA for further proceedings consistent with this opinion. An order consistent with this opinion will issue this same day. Signed by Judge Paul L. Friedman on January 9, 2012. (MA)

1:11-cv-01278-PLF Notice has been electronically mailed to:

James S. Pew jpew@earthjustice.org, dwoodsmall@earthjustice.org, sratte@earthjustice.org

Jeffrey Alan Knight jeffrey.knight@pillsburylaw.com

Eileen T. McDonough eileen.mcdonough@usdoj.gov, efile_eds.enrd@usdoj.gov,
mary.edgar@usdoj.gov

Peter H. Wyckoff peter.wyckoff@pillsburylaw.com

1:11-cv-01278-PLF Notice will be delivered by other means to::

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:suppressed

Electronic document Stamp:

[STAMP dcecfStamp_ID=973800458 [Date=1/9/2012] [FileNumber=3156400-0]
[5fbfc84eb57ce10114ec895c31a2b69b641b858ad025454585f047c0058fe2a2df6
01

402acb6cc7b7dec09a143facfd1c5949e6cb0ec8d3a410597e1c88f6de]]

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Sanjay Narayan
Senior Managing Attorney
Sierra Club Environmental Law Program
85 Second St., 2d Floor
San Francisco, CA 94015
[\(415\) 977-5769](tel:(415)977-5769)

--

John Coequyt
Sierra Club
202-669-7060



56_Opinion_01-09-2012.pdf

Betsy Shaw/DC/USEPA/US

08/29/2012 12:08 PM

To Don Zinger

cc

bcc

Subject Shawnee Title V petition

Hi Don,

My notes from staff meeting yesterday seem to indicate that this was the one that is slipping a month per agreement with the Sierra Club. Does that jibe with your notes or should I confirm with Steve? Let me know.

Thanks,

Betsy

Betsy Shaw/DC/USEPA/US

08/29/2012 02:17 PM

To Gina McCarthy

cc

bcc

Subject Clarification re Shawnee

Hi Gina,

I misspoke when we talked. The delayed action Steve brought up at staff meeting yesterday was not the Shawnee Title V petition but the action related to the startup, shutdown, and malfunction (SSM) provisions of state plans. (See details per Mike K. below). The Shawnee petition is with Don and looking good for signature on Friday.

Luckily, I figured this out before bugging Janet. Sorry for causing confusion due to poor penmanship on my part.

Thanks,

Betsy

From Mike Koerber: In June 2011, Sierra Club and WildEarth Guardians filed a petition claiming that the SSM provisions in the SIPs for 39 states were flawed. In November 2011, we entered into a settlement agreement with the litigants to, on a state-by-state basis, either deny the petition or grant the petition (and take final action to issue a SIP call) by August 31, 2012. We recently agreed to a 1-month extension (to the end of September) to work out a new schedule for our action.

Betsy Shaw/DC/USEPA/US
04/20/2012 08:45 AM

To Janet McCabe
cc
bcc
Subject Re: Press release to share with NTC Hydrofracking workgroup

Yes -- good idea.

Janet McCabe Thanks Next week do you want to talk a... 04/20/2012 08:43:58 AM

From: Janet McCabe/DC/USEPA/US
To: Betsy Shaw/DC/USEPA/US@EPA
Date: 04/20/2012 08:43 AM
Subject: Re: Press release to share with NTC Hydrofracking workgroup

Thanks

Next week do you want to talk about rules? Or/and other stuff?

Betsy Shaw

----- Original Message -----

From: Betsy Shaw
Sent: 04/20/2012 08:39 AM EDT
To: Janet McCabe
Cc: Darrel Harmon
Subject: Re: Press release to share with NTC Hydrofracking workgroup

I think it does make sense to loop Larry into this. I'll talk to him about it.

Janet McCabe Darrel--larry weinstock ahs been the IO... 04/20/2012 07:21:07 AM

From: Janet McCabe/DC/USEPA/US
To: Darrel Harmon/DC/USEPA/US@EPA, "Betsy Shaw" <Shaw.Betsy@epamail.epa.gov>
Date: 04/20/2012 07:21 AM
Subject: Re: Press release to share with NTC Hydrofracking workgroup

Darrel--larry weinstock ahs been the IO ppint person on cross agency fracking groups. Betsy--does it make sense for him to participate in this new group?

Darrel Harmon

----- Original Message -----

From: Darrel Harmon
Sent: 04/19/2012 08:43 AM EDT
To: Janet McCabe
Subject: Fw: Press release to share with NTC Hydrofracking workgroup

Hi Janet: AIEO is working to form a hydrofracking workgroup with the National Tribal Caucus. I wonder if you want or someone else from OAR with more expertise, to participate with this group?

thanks.....Darrel

FOR IMMEDIATE RELEASE
April 18, 2012

EPA Issues Updated, Achievable Air Pollution Standards for Oil and Natural Gas

Half of fractured wells already deploy technologies in line with final standards, which slash harmful emissions while reducing cost of compliance

WASHINGTON – In response to a court deadline, the U.S. Environmental Protection Agency (EPA) has finalized standards to reduce harmful air pollution associated with oil and natural gas production. The updated standards, required by the Clean Air Act, were informed by the important feedback from a range of stakeholders including the public, public health groups, states and industry. As a result, the final standards reduce implementation costs while also ensuring they are achievable and can be met by relying on proven, cost-effective technologies as well as processes already in use at approximately half of the fractured natural gas wells in the United States. These technologies will not only reduce 95 percent of the harmful emissions from these wells that contribute to smog and lead to health impacts, they will also enable companies to collect additional natural gas that can be sold. Natural gas is a key component of the nation's clean energy future and the standards released today make sure that we can continue to expand production of this important domestic resource while reducing impacts to public health, and most importantly builds on steps already being taken by industry leaders.

"The president has been clear that he wants to continue to expand production of important domestic resources like natural gas, and today's standard supports that goal while making sure these fuels are produced without threatening the health of the American people," said EPA Administrator Lisa P. Jackson. "By ensuring the capture of gases that were previously released to pollute our air and threaten our climate, these updated standards will not only protect our health, but also lead to more product for fuel suppliers to bring to market. They're an important step toward tapping future energy supplies without exposing American families and children to dangerous health threats in the air they breathe."

When natural gas is produced, some of the gas escapes the well and may not be captured by the producing company. These gases can pollute the air and as a result threaten public health. Consistent with states that have already put in place similar requirements, the updated EPA standards released today include the first federal air rules for natural gas wells that are hydraulically fractured, specifically requiring operators of new fractured natural gas wells to use cost-effective technologies and practices to capture natural gas that might otherwise escape the well, which can subsequently be sold. EPA's analysis of the final rules shows that they are highly cost-effective, relying on widely available technologies and practices already deployed at approximately half of all fractured wells, and consistent with steps industry is already taking in many cases to capture additional natural gas for sale, offsetting the cost of compliance. Together these rules will result in \$11 to \$19 million in savings for industry each year. In addition to cutting pollution at the wellhead, EPA's final standards also address emissions from storage tanks and other equipment.

Also in line with the executive order released by the president last week on natural gas development, the rule released today received important interagency feedback and provides industry flexibilities. Based on new data provided during the public comment period, the final rule establishes a phase-in period that will ensure emissions reduction technology is broadly available. During the first phase, until January 2015, owners and operators must either flare their emissions or use emissions reduction technology called "green completions," technologies that are already widely deployed at wells. In 2015, all new fractured wells will be required to use green completions. The final rule does not require new federal permits. Instead, it sets clear standards and uses enhanced reporting to strengthen transparency and

accountability, and ensure compliance, while establishing a consistent set of national standards to safeguard public health and the environment.

An estimated 13,000 new and existing natural gas wells are fractured or re-fractured each year. As those wells are being prepared for production, they emit volatile organic compounds (VOCs), which contribute to smog formation, and air toxics, including benzene and hexane, which can cause cancer and other serious health effects. In addition, the rule is expected to yield a significant environmental co-benefit by reducing methane, the primary constituent of natural gas. Methane, when released directly to the atmosphere, is a potent greenhouse gas—more than 20 times more potent than carbon dioxide.

During the nearly 100-day public comment period, the agency received more than 150,000 comments on the proposed rules from the public, industry, environmental groups and states. The agency also held three public hearings. The updated standards were informed by the important feedback received through the public comment period, reducing implementation cost and ensuring the achievable standard can be met by relying on proven, cost-effective technologies and processes already in use.

More information: <http://www.epa.gov/airquality/oilandgas>

FOR IMMEDIATE RELEASE

April 18, 2012

Statements on EPA's Updated, Achievable Air Pollution Standards for Oil and Natural Gas

In response to a court deadline, the U.S. Environmental Protection Agency (EPA) has finalized standards to reduce harmful air pollution associated with oil and natural gas production. The updated standards, required by the Clean Air Act, were informed by the important feedback from a range of stakeholders including the public, public health groups, states and industry. As a result, the final standards reduce implementation costs while also ensuring they are achievable and can be met by relying on proven, cost-effective technologies as well as processes already in use at approximately half of the fractured natural gas wells in the United States. These technologies will not only reduce 95 percent of the harmful emissions from these wells that contribute to smog and lead to health impacts, they will also enable companies to collect additional natural gas that can be sold. Here's what people across the country are saying about EPA's updated, achievable air pollution standards for oil and natural gas:

Albert A. Rizzo, M.D., Chair, Board of Directors of the American Lung Association:

"...The cleanup of air pollution from oil and natural gas wells is essential to protect public health and growing in importance as the industry expands. We applaud EPA's response to this rapidly expanding source of air pollution..."

Howard Feldman, American Petroleum Institute (API) Director of Regulatory and Scientific Affairs:

"The industry has led efforts to reduce emissions by developing new technologies that were adopted in the rule. EPA has made some improvements in the rules that allow our companies to continue reducing emissions while producing the oil and natural gas our country needs. This is a large and complicated rulemaking for an industry so critical to the economy, and we need to thoroughly review the final rule to fully understand its impacts."

Lynn Thorp, Clean Water Action National Campaigns Director:

“Our members in Pennsylvania, Texas, and Colorado have suffered because state regulators haven’t acted to control oil and gas operations, so these standards are a win-win-win. They protect people from air pollution, help curb climate change and save the industry money. People expect the federal government to use their authority to protect their health, their drinking water and the air they breathe and this is a good first step.”

Trip Van Noppen, Earthjustice President:

“Left to its own devices, the oil and gas industry has turned the clear skies over Wyoming as smoggy as the car-choked highways of Los Angeles. For decades, industry had a free pollution pass. Thanks to a court victory, that changes today. There is more work to be done to protect Americans living near oil and gas fields from cancer and other unacceptable health threats, but this rule from EPA is an important first step.”

John Rumpler, senior attorney for Environment America:

“From Colorado to Pennsylvania, the gas industry is making a killing from drilling, and at the very least they should cut dirty and dangerous air pollution that threatens our families’ health. EPA’s action today is a breath of fresh air for every man, woman, and child living in the shadow of the gas drilling boom.”

Michael Brune, Executive Director of the Sierra Club:

“EPA Administrator Lisa Jackson is taking an important first step in closing loopholes for the natural gas industry and addressing dangerous air quality levels in and near frack-fields across the country. The natural gas industry dumps massive amounts of air pollutants into our air every day, sickening families and children. An industry that touts its ability to efficiently drill thousands of wells thousands of feet into the earth is crying wolf when it claims it can’t build enough tanks to capture wellhead pollution. It’s time we clean up the natural gas industry’s dirty and reckless practices.”

Betsy Shaw/DC/USEPA/US

01/10/2013 09:52 AM

To Louise Kitamura

cc Omayra Salgado

bcc

Subject Question

Hi Louise,

I came across this article and was curious about the budget numbers it cites. They look to me to be someone's speculation about potential effects of across the board cuts under sequestration. Can you tell me whether that's what these numbers appear to you to be? Please don't do any calling around or intensive research; I'd just like your sense of whether your own back of the envelope sequestration estimates approximate any of these numbers cited.

Thanks,

Betsy

Keep Pollution Cops On The Beat: Congress Proposes Stripping \$100 Million From Clean Air Enforcement

By Climate Guest Blogger on Jan 9, 2013 at 10:30 am

by Peter Iwanowicz

The Clean Air Act is one of the most successful public health laws we have. The U.S. Environmental Protection Agency's (EPA) [assessment](#) of the Act finds that in 2010 alone, the reductions in fine particle and ozone pollution from the 1990 Clean Air Act amendments prevented more than: 160,000 cases of premature mortality; 130,000 heart attacks; 13 million lost work days; and, 1.7 million asthma attacks.

Under normal implementation and enforcement of the Act, the EPA projects that in 2020, benefits will be even greater, preventing more than 230,000 cases of premature mortality, 200,000 heart attacks, 17 million lost work days, and, 2.4 million asthma attacks. The health benefits are expected to exceed \$2 trillion while the costs will be \$85 billion.

We are, however, working in anything but "normal" circumstances and EPA's ability to realize these benefits is under significant risk.

For the past two years, Big Polluters and their allies in Congress have been working to roll back, weaken and block critically important updates to clean air standards that the EPA is required to make under the Act. These efforts included attempts to permanently block EPA rules that would limit [standards](#) to limit toxic air pollution from coal-fired power plants and [protect us](#) from air

pollution that blows into other states. At the urging of Big Oil, members of Congress have also tried to [strip away](#) EPA's authority to limit greenhouse gas emissions, which not only endangers our health today but also future generations by increasing temperatures that significantly contribute to the formation of lethal ozone (smog) pollution. Other attacks on the Clean Air Act have focused on undermining the very core of this public health focused law by attempting to [block consideration](#) of health benefits in setting clean air protections

Thus far, these attempts to impede our nation's healthy air progress have been thwarted by the leadership in the Senate and the effective implementation of this healthy air law by the Obama Administration. Except for the [outrageous](#) decision made by the President in September 2011 to reject EPA's proposed health standard for ozone, the Administration has largely acted to implement the Clean Air Act as required and as a result millions of people will lead healthier lives and tens of thousands will not die prematurely.

While Congress has reached a short-term agreement to avoid the so called "fiscal cliff," the across the board budget cuts are still looming and could truly weaken the effectiveness of current air quality safeguards as Congress considers ways to reduce spending. Here's why: According to the National Association of Clean Air Agencies (NACAA) more than [\\$100 million in budget cuts](#) to EPA's Air program are proposed. Twenty-percent of the cut would be to the funds provided to states and local governments who monitor air pollution levels and administer permits for industrial facilities among other key aspect of the Act. In addition, EPA's budget for enforcement would also be cut by \$64.5 million.

The inevitable result if these cuts are made will be delayed enforcement, fewer inspections of polluting facilities and a serious hit to the public's right to know about levels of pollution in the air. Big Polluters might enjoy having fewer cops on the beat, but those who get sick and those that might die prematurely because air quality is not improving or being sufficiently monitored deserve better. The Clean Air Act promises healthy air for all to breathe. Fights over tax rates and deficit reduction should not have us [reaching for a gas mask](#) as a means of getting cleaner air.

Over the past two years, public support for the Clean Air Act has prevailed over the wishes of Big Polluters. Now more than ever [Congress needs to hear from you](#). There is a way [to balance](#) the need for deficit reduction and at the same time, improve lung health.

Peter Iwanowicz is Assistant Vice President of the American Lung Association. Cartoon by John de Rosier.

**Bob
Perciasepe/DC/USEPA/US**
11/07/2012 06:23 PM

To Teri Porterfield
cc Jose Lozano, Denise Anderson
bcc
Subject Re: Requesting a meeting with you on PM NAAQS decision

Let's talk tomorrow. I spoke to "lung" today. Know their issues. Might be good for Administrator "drop by" for 15 min.

Teri Porterfield Bob - got a "heads-up" earlier from sc... 11/07/2012 05:29 PM EST

From: Teri Porterfield
To: Bob Perciasepe
Cc: Jose Lozano; Denise Anderson
Date: 11/07/2012 05:29 PM EST
Subject: Fw: Requesting a meeting with you on PM NAAQS decision

Bob - got a "heads-up" earlier from scheduling saying you might need to cover - do you want us to schedule with you??

----- Forwarded by Teri Porterfield/DC/USEPA/US on 11/07/2012 05:28 PM -----

From: Janice Nolen <Janice.Nolen@lung.org>
To: Bob Perciasepe/DC/USEPA/US@EPA
Cc: Teri Porterfield/DC/USEPA/US@EPA, Jose Lozano/DC/USEPA/US@EPA
Date: 11/07/2012 05:17 PM
Subject: Requesting a meeting with you on PM NAAQS decision

Hello Bob,

We have a group of health and medical society CEOs who would like to meet with the Administrator or you on the upcoming PM NAAQS decision. We have run into some challenges scheduling this on Administrator Jackson's calendar, so I'm hoping we can schedule a time with you or get your help scheduling this with her. We are aware that she will need to make a final decision soon, to send it to OMB for them to review it prior to the decision deadline of December 14. I'm hoping you or Administrator Jackson would have some time for such a meeting next week, so I can get our colleagues' CEOs' calendars also lined up. We met with Gina earlier last month with senior staff from these same groups.

We would greatly appreciate any help you can provide in scheduling this meeting. I'm copying Mr. Lozano of the Administrator's staff, as I explained the urgency of the timing in an email to him as well.

Thank you,
Janice

Janice E. Nolen | Assistant Vice President, National Policy

American Lung Association

National Headquarters
1301 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20004-1725
P 202.785.3355 | C 202.486.0285 | F 202.452.1805
Janice.Nolen@Lung.org | www.Lung.org



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This Email message contained an attachment named
image001.jpg
which may be a computer program. This attached computer program
could
contain a computer virus which could cause harm to EPA's
computers,
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses
introduced
into the EPA network. EPA is deleting all computer program
attachments
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate,
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should contact the sender and request that they rename the file
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For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED

Bob
Perciasepe/DC/USEPA/US
11/07/2012 06:25 PM

To "Janice Nolen"
cc Teri Porterfield, Jose Lozano
bcc
Subject Re: Requesting a meeting with you on PM NAAQS decision

We are working this Janice.
Thanks for the note.

From: Janice Nolen [Janice.Nolen@lung.org]
Sent: 11/07/2012 10:17 PM GMT
To: Bob Perciasepe
Cc: Teri Porterfield; Jose Lozano
Subject: Requesting a meeting with you on PM NAAQS decision

Hello Bob,

We have a group of health and medical society CEOs who would like to meet with the Administrator or you on the upcoming PM NAAQS decision. We have run into some challenges scheduling this on Administrator Jackson's calendar, so I'm hoping we can schedule a time with you or get your help scheduling this with her. We are aware that she will need to make a final decision soon, to send it to OMB for them to review it prior to the decision deadline of December 14. I'm hoping you or Administrator Jackson would have some time for such a meeting next week, so I can get our colleagues' CEOs' calendars also lined up. We met with Gina earlier last month with senior staff from these same groups.

We would greatly appreciate any help you can provide in scheduling this meeting. I'm copying Mr. Lozano of the Administrator's staff, as I explained the urgency of the timing in an email to him as well.

Thank you,
Janice

Janice E. Nolen | Assistant Vice President, National Policy

American Lung Association

National Headquarters
1301 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20004-1725
P 202.785.3355 | C 202.486.0285 | F 202.452.1805
Janice.Nolen@Lung.org | www.Lung.org



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rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED

Charles Lee/DC/USEPA/US

04/12/2011 06:24 PM

To Janet McCabe

cc

bcc

Subject Re: Hilton event

I did this for Rosa Hilda Ramos from Puerto Rico (2008 winner) and left it unscripted so people can speak from the heart. It was very moving.

Charles Lee
Deputy Associate Assistant Administrator for Environmental Justice
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2201A)
Ariel Rios Building South, Room 3213B
Tel: 202-564-2597
Fax: 202-564-1624

NOTICE: This communications may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communications in error, please delete the copy you received and do not print, copy, retransmit, disseminate, or otherwise use the information contained herein. Thank you.

Janet McCabe

sounds great! Janet McCabe

04/12/2011 05:51:09 PM

From: Janet McCabe/DC/USEPA/US
To: Charles Lee/DC/USEPA/US@EPA
Cc: "CarolAnn Siciliano" <Siciliano.CarolAnn@epamail.epa.gov>, Rob Brenner/DC/USEPA/US@EPA
Date: 04/12/2011 05:51 PM
Subject: Re: Hilton event

sounds great!

Janet McCabe
Principal Deputy Assistant Administrator
Office of Air and Radiation, USEPA
Room 5426K, 1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-3206
mccabe.janet@epa.gov

Charles Lee

Janet We will have a formal program in...

04/12/2011 05:43:36 PM

From: Charles Lee/DC/USEPA/US
To: Janet McCabe/DC/USEPA/US@EPA
Cc: "CarolAnn Siciliano" <Siciliano.CarolAnn@epamail.epa.gov>, Rob Brenner/DC/USEPA/US@EPA
Date: 04/12/2011 05:43 PM
Subject: Re: Hilton event

Janet

We will have a formal program in a day or so. However, it will be pretty informal. The speakers will be:

- Al Almandarez, Region 6
 - Lisa Garcia, EJ
 - Cynthia Giles, OECA
 - Leslie Fields, Sierra Club EJ Program
 - Video Show
 - Hilton Kelley
-
- Testimonials from Participants

Region 6 will be connected through televideo. See below the article in the Washington Post on Hilton Charles

Goldman Environmental Prize goes to Texas man who took on refineries over pollution

By Darryl Fears, Sunday, April 10, 8:36 PM

They call [Port Arthur](#) gasoline alley, cancer alley, and the armpit of Texas. For most of his life, [Hilton Kelley](#) has called it home.

The city has had the same distinctive odor since he was a boy, Kelley said. Adults jokingly called it the smell of money, because the nearby oil refineries and petrochemical plants did most of the hiring. But after the cancer rate grew, the childhood asthma rate rose and the population plummeted, Kelley, now 50, stopped laughing.

Kelley's decade-long fight to lower the city's air pollution earned him this year's [Goldman Environmental Prize](#) for the North America category, being awarded Monday in San Francisco.

The annual prize and a \$150,000 stipend is routinely awarded to six grass-roots environmentalists from different parts of the world. Since the award was established in 1990, a total of \$13.2 million has been awarded to [139 recipients from 79 countries](#), as of 2010, according to a spokeswoman.

In addition to Kelley, the other 2011 winners are a mother of five who started Germany's first community-owned renewable-energy utility company; a Salvadoran farmer who's risking his life to fight a gold mining operation; an Indonesian biologist whose efforts to clean a river spared millions from drinking toxins; a Zimbabwean who fought to save the black rhino from extinction; and a Russian who monitors petroleum companies on an ecologically rich island.

Kelley is an accidental environmentalist. He left Port Arthur for a Navy stint in 1980 and remained in California for 20 years, working part of the time as a Hollywood stuntman. While visiting his home town, 90 miles east of Houston on the Gulf Coast, for its annual Mardi Gras festival in February 2000, he was deeply troubled by what he saw.

“It was just very dismal. It was mind-numbing,” Kelley said last week in a telephone interview. “The town needed to be awakened.”

The city and surrounding Jefferson County had one of the highest levels of air pollution in the country and suffered from cancer rates that were 23 percent higher than the state average, according to the Texas Cancer Registry. Health officials said many children in Port Arthur had respiratory problems, according to organizers of the prize.

Kelley knew next to nothing about clean-air standards. But within months, he educated himself on public policy, gathered leaders and old school buddies in the African American community, started an organization called the Community In-Power and Development Association in May 2000, and put 70 refineries and chemical plants in the area on notice.

Kelley harassed Shell Oil with protests and legal action. He even traveled to the Hague to demonstrate outside one of the oil giant’s corporate meetings. He “was able to expose the oil industry’s lax protocols and made the companies accountable in a way they never were before,” the prize’s organizers said.

In 2006, [Motiva Enterprises](#), a subsidiary of Shell Oil and billed as the largest refinery in the nation, was persuaded to start a \$3.5 million community fund as part of a Good Neighbor Agreement to promote economic revitalization and improve pollution controls. The next year, activists led by Kelley ended a corporation’s plan to import from Mexico 20,000 tons of toxic liquids that were banned by the federal government and incinerate them at its Port Arthur hazardous-waste plant.

“A lot has changed,” Kelley said. “Even though we have a long way to go, it’s better than it was. They’ve reduced the amount of flaring that shoots fire from a smokestack for days. They’re updating antiquated equipment. Enforcement has been stepped up by the state. They know people are watching.”

Not everyone in Port Arthur was supportive, Kelley said. He said he engaged in shouting matches with a former mayor who thought Kelley’s efforts would chase away the companies and jobs.

Kelley “was up against four other people who were finalists for North America” for the prize, said Lorrae Rominger, the Goldman group’s deputy director. He won because “his community had almost been destroyed from the pollution, which was the reason people were moving out. It was the children’s health. He did something that affected thousands of people.”

The other winners are:

- [Ursula Sladek](#), 54, a German mother who founded Parents for a Nuclear-Free Future after she was shaken by the Chernobyl disaster in the former Soviet Union. The organization developed into Germany’s first community-owned utility, powering 100,000 customers in the town of Schonau with renewable energy such as wind power and natural gas. Sladek’s goal is to reach a

million customers by 2015.

- [Francisco Pineda](#), 45, a Salvadoran farmer who's fighting to stop Pacific Rim, a Canadian gold mining company, from damaging the nation's water supply by using cyanide that is flowing into the Rio Lempa, according to news reports and the prize's organizers. As a result of Pineda's efforts, the government suspended Pacific Rim's exploration permits in 2008.
- [Prigi Arisandi](#), 34, the Indonesian leader of an effort to protect 3 million island inhabitants from 74 tons of waste that flows into the Surabaya River. Arisandi grew up playing in the river. He founded two organizations, one of which spawned an activist network against water pollution and another that taught children to monitor water quality and report problems to the government.
- [Raoul du Toit](#), 53, a Zimbabwean who helped save the black rhino from the kind of political unrest and poaching that have devastated animal species in neighboring countries. Now he is working to save white rhinos in Zambia and Botswana that are hunted for their prized horns.
- [Dmitry Lisitsyn](#), 42, a Russian conservationist who is working to protect the rich natural resources of Sakhalin Island in the Sea of Okhotsk from petroleum exploration. Lisitsyn has closely monitored development by Sakhalin Energy and has lobbied the government to place tighter restrictions on the company. When the energy company's seismic testing disturbed the gray whale's breeding season, Lisitsyn persuaded it to conduct the tests at a different time of year.

fearsd@washpost.com

http://www.washingtonpost.com/national/goldman-environmental-prize-goes-to-texas-man-who-took-on-refineries-over-pollution/2011/04/07/AFH9z1GD_story.html

Charles Lee
Deputy Associate Assistant Administrator for Environmental Justice
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2201A)
Ariel Rios Building South, Room 2226
Tel: 202-564-2597
Fax: 202-564-1624

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Janet McCabe Charles -- is there a program for this ev... 04/12/2011 01:45:43 PM

From: Janet McCabe/DC/USEPA/US
To: Charles Lee/DC/USEPA/US
Cc: "CarolAnn Siciliano" <Siciliano.CarolAnn@epamail.epa.gov>
Date: 04/12/2011 01:45 PM
Subject: Hilton event

Charles -- is there a program for this event?

Colleen
McKaughan/R9/USEPA/US
05/10/2012 10:06 AM

To Janet McCabe
cc Deborah Jordan
bcc

Subject Re: Fw: Regional Haze -- story on EPA work in Nevada

Hi, Janet,

Yes it was, but I think the two hearings were worthwhile. I know the Moapa appreciated us coming to the reservation, and we had good turnouts at both hearings with a diversity of speakers. It also gave us a chance to address some of the misinformation that is out there. The public comment period is up on June 4th and then we have to finalize by July 13th.

Colleen W. McKaughan
Associate Director, Air Division
USEPA, Region 9
(520) 498-0118

Janet McCabe Colleen--thanks for doing these hearing... 05/10/2012 05:40:20 AM

From: Janet McCabe/DC/USEPA/US
To: Colleen McKaughan/R9/USEPA/US@EPA
Cc: Deborah Jordan/R9/USEPA/US@EPA
Date: 05/10/2012 05:40 AM
Subject: Fw: Regional Haze -- story on EPA work in Nevada

Colleen--thanks for doing these hearings. It must have been a long day...

Janet McCabe
Principal Deputy Assistant Administrator
Office of Air and Radiation, USEPA
Room 5426K, 1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-3206
mccabe.janet@epa.gov

-----Forwarded by Janet McCabe/DC/USEPA/US on 05/10/2012 08:39AM -----

To: Janet McCabe/DC/USEPA/US@EPA
From: Jessica Holliday <hollidayjessica@yahoo.com>
Date: 05/10/2012 08:24AM
Subject: Regional Haze -- story on EPA work in Nevada

"EPA Holds Hearings on Reid Gardner Retrofit"

From the Moapa Valley Progress
EPA Holds Hearings On Reid Gardner Retrofit
May 9th, 2012 |
By Vernon Robison

"Moapa Paiute Tribal Chairman William Anderson makes comments during a public hearing held by the Environmental Protection Agency last week at the Indian Reservation regarding emissions at Reid Gardner Station... Officials from the Environmental Protection Agency (EPA) heard extensive, and sometimes heated, public comment during a series of local hearings held on Thursday, May 3, regarding emission updates being proposed for Reid Gardner coal generating power station in Moapa. An afternoon hearing was held at the Moapa Indian Reservation lasting about two hours. Members of the tribe told experiences of rampant health problems on the reservation that, they say, are caused by the nearby plant. Darren Daboda, Environmental Director of the Moapa Band, said that it was a momentous day for the tribe.

"This has been a long time coming," Daboda said. "For forty years we have suffered with health problems [because of the plant] and we have asked for help. Our tribe has actually become an endangered species. There are only 312 of us left. In all that time, we have never had the EPA come here for a hearing on this. We thank you for coming."

In the evening, a second hearing was held at the Moapa Valley High School auditorium. This allowed plant workers and other members of the community who were working during the day to give input on the matter. The purpose of the hearings was to allow public input on measures, proposed by state and federal regulatory agencies, that would bring Reid Gardner station into compliance with federal regional haze rules.

Regional haze is caused by fine particle pollution that obscures the view of scenery and objects at a distance. The federal rule only targets haze in National Park areas that lie within a 300 mile radius of Reid Gardner station. These include the Grand Canyon National Park and Sycamore Canyon Wilderness Area in Arizona; Zion and Bryce Canyon National Parks in Utah; and Joshua Tree National Park in California. "A lot of people talk about the health impacts of the plant," said EPA Associate Director of Air Division Colleen McKaughan in an interview with the Progress. "But this is about visibility in the National Parks. A shut down of the plant is not part of [this decision]. All we can do is determine what level of control we can meet."

McKaughan said, however, that the end result of the proposal would be that pollution levels will go down. This would presumably bring a general improvement to public health, she said. The proposed rule would NV Energy, owner of Reid Gardner, to install new nitrogen oxide burners as well as a Rotamix system where ammonia is injected into the boilers to react with nitrous oxide (NOx) producing elemental nitrogen and water. NOx pollution is a major cause of regional haze.

The retrofit would come at a cost to NV Energy and its ratepayers. EPA documents estimate these systems to cost about \$4.3 million per year to employ at the three 1960s era generating units at Reid Gardner that are BART eligible (Units 1, 2 and 3). But critics want the EPA to require even more costly controls. A higher standard technology called Selective Catalytic Reduction (SCR) would increase costs to an estimated \$16.3 million per

year, according to EPA documents. Critics insist that NV Energy should be held to that higher standard whatever the cost.

"Reid Gardner is a big, old, dirty power plant," commented Sierra Club member, Jane Feldman of Las Vegas. "The region's National Parks deserve the best available technology. The people of southern Nevada and the Moapa Paiutes deserve the best available technology; not a non-catalytic second-rate technology." "If the air can be made clean by spending more money we should do it," said Mesquite resident William Hurd. "It should be the cleanest that is technologically possible. Anything less is not fair." But McKaughan said that the EPA had done its own air quality modeling which showed that the impact of requiring the more expensive SCR technology on regional haze would be imperceptible. "If we are asking for the expensive controls, we want to make sure that it has a significant impact over the [National Park] areas," McKaughan said. "Of course if it makes a huge impact, we want the higher technology. But there was just not enough of an improvement in the results."

Still, Reid Gardner critics made it clear that they wanted the more costly controls if for no other reason than that it might force NV Energy to shut down the plant altogether rather than pay for the retrofit. "We must move beyond coal in this country," commented Sierra Club member Rita Ransom of Las Vegas. "There is no place in our future for something so toxic to human health and life. No level of pollution is acceptable. Either shut down Reid Gardner or transform it into a solar plant instead. Renewables are our future."

Dozens of NV Energy employees testified at the hearing that environmental controls are a top priority at the plant.

"I've never seen a company put more investment and hours than NV Energy has done in its environmental monitoring systems," said Dawn Richards, a 21 year employee at Reid Gardner. "They go the full distance and put that above profit. I'm proud to work at Reid Gardner."

"NV Energy supports the state of Nevada and the EPA in reducing regional haze," said Starla Lacy, NV Energy's Executive over Environmental Health and Safety. "In recent years, we have already installed the best controls that money can buy in scrubber systems and new baghouses that remove 95% of particulate and sulfur from the plant's emissions. NOx is the only remaining pollutant to work on. We will [follow this proposal] because it is the right thing to do."

Many Moapa Valley community members spoke at the hearing about the importance of Reid Gardner to the local and regional economy. Moapa Valley Chamber of Commerce board member and local business owner Kent Slight voiced strong support, on behalf of the Chamber, for the EPA proposal. "As a business community we are behind NV Energy," Slight said. "We will vigorously support the ability to run the plant and we will support the fight against organizations that don't have good information and would contest the plant staying open. We will fight for the right for Reid Gardner to stay open." IBEW 396 union official, Wayne Baca stated that the plant employs more than 100 people. "When you talk about closing Reid Gardner, you are talking about a

significant economic impact on more than 100 families," Baca said. "The loss of those jobs in this economy would be devastating to the region." But plant critics said that it was time to put people's lives and health above jobs and money. Tribal administrator Yvette Chevalier said, though she is not a member of the tribe, she had been working on the reservation for the past three months. A 30 year resident of Las Vegas, Chevalier said that she had been completely healthy before taking the new job at the reservation. But since that time she said she has had a "plethora of health problems" including breathing ailments. "I think about the children raised on this reservation," Chevalier said. "What do their lungs look like? I'm sorry for the 100 employees at Reid Gardner. But it is time to learn a new trade. Coal is archaic. It is not healthy for the people." Tribal council member Eric Lee stated that he had been a concrete finisher by trade for 20 years until the regional economic downturn took his employment away. "Do you see me crying to the world about losing my job? No." Lee said. "You know what I did? I'm a man. I got on my two feet and went and got another job to provide for my family. That is what I think every individual worried about their job should do. Don't worry about your jobs when people's lives are at stake. Do what a man would do. Be a man. Find another job or pursue another career. I did." Moapa Valley resident and Reid Gardner employee Dick Campbell said that high emotions should not be allowed to cloud the facts in this issue. "It is time to bring science into this and get the emotion out of the discussion," Campbell said. "I'm all for a clean environment. I love being in the outdoors. But I'm tired of hearing anecdotal evidence against Reid Gardner. I'm tired of people espousing emotion as fact." "We commend the state and the EPA for following a scientifically defensible process," said Starla Lacy. "These measures will put Nevada on a glide path to visibility improvement. It is just disconcerting, after all this, to have people say: 'No, we just want the plant gone'. We have already invested \$100 million in previous environmental controls. And we are committed to playing by the rules and continuing to running the plant cleanly within the regulations we have been given." "

Colleen
McKaughan/R9/USEPA/US
09/26/2012 08:10 PM

To Janet McCabe
cc Deborah Jordan, Tamara Saltman
bcc
Subject Re: NGS

Apparently some folks at SRP told the local papers that the notice was coming out on the 20th. Unfortunately neither SRP or the papers called to verify. We have had inquiries from the Navajo and Sierra Club about the notice. We have told them we are still working on it and did not give them a date.

Colleen W. McKaughan
Associate Director, Air Division
USEPA, Region 9
(520) 498-0118

Janet McCabe Annemarie Chischelly (sp?) From ITEP... 09/26/2012 04:55:26 PM

From: Janet McCabe/DC/USEPA/US
To: Colleen McKaughan/R9/USEPA/US, Deborah Jordan/R9/USEPA/US, Tamara Saltman/DC/USEPA/US
Date: 09/26/2012 04:55 PM
Subject: NGS

Annemarie Chischelly (sp?) From ITEP asked me today (I was at the TAMS steering committee) about an expected date for NGS and offered to help with informational sessions, etc. Apparently there was a buzz that the decision was going to come out on 9/20.

I told her it would be a bit yet, but that we'd keep her offer in mind.

On a related, and sooner, topic, we'll need to think about a rollout plan for the Joint statement...

Gina McCarthy/DC/USEPA/US

Sent by: Cynthia Browne

04/18/2011 02:32 PM

To Beth Craig, Bill Irving, Janet McCabe, Jennifer Bohman, Jessica Gordon, Joseph Goffman, mmacleod, Patricia Embrey, pzalzal, Ragan Tate, Reid Harvey, vpatton
cc Addie Johnson, Amit Srivastava, Cindy Huang, Don Zinger, Jackie Krieger, Julia Miller, Tina Murphy
bcc

Subject Information Update - Location has changed: Mandatory Greenhouse Gas Reporting Rules

From: Mark MacLeod <mmacleod@edf.org>

To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA,

Joseph Goffman/DC/USEPA/US@EPA

Cc: Vickie Patton <vpattton@edf.org>, Peter Zalzal
<pzalzal@edf.org>

Date: 03/29/2011 02:45 PM

Subject: Request for a meeting on issues related to the Mandatory GHG Reporting Rule

Dear Assistant Administrator McCarthy,

On behalf of EDF, I would respectfully request a meeting at your earliest convenience to discuss issues related to the Mandatory Greenhouse Gas Reporting Rules. While the meeting would not only address CBI issues, I am attaching comments that were recently filed by EDF, NRDC, Sierra Club and Clean Air Task Force on the Agency's proposed deferral of reporting. I expect that some members of these organizations would also attend the meeting.

We understand that your time is limited and valuable, and we will endeavor to make the best use of your time.

Sincerely,

Mark MacLeod

Gina McCarthy/DC/USEPA/US

Sent by: Cynthia Browne

06/07/2012 01:00 PM

To Chuck French, Jan Tierney, Janet McCabe, Joseph Goffman, Michael Stewart, Nathan Topham, Peter Tsirigotis, Steve Page

cc Cindy Huang, Don Zinger, Emily Atkinson, Fred Thompson, Janet Eck, Joanne Tammaro, Kevin Culligan, Kirsten King, Lala Alston, Lydia Wegman, Peter South, Sharon Cooperstein, Steve Fruh, Tanya Johnson, Virginia Hunt

bcc

Subject Rescheduled: Reconsideration Petition on NESHAP for Primary Lead Smelting (Jun 13 12:00 PM EDT in ARN-OAR-Room 5400 video/conference:1 [REDACTED] access:2 [REDACTED])

Requesting Meeting/Conference Call with: Gina McCarthy/Janet McCabe

Date of this Request: 6/6/2012

Point of Contact (Name/Number): Peter Tsirigotis, (919) 541-9411

Technical Expert: Nathan Topham, (919)541-0483

Title of Meeting: Reconsideration Petition on NESHAP for Primary Lead Smelting

Purpose of Meeting: Brief Gina on issues raised in reconsideration petition submitted by Sierra Club.

Priority Status (check one) -- Critical Less Immediate ___

Last possible date for meeting: 6/4/2012 – 6/8/2012

If the meeting is critical, please explain why: We indicated to the Court that we would decide whether to respond to reconsideration by 6/15/2012.

Location of Meeting: Conference rooms in RTP and DC requested.

Length of Meeting: 1 Hour

Equipment/resources needed: Video conference and call-in number requested.

DATES TO AVOID:

Key Participants:

Office/Organization

Name

OAR

Gina McCarthy

OAR

Janet McCabe

OAQPS Steve Page
OAQPS/SPPD Peter Tsirigotis
OAQPS/SPPD Chuck French
OAQPS/SPPD Nathan Topham
OAQPS/HEID Michael Stewart
OGC Jan Tierney

cc:

OAQPS Peter South
OAQPS/SPPD Fred Thompson
OAQPS/SPPD Janet Eck
OAQPS/SPPD Steve Fruh
OAQPS/SPPD Kevin Culligan
OAQPS/HEID Lydia Wegman
OAQPS/IO Lala Alston
OAQPS/SPPD Tanya Johnson
OAQPS/SPPD Joanne Tamaro
OAQPS/SPPD Virginia Hunt

Signed by:
Authorized by: Chuck French 5/30/12
Group Leader, MIG Date

Fred Thompson for
Authorized by: Peter Tsirigotis 5/30/12
Director Date
Sector Policies and Programs Division

NOTE:

For meetings with:

- (1) **Steve Page -- Please provide briefing materials by 10:00 AM, 1 day before scheduled meeting to SPPD Front Office.**

- (2) **Gina McCarthy – Please provide briefing materials by 10:00 AM, 2 days before scheduled meeting to SPPD Front Office.**

Gina McCarthy/DC/USEPA/US To Cynthia Browne
Sent by: Cynthia Browne cc
09/12/2012 10:43 AM bcc
Subject Fw: Meeting on PM NAAQS

----- Forwarded by Cynthia Browne/DC/USEPA/US on 09/12/2012 10:43 AM -----

From: Janice Nolen <Janice.Nolen@lung.org>
To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA, Lydia Wegman/RTP/USEPA/US@EPA, Cindy Huang/DC/USEPA/US@EPA
Cc: Paul Billings <Paul.Billings@lung.org>, Peter Iwanowicz <Peter.Iwanowicz@lung.org>
Date: 09/11/2012 01:33 PM
Subject: Meeting on PM NAAQS

Hello friends,
Hope you all are well. We would like to schedule a meeting for early next month with you for ourselves and several of our national health colleague organizations to share our concerns for a truly protective PM NAAQS. We would appreciate the chance to share our concerns in person with you.

Thank you,
Janice

Janice E. Nolen | Assistant Vice President, National Policy and Advocacy

American Lung Association
National Headquarters
1301 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20004-1725
P 202.785.3355 | C 202.486.0285 | F 202.452.1805
Janice.Nolen@Lung.org | www.Lung.org



***** ATTACHMENT NOT DELIVERED *****

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For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

Gina McCarthy/DC/USEPA/US To Cynthia Browne
Sent by: Cynthia Browne cc
09/12/2012 10:44 AM bcc
Subject Fw: Requesting a meeting

----- Forwarded by Cynthia Browne/DC/USEPA/US on 09/12/2012 10:44 AM -----

From: Janice Nolen <Janice.Nolen@lung.org>
To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Cindy Huang/DC/USEPA/US@EPA
Cc: Paul Billings <Paul.Billings@lung.org>, Peter Iwanowicz <Peter.Iwanowicz@lung.org>
Date: 09/11/2012 12:21 PM
Subject: Requesting a meeting

Hello, Gina, Janet and Peter:

Hope this finds you all well. Could we schedule a meeting to discuss CSAPR/CAIR with you? We're looking for more information about assessing the possible impact of any final court decision to leave CAIR in place. We also would like to share some concerns we have about the RICE/BUGs rule.

Thank you,
Janice

Janice E. Nolen | Assistant Vice President, National Policy and Advocacy

American Lung Association

National Headquarters
1301 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20004-1725
P 202.785.3355 | C 202.486.0285 | F 202.452.1805
Janice.Nolen@Lung.org | www.Lung.org



***** ATTACHMENT NOT DELIVERED *****

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For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

Gina McCarthy/DC/USEPA/US

Sent by: Cynthia Browne

10/25/2011 11:15 AM

To Dave Guinnup, Debra Dalcher, Elineth Torres, Fred Thompson, James Hirtz, Janet McCabe, Joseph Goffman, Kevin Culligan, Lisa Conner, Lorie Schmidt, Lydia Wegman, Peter Tsirigotis, Steve Fruh, Steve Page

cc Addie Johnson, Barbara Morris, Cindy Huang, Deborah Effle, Don Zinger, Jean Walker, Joanne Tammaro, Kirsten King, Kristina Friedman, Lala Alston, Maria Sanders, Mary Resendez, Tanya Johnson, Teresa Clemons

bcc

Subject Hydrogen Sulfide Listing Petition: Completeness Review Determination (SAN 5585: Tier2)

Requesting Meeting/Conference Call with: Gina McCarthy –

Date of this Request: October 21, 2011

Point of Contact (Name/Number): Peter Tsirigotis (919)41-9411

(Lisa Conner- x5060 and Dave Guinnup –x5368)

Title of Meeting: Hydrogen Sulfide Listing Petition: Completeness Review
Determination (SAN 5585; Tier 2)

Purpose of Meeting: To provide an update on the recommendations from the completeness review of the Sierra Club petition to list hydrogen sulfide (H₂S) as a hazardous air pollutant.

Priority Status (check one) -- Critical__ Less Immediate _x_

Last possible date for meeting: Meeting needs to be scheduled after meeting with Steve Page on same subject but not later than the November 30, 2011.

If the meeting is critical, please explain why:

Location of Meeting: SPO

Length of Meeting: 45 minutes

Equipment/resources needed: [Call-in number requested.](#)

DATES TO AVOID:

Key Participants:

Office/Organization

Name

OAR

Gina McCarthy

OAR

Janet McCabe

OAQPS

Steve Page

OAQPS Peter Tsrigotis
OAQPS Lisa Conner
OAQPS Dave Guinnup
OAQPS Elineth Torres
OAQPS James Hirtz
OAQPS Debra Dalcher
OAQPS Fred Thompson
OAR Kevin Culligan
OAQPS Lydia Wegman
OAQPS Steve Fruh

cc:

OAQPS Teresa Clemons
OAQPS Deborah Effle
OAQPS Tanya Johnson
OAQPS Joanne Tammaro

Signed by:
Authorized by: Lisa Conner 10/24/11
Policy and Strategies Group Date
Sector Policies and Programs Division

Fred Thompson for
Authorized by: Peter Tsrigotis 10/24/11
Director, Signature Date
Sector Policies and Programs Division

NOTE:

For meetings with:

- (1) Steve Page – Please provide briefing materials by 10:00 a.m., 1 day before scheduled meeting to SPPD front office.**

- (2) Gina McCarthy – Please provide briefing materials by 10:00 a.m., 2 days before scheduled meeting to SPPD front office._**

OAR Invitations
Sent by: Cynthia Browne

05/31/2011 02:31 PM

To Gina McCarthy
cc Amit Srivastava, Don Zinger, Julia Miller
bcc
Subject Dinner, Sierra Club

Meeting

Date 06/09/2011
Time 07:30:00 PM to 09:00:00 PM
Chair OAR Invitations
Invitees
Required Gina McCarthy
Optional Amit Srivastava; Don Zinger; Julia Miller
FYI
Location Metropolitan Club, 1700 H Street,
NW, Washington, DC

From: Timothy Wirth <timothy.wirth@unfoundation.org>
To: Gina McCarthy/DC/USEPA/US@EPA
Date: 05/31/2011 11:33 AM
Subject: Follow up: Invitation to dinner with Michael Brune, Executive Director of the Sierra Club on Thursday, June 9, 2011

We are following up on the below invitation. Please let us know if you are able to attend.

Dear Gina:

On the evening of June 9 we are hosting a small dinner with one of the rising stars of the environmental community – Michael Brune, Executive Director of the Sierra Club. Michael took over as the Club’s Executive Director from Carl Pope a year ago, as Carl stayed on as Chairman. We want to take this opportunity to introduce him to senior people in the Administration and around town who may not yet have had a chance to meet this vibrant new leader.

Previously, Michael was Executive Director of the Rainforest Action Network for seven years and worked as an organizer for Greenpeace. He grew up in Chadwick Beach, on the New Jersey shore, but most of his life and experience has been on the West Coast. His critically acclaimed 2008 book, *Coming Clean – Breaking America's Addiction to Oil and Coal*, details a plan for a new green economy that will create well-paying jobs, promote environmental justice and bolster national security. He is particularly interested in promoting programs that link the Club's traditional protection of wild places, including national parks, to urgently needed climate change solutions. Just 39, he holds degrees in economics and finance from West Chester University in Pennsylvania.

We hope you are able to join us for an engaging evening of conversation with Michael. The dinner will be held at the Metropolitan Club (1700 H Street, NW, Washington, DC) with a brief reception at 7:00 p.m., followed by dinner at 7:30 p.m. Please R.S.V.P. to Nicole Karl Ernst at nkarl@unfoundation.org or 202-419-3225. We look forward to seeing you on Thursday, June 9.

With best wishes,

Sincerely yours,

Timothy E. Wirth

OAR Invitations
Sent by: Cynthia Browne

05/31/2011 02:32 PM

To: Gina McCarthy

cc: Amit Srivastava, Don Zinger, Julia Miller

bcc:

Subject: Rescheduled: Dinner, Sierra Club (Jun 9 07:30 PM EDT in Metropolitan Club, 1700 H Street, NW, Washington, DC)

From: Timothy Wirth <timothy.wirth@unfoundation.org>

To: Gina McCarthy/DC/USEPA/US@EPA

Date: 05/31/2011 11:33 AM

Subject: Follow up: Invitation to dinner with Michael Brune, Executive Director of the Sierra Club on Thursday, June 9, 2011

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On the evening of June 9 we are hosting a small dinner with one of the rising stars of the environmental community – Michael Brune, Executive Director of the Sierra Club. Michael took over as the Club’s Executive Director from Carl Pope a year ago, as Carl stayed on as Chairman. We want to take this opportunity to introduce him to senior people in the Administration and around town who may not yet have had a chance to meet this vibrant new leader.

Previously, Michael was Executive Director of the Rainforest Action Network for seven years and worked as an organizer for Greenpeace. He grew up in Chadwick Beach, on the New Jersey shore, but most of his life and experience has been on the West Coast. His critically acclaimed 2008 book, *Coming Clean – Breaking America's Addiction to Oil and Coal*, details a plan for a new green economy that will create well-paying jobs, promote environmental justice and bolster national security. He is particularly interested in promoting programs that link the Club's traditional protection of wild places, including national parks, to urgently needed climate change solutions. Just 39, he holds degrees in economics and finance from West Chester University in Pennsylvania.

We hope you are able to join us for an engaging evening of conversation with Michael. The dinner will be held at the Metropolitan Club (1700 H Street, NW, Washington, DC) with a brief reception at 7:00 p.m., followed by dinner at 7:30 p.m. Please R.S.V.P. to Nicole Karl Ernst at nkarl@unfoundation.org or 202-419-3225. We look forward to seeing you on Thursday, June 9.

With best wishes,

Sincerely yours,

Timothy E. Wirth

**Cynthia
Browne/DC/USEPA/US**
09/12/2012 11:08 AM

To Gina McCarthy
cc Cindy Huang
bcc

Subject Paul Billings, American Lung Assoc. cell no: 240-472-8372

Hi Gina,

Paul Billings requested if you can call him on his cell to talk re: Clean Air Act Advisory Committee.

Thanks,

Cynthia Browne
Office of Air and Radiation
ARN Room 5406
U.S. Environmental Protection Agency
Email: browne.cynthia@epa.gov
Office: 202-564-7404

**Joseph
Goffman/DC/USEPA/US**
Sent by: Cynthia Browne

03/07/2012 09:46 AM

To Janet McCabe
cc
bcc
Subject Accepted: DOJ and EPA Discussion with Sierra Club and
MEDC

Gina McCarthy/DC/USEPA/US

Sent by: Cynthia Browne

10/05/2012 12:13 PM

To Janet McCabe, Joseph Goffman, Lydia Wegman, Steve Page, terry.mcguire

cc Amit Srivastava, Cynthia Browne, Don Zinger, Eloise Shepherd, Lala Alston, Mike Koerber, Peter South
bcc

Subject Confirmed: Meeting with Sierra Club, EDF, and NRDC (Oct 11 02:00 PM EDT in
ARN-OAR-Room-5415/DC-ARN-OAR@EPA)

Directions and procedures: If you come by Metro the Federal Triangle metro stop is directly below the building entrances. You would leave the metro station and go up all three sets of escalators and turn right. You will see a set of stairs and glass Doors with EPA Signified on Glass. That is Ariel Rios North.

If you are coming by taxi, you would want to be dropped off on 12th NW, between Constitution Ave and Pennsylvania Ave. It is almost exactly half way between the two avenues on 12th. From 12th Street, facing the building with the EPA and American flags, walk toward the building and take the glass door on your right hand side with the escalators going down to the metro on your left. This again will be the North Lobby of the Ariel Rios bldg.

Upon entering the lobby, the meeting attendees will be asked to pass through security and provide a photo ID for entrance. Let the guards know that you were instructed to call 202-564-7400. If you are travelling in a large group, you may want to arrive 10-15 minutes early in order to be on time for the meeting.

From: Terry McGuire <terry.mcguire@sierraclub.org>

To: OAR Invitations@EPA

Date: 09/24/2012 03:56 PM

Subject: Requesting a Meeting with Assistant Administrator McCarthy re: Docket No. EPA-HQ-OAR-2007-0492

Good afternoon,

On behalf of the Sierra Club, the Environmental Defense Fund, and the Natural Resources Defense Council, I would like to request a meeting with Assistant Administrator McCarthy to discuss the proposed updates to the National Ambient Air Quality Standards for Particulate Matter - Docket No. EPA-HQ-OAR-2007-0492. Except for October 4, 5 and 11, our organizations would be able to send representatives any of the other days in the first two weeks of October.

I hope something in that window works for Assistant Administrator McCarthy, and please let me know if you have any questions about our request.

Thank you,

--

Terry McGuire
Associate Washington Representative
Sierra Club
[202-495-3045](tel:202-495-3045)

Cynthia
Floyd-Coleman/DC/USEPA/US

03/02/2012 04:37 PM

To Kevin Miller, Barbara Bruce

cc Sherry Russell, Sabrina Hamilton

bcc

Subject Fw: Freedom of Information Act Appeal HQ-APP-00071-12
(ref. #HQ-FOI-00011-12)

Kevin/Barbara,

Mr. Johnson sent the entire appeal package again. He said the appeal letter is under attachment "Appeal.PDF". Linda (our data entry person) must not have printed out this attachment that's why it was missing from the original package I assigned. I printed the appeal letter and it is now scanned into FOIAXpress.

Thank you
Cindy

Cynthia Floyd-Coleman, FOIA Specialist

Office of Information Collection
Office of Environmental Information
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2822T)
Washington, DC 20460
(202) 566-1662

email: Floyd-Coleman.Cynthia@epamail.epa.gov

----- Forwarded by Cynthia Floyd-Coleman/DC/USEPA/US on 03/02/2012 04:32 PM -----

From: Seth Johnson <sjohnson@earthjustice.org>
To: Cynthia Floyd-Coleman/DC/USEPA/US@EPA
Date: 03/02/2012 04:21 PM
Subject: FW: Freedom of Information Act Appeal

Dear Ms. Floyd-Coleman,

As you requested, attached please find the full appeal, including the appeal letter and the appendices, that I emailed yesterday. The letter is "Appeal.PDF." Please don't hesitate to contact me if you have any questions or problems with the attachments.

Sincerely,

Seth Johnson

Seth Johnson
Associate Attorney
Earthjustice
1625 Massachusetts Ave., NW
Suite 702
Washington, DC 20036
T: 202-667-4500 x5245

F: 202-667-2356

www.earthjustice.org

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From: Seth Johnson
Sent: Thursday, March 01, 2012 11:34 AM
To: 'hq.foia@epa.gov'
Cc: David Baron
Subject: Freedom of Information Act Appeal

To Whom It May Concern:

Attached please find the American Lung Association's appeal under the Freedom of Information Act of EPA's constructive partial denial of its FOIA request, number HQ-FOI-00011-12. Accompanying the appeal are seven appendices, also attached. Please confirm your receipt of this appeal.

We look forward to your timely decision on this appeal, no later than March 29, 2012, and hope to begin receiving responsive documents shortly.

If you have any questions, please do not hesitate to contact me either by phone or email.

Sincerely,

Seth Johnson

Seth Johnson
Associate Attorney
Earthjustice
1625 Massachusetts Ave., NW
Suite 702
Washington, DC 20036
T: 202-667-4500 x5245
F: 202-667-2356

www.earthjustice.org

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App. G.pdf App. E.pdf App. B.pdf App. F.pdf Appeal.PDF App. C.pdf App. A.pdf App. D.pdf

Cynthia Gaines/DC/USEPA/US

To Sabrina Hamilton

04/29/2011 05:52 PM

cc

bcc

Subject Fw: Delay Unacceptable: EPA, strengthen the smog standard NOW

Issue Mail.

Cynthia A. Gaines
Lead Information Management Specialist
Office of the Executive Secretariat
202-564-1788

----- Forwarded by Cynthia Gaines/DC/USEPA/US on 04/29/2011 05:51 PM -----

Message Information

Date 04/27/2011 08:59 PM
From American Lung Association Action Network <lungaction@lungusa.org>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Delay Unacceptable: EPA, strengthen the smog standard NOW

Message Body

Apr 27, 2011

Ms. Lisa Jackson
Ariel Rios Federal Building, Room 3000
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

Dear Ms. Jackson,

I was disappointed to learn EPA missed the deadline to adopt a more protective national ambient air quality standard for ozone. It is critical that stronger ozone standards are adopted to help protect the American public from breathing this dangerous air pollutant. I support strong standards that would safeguard the health of children, the elderly, people with asthma and other lung diseases.

Science clearly shows that EPA must substantially strengthen the ozone standard to protect public health. The EPA's independent science advisors reviewed the evidence from over 1,700 studies of the health impacts of ozone. They concluded unanimously that the ozone standard should be set between 60-70 parts per billion, to protect human health. The medical and scientific community has also endorsed this conclusion.

Delays in setting an ozone standard have serious and life-threatening ramifications. Ozone air pollution causes premature death, asthma attacks, difficulty breathing. Ozone can send people with lung disease like asthma and chronic obstructive pulmonary disease to the emergency

room and the hospital.

Millions of Americans live in areas that are already polluted with too much smog. And research clearly shows that we need to be breathing much, much less ozone. EPA must set the national air standard for ozone at the most protective level the scientists recommended to you--60 parts per billion.

I urge you not to let anymore time pass and act now to set a new ozone standard to protect public health.

Sincerely,

Mrs. Ethel Karavasileiadis
534 South St
Wrentham, MA 02093-1594

OEX Processing Information

Processed Date:	04/28/2011 01:06 PM
Processed By	Cynthia Gaines
PO Office	Category:
OEX	CMS
Message Count	1

Cynthia Gaines/DC/USEPA/US

To Sabrina Hamilton

10/27/2010 11:32 AM

cc

bcc

Subject Fw: Please Set a New Ozone Standard to Protect Public Health

Sabrina,

Please check with staff and see if a new docket will be created for the below e-mail. We have quite a few e-mails with this subject in the Administrator's e-mail. In the past, we forward similar e-mails under Smog Pollution - Ozone Standard of 0.060 ppm (OAR). Just need to know if it is okay to continue to forward under the same title we have used in the past or if we should rename. Thanks.

Cynthia A. Gaines
Lead Information Management Specialist
Office of the Executive Secretariat
202-564-1788

----- Forwarded by Cynthia Gaines/DC/USEPA/US on 10/27/2010 11:25 AM -----

Message Information

Date 10/21/2010 04:25 PM
From American Lung Association <webmaster@lungusa.org>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Please Set a New Ozone Standard to Protect Public Health

Message Body

Oct 21, 2010

Ms. Lisa Jackson
Ariel Rios Federal Building, Room 3000
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

Dear Ms. Jackson,

I urge you to adopt much stronger ozone standards that will help protect the American public from breathing this dangerous air pollutant. The national air standards should set limits on air pollution that shield those whose lungs are the most vulnerable. I support strong standards that would safeguard the health of children, the elderly, people with asthma and other lung diseases.

The science is clear that EPA must substantially strengthen the ozone standard to protect public health. The EPA's independent science advisors reviewed the evidence from over 1,700 studies of the health impacts of ozone. They concluded unanimously that the ozone standard should be set between 60-70 parts per billion, to protect human health. The medical and scientific community has also endorsed this conclusion.

Ozone or smog can cause asthma attacks, coughing and wheezing, and shortness of breath. Breathing unhealthy levels of smog sends people to the hospital and emergency rooms. Breathing ozone smog threatens serious health risks, including strong evidence that ozone smog actually can kill people.

Millions of Americans live in areas that are already polluted with too much smog. And research clearly shows that we need to be breathing much, much less ozone. EPA must set the national air standard for ozone at the most protective level the scientists recommended to you--60 parts per billion.

I urge you to act now and set a new ozone standard to protect public health.

Sincerely,

Ms. P. Hickey
456 Worthington Rd
Millersville, MD 21108-1614

OEX Processing Information

Processed Date:

Processed By

PO Office

Category:

Message Count

Dale Perry/DC/USEPA/US

06/22/2010 06:20 PM

To Lisa Garcia

cc "Janet McCabe", "Gina McCarthy", Stephanie Owens

bcc

Subject Re: Sierra club letter

Lisa,

I literally just sent this approved letter to Stephanie Owens to send from Public Outreach a few minutes ago. This letter has not gone out yet but this is our response.



Sierra Club letter.doc

Dale H. Perry, Ph.D.

Senior Advisor for Science & Crisis Communications

U.S. Environmental Protection Agency

1200 Pennsylvania Ave NW

Mail Code 1701A

Washington, D.C. 20460

Phone: 202.564.7338

Cell: 202.380.6517

Fax: 202.501.1770

Lisa Garcia

Hi all: Please send me a copy of the res...

06/22/2010 06:18:49 PM

From: Lisa Garcia/DC/USEPA/US
To: "Gina McCarthy" <McCarthy.Gina@epamail.epa.gov>, "Janet McCabe" <McCabe.Janet@epamail.epa.gov>
Cc: "Dale Perry" <Perry.Dale@epamail.epa.gov>
Date: 06/22/2010 06:18 PM
Subject: Sierra club letter

Hi all:

Please send me a copy of the response to NGOs like the Sierra Club.

And Gina S letter.

We are meeting with NGOs on the ground in the Gulf (I believe Sierra Club tomorrow)

Thanks.

Lisa g

**Daniel
Gerasimowicz/DC/USEPA/US**
07/16/2009 01:39 PM

To Beth Craig, Brian Mclean, Diane Thompson, Elizabeth
Cotsworth, Gina McCarthy, Margo Oge, Rob Brenner, Steve
Page
cc Barbara Morris, Gladys Bryant-Akers, Jean Walker, Shela
Poke-Williams, Stephanie Washington, Teri Porterfield, Tina
Murphy
bcc
Subject The Administrator's Meeting with the American Lung
Association's CEO and President, Charles D. Connor

Meeting

Date 08/18/2009
Time 04:30:00 PM to 05:00:00 PM
Chair Daniel Gerasimowicz
Invitees
Required Beth Craig; Brian Mclean; Diane Thompson; Dina Kruger; Elizabeth
Cotsworth; Gina McCarthy; Jeffrey Clark; Lydia Wegman; Margo Oge; Rob
Brenner
Optional Barbara Morris; Gladys Bryant-Akers; Jean Walker; Shela Poke-Williams;
Stephanie Washington; Teri Porterfield; Tina Murphy
FYI
Location The Bullet Room

The Call-in number for individuals in RTP will be:

1 [REDACTED]

access code 2 [REDACTED]

Mr. Connor will be accompanied by:

Paul Billings, Vice President of National Policy and Advocacy
Janice Nolen, Assistant Vice President of National Policy and Advocacy

Topics of discussion will include issues of outdoor and indoor air pollution:

- securing a more protective NAAQS, especially for ozone and PM
- protecting local community health from power plant pollution as CAIR is revamped
- beginning work on Tier III controls for motor vehicles and enhanced diesel retrofits
- retaining a focus on human health impacts - climate and energy issues
- enhancing joint ALA/EPA work on indoor air, especially around asthma triggers, secondhand smoke and radon

Thank you.

**Daniel
Gerasimowicz/DC/USEPA/US**
08/14/2009 04:48 PM

To Beth Craig, Brian Mclean, Dina Kruger, Elizabeth Cotsworth,
Gina McCarthy, Jeffrey Clark, Lydia Wegman, Margo Oge,
Rob Brenner
cc Barbara Morris, Gladys Bryant-Akers, Jean Walker, Shela
Poke-Williams, Stephanie Washington, Teri Porterfield, Tina
Murphy
bcc
Subject Information Update - Description has changed: The
Administrator's Meeting with the American Lung Association's
CEO and President, Charles D. Connor

The Call-in number for individuals in RTP will be:

1 [REDACTED]

access code [REDACTED]

Mr. Connor will be accompanied by:

Paul Billings, Vice President of National Policy and Advocacy
Janice Nolen, Assistant Vice President of National Policy and Advocacy

Topics of discussion will include issues of outdoor and indoor air pollution:

- securing a more protective NAAQS, especially for ozone and PM
- protecting local community health from power plant pollution as CAIR is revamped
- beginning work on Tier III controls for motor vehicles and enhanced diesel retrofits
- retaining a focus on human health impacts - climate and energy issues
- enhancing joint ALA/EPA work on indoor air, especially around asthma triggers, secondhand smoke and radon

Thank you.

scheduling

Sent by: Daniel Gerasimowicz

11/10/2010 02:09 PM

To Bob Sussman, David McIntosh, Gina McCarthy

cc Cindy Huang, Georgia Bednar, Monee Gardner

bcc

Subject The Administrator's Phone Call with American Thoracic Society (ATS) Executive Leadership

Meeting

Date 11/16/2010

Time 02:45:00 PM to 03:00:00 PM

Chair scheduling

Invitees

Required Bob Sussman; David McIntosh; Gina McCarthy

Optional Cindy Huang; Georgia Bednar; Monee Gardner

FYI

Location The Administrator's Office

ATS Executive Leadership Members Attending :

J. Randall Curtis MD, MPH
Immediate Past President of the American Thoracic Society

Patricia W. Finn MD
ATS Secretary-Treasure

Stephen C. Crane, PhD MPH
ATS Executive Director

Gary Ewart
Director, ATS Government Relations

Original request from the ATS:

"Administrator Jackson:

The American Thoracic Society would appreciate the opportunity to schedule a brief (15 minute) phone call with you and the leadership of the American Thoracic Society to discuss EPA's NAAQS for ozone. The American Thoracic Society strongly urges EPA to move forward in setting a final NAAQS for ozone at 60 ppb ug/m³.

Below is background information about the American Thoracic Society and why we, as a medical professional organization, care so deeply about the EPA NAAQS for ozone.

American Thoracic Society

Founded in 1905 as the American Sanatorium Association to prevent, control and treat tuberculosis; renamed the American Trudeau Society in 1938 and the American Thoracic Society in 1960. Originally the medical section of the American Lung Association, the Society became independently incorporated in 2000 as a 501 (c) (3) organization. The over 14000 members of the ATS seek to improve health worldwide by advancing research, clinical care and public health in respiratory disease, critical illness and sleep disorders.

The ATS has played an active role in air pollution. Through its three peer-reviewed journals—the *American Journal of Respiratory and Critical Care Medicine (AJRCCM)*, the *American Journal of Respiratory Cell and Molecular Biology (AJRCMB)* and *Proceedings of the American Thoracic Society (PATS)*—the ATS supports the dissemination of groundbreaking research, including health effects of exposure to air pollution. Our members also treat patients with respiratory diseases - like asthma and COPD - that are directly impacted by air pollution.

The ATS has played a significant leadership role in reducing air pollution in the US, including advocating for the 1970 Clean Air Act and 1990 Clean Air Act Amendments. The ATS has also participated in the NAAQS public comment process. We feel advocacy in support of health-based standards under the Clean Air Act is an essential part of our service to our patients with respiratory disease.

I hope you will make time your schedule to hold a brief conversation with the American Thoracic Society leadership to learn more about our support for a final NAAQS for ozone of 60 ppb ug/m³."

Daniel
Gerasimowicz/DC/USEPA/US
10/26/2010 11:07 AM

To Bob Sussman, Gina McCarthy
cc Addie Johnson, Cindy Huang, David McIntosh, Georgia
Bednar
bcc
Subject Cancelled: The Administrator's Phone Call with Mr. Chuck
Connor, CEO of the American Lung Association (ALA)

**Daniel
Gerasimowicz/DC/USEPA/US**
10/26/2010 11:04 AM

To Bob Sussman, Gina McCarthy
cc Addie Johnson, Cindy Huang, David McIntosh, Georgia
Bednar
bcc

Subject Invitation: The Administrator's Phone Call with Mr. Chuck
Connor, CEO of the American Lung Association (ALA) (Oct
28 10:00 AM EDT in The Administrator's Office)

Mr. Connor will likely be joined by Ms. Janice Nolen (ALA Assistant VP for National Policy and Advocacy) and Mr. Paul Billings (ALA VP for National Policy and Advocacy) on this call.

scheduling

Sent by: Daniel Gerasimowicz

06/15/2010 06:07 PM

To Charles Lee, Cynthia Giles-AA, Gina McCarthy, Janet McCabe, Joseph Goffman, Lisa Garcia, Lydia Wegman, Stephanie Owens, Steve Page

cc Bob Sussman, Christopher Busch, Cindy Huang, Diane Thompson, Georgia Bednar, Jean Walker, Linda Huffman, Marjean Gleaton, Michele Kelly, Robert Goulding, Shakeba Carter-Jenkins, Shira Sternberg, Stephanie Washington, Teri Porterfield

bcc

Subject Rescheduled: The Administrator's Meeting with The Environmental Defense Fund and EJ Communities to discuss the Ozone Standard (Jun 16 02:00 PM EDT in The Bullet Room)

The call-in number for this meeting for OAQPS will be:

1 [REDACTED]

access code 202 [REDACTED]

Incoming letter of meeting request from EDF:



- AX-10-000-7404.pdf

Confirmed attendees:

Air Alliance Houston

Matthew Tejada, Executive Director

American Lung Association

Janice Nolan, Assistant Vice President, National Policy and Advocacy

Appalachian Mountain Club

Georgia Murray, Staff Scientist

Clean Air Task Force

Bruce Hill, Staff Scientist

Clean Air Watch

Frank O'Donnell, President

Connecticut Coalition for Environmental Justice

Mark Mitchell, President

Earthjustice

David Baron, Managing Attorney

Emily Enderle, Legislative Associate

Environment America

Nathan Willcox, Energy & Clean Air Advocate

Environmental Defense Fund

Elena Craft, Health Scientist

Joint Center for Political and Economic Studies

Gina Wood, Director of Policy and Planning

Royce Brooks, Policy Analyst

National Alliance for Hispanic Health

Mr. Adolph P. Falcón, Senior Vice President

National Resource Defense Council

John Walke, Clean Air Director

Sault Ste. Marie Tribe of Chippewa Indians

Elizabeth Kronk, Chief Judge

Sierra Club

Ed Hopkins, Director, Environmental Quality Program

Southern Environmental Law Center

Nat Mund, Legislative Director

Chandra T. Taylor, Senior Attorney

Texas Environmental Justice Advocacy Services (TEJAS)

Juan Parras, Executive Director

scheduling

Sent by: Daniel Gerasimowicz

06/11/2010 10:25 AM

To Charles Lee, Cynthia Giles-AA, Gina McCarthy, Janet McCabe, Joseph Goffman, Lisa Garcia, Stephanie Owens
cc Bob Sussman, Christopher Busch, Cindy Huang, Diane Thompson, Georgia Bednar, Linda Huffman, Marjean Gleaton, Michele Kelly, Robert Goulding, Shakeba Carter-Jenkins, Shira Sternberg, Stephanie Washington, Teri Porterfield

bcc

Subject Information Update - Description has changed: The Administrator's Meeting with The Environmental Defense Fund and EJ Communities to discuss the Ozone Standard

List of attendees forthcoming

Incoming letter of meeting request from EDF:



- AX-10-000-7404.pdf

Confirmed attendees:

Air Alliance Houston

Matthew Tejada, Executive Director

American Lung Association

Janice Nolan, Assistant Vice President, National Policy and Advocacy

Appalachian Mountain Club

Georgia Murray, Staff Scientist

Clean Air Task Force

Bruce Hill, Staff Scientist

Clean Air Watch

Frank O'Donnell, President

Connecticut Coalition for Environmental Justice

Mark Mitchell, President

Earthjustice

David Baron, Managing Attorney

Emily Enderle, Legislative Associate

Environment America

Nathan Willcox, Energy & Clean Air Advocate

Environmental Defense Fund

Elena Craft, Health Scientist

Joint Center for Political and Economic Studies

Gina Wood, Director of Policy and Planning

Royce Brooks, Policy Analyst

National Alliance for Hispanic Health

Mr. Adolph P. Falcón, Senior Vice President

National Resource Defense Council

John Walke, Clean Air Director

Sault Ste. Marie Tribe of Chippewa Indians

Elizabeth Kronk, Chief Judge

Sierra Club

Ed Hopkins, Director, Environmental Quality Program

Southern Environmental Law Center

Nat Mund, Legislative Director

Chandra T. Taylor, Senior Attorney

Texas Environmental Justice Advocacy Services (TEJAS)

Juan Parras, Executive Director

scheduling

Sent by: Daniel Gerasimowicz

06/11/2010 10:42 AM

To Charles Lee, Cynthia Giles-AA, Gina McCarthy, Janet McCabe, Joseph Goffman, Lisa Garcia, Stephanie Owens
cc Bob Sussman, Christopher Busch, Cindy Huang, Diane Thompson, Georgia Bednar, Linda Huffman, Marjean Gleaton, Michele Kelly, Robert Goulding, Shakeba Carter-Jenkins, Shira Sternberg, Stephanie Washington, Teri Porterfield

bcc

Subject Information Update - Description has changed: The Administrator's Meeting with The Environmental Defense Fund and EJ Communities to discuss the Ozone Standard

The call-in number for this meeting for OAQPS will be:

1 [REDACTED]

access code 2 [REDACTED]

Incoming letter of meeting request from EDF:



- AX-10-000-7404.pdf

Confirmed attendees:

Air Alliance Houston

Matthew Tejada, Executive Director

American Lung Association

Janice Nolan, Assistant Vice President, National Policy and Advocacy

Appalachian Mountain Club

Georgia Murray, Staff Scientist

Clean Air Task Force

Bruce Hill, Staff Scientist

Clean Air Watch

Frank O'Donnell, President

Connecticut Coalition for Environmental Justice

Mark Mitchell, President

Earthjustice

David Baron, Managing Attorney

Emily Enderle, Legislative Associate

Environment America

Nathan Willcox, Energy & Clean Air Advocate

Environmental Defense Fund

Elena Craft, Health Scientist

Joint Center for Political and Economic Studies

Gina Wood, Director of Policy and Planning

Royce Brooks, Policy Analyst

National Alliance for Hispanic Health

Mr. Adolph P. Falcón, Senior Vice President

National Resource Defense Council

John Walke, Clean Air Director

Sault Ste. Marie Tribe of Chippewa Indians

Elizabeth Kronk, Chief Judge

Sierra Club

Ed Hopkins, Director, Environmental Quality Program

Southern Environmental Law Center

Nat Mund, Legislative Director

Chandra T. Taylor, Senior Attorney

Texas Environmental Justice Advocacy Services (TEJAS)

Juan Parras, Executive Director

Daniel
Gerasimowicz/DC/USEPA/US
06/12/2009 06:23 PM

To David McIntosh, Bob Sussman, Diane Thompson, Gina
McCarthy, Catherine McCabe, Cynthia Giles, Pat Hirsch,
Justina Fugh
cc Georgia Bednar, Stephanie Washington, Shela
Poke-Williams, Linda Huffman, Robin Spriggs
bcc
Subject Scheduling Office Requests Input: Meeting Request for The
Administrator: Meet with The American Lung Association's
President and CEO Charles D. Connor

**RE: Meeting Request for The Administrator : Meet with The American Lung
Association's President and CEO Charles D. Connor**

Please see the attached invitation request for the Administrator and give your recommendation *within 24
hours*.

Thank you,

The Scheduling Office
Office of the Administrator

Please include this link in your response

<NOTES://DCOGCLN1/MHANSON/AO\IO\InvitationRequests.nsf/Processing/4F3EE10F0253100F852575D3007A914A>

Description/Purpose

Mr. Connor has requested a courtesy meeting with The Administrator to discuss several issues of interest - indoor and outdoor air pollution, NAAQS, CAIR, climate, etc.

Tentative Date	from	to	EPA Org:
07/06/2009	09:00 AM	05:00 PM	

Original Request (use Notes Viewer and set magnification (View, Magnification) to Fit Width)

The Lung Association would welcome the opportunity to meet with Administrator Jackson to discuss several issues of interest, including both outdoor and indoor air pollution. In particular, we'd welcome time to briefly discuss major issues around these topics:

Securing a more protective NAAQS, especially for ozone and PM,

Protecting local community health from power plant pollution as CAIR is revamped;

Beginning work on Tier III controls for motor vehicles and enhanced diesel retrofits;

Retaining a focus on human health impacts as we deal with climate and energy issues;

Enhancing our joint work on indoor air, especially around asthma triggers, secondhand smoke and radon.

We realize that this is a long list. The Lung Association and the EPA work together on many issues, so we would welcome the opportunity to share some key

concerns and build toward future work. In addition to myself and Mr. Connor, we'd include Paul Billings, our Vice President of National Policy and Advocacy in the meeting if possible. We'd also welcome having other members of the Administrator's staff as they are available to meet with us. We would also look forward to future meetings with Gina McCarthy and other key staff.

Thank you again,
Janice

Dear Administrator Jackson,

On behalf of the American Lung Association and our President and CEO Charles D. Connor, I would like to request a meeting with you to more fully introduce ourselves and to explore issues that concern lung health and the U.S. Environmental Protection Agency. I'm copying members of your staff with whom we've worked in the past who can share with you some of the long history we have had together. I'm happy to work with them to schedule a meeting at your convenience.

Daniel
Gerasimowicz/DC/USEPA/US
01/29/2010 12:17 PM

To Gina McCarthy, Catherine McCabe, Cynthia Giles-AA,
Justina Fugh, Daniel Fort, Jennie Keith, Allyn Brooks-LaSure,
Stephanie Owens
cc Marta Montoro, Don Zinger, Teri Porterfield, Linda Huffman,
Shakeba Carter-Jenkins, Shira Sternberg, Sherry Stewart,
Deb Berlin
bcc
Subject Scheduling Office Requests Input: SCH002-Scheduling
Request - Invitation- Speak/ American Lung Association
National Board of Directors at their upcoming meeting

**RE: SCH002-Scheduling Request - Invitation- Speak/ American Lung Association
National Board of Directors at their upcoming meeting**

Please see the attached invitation request for the Administrator and give your recommendation *within 24 hours*.

Thank you,

When appropriate, please rank your recommendation in the following way:

- This event or meeting is a MUST DO for Administrator Jackson
- This event or meeting would be good to do if she has time
- This event or meeting should be delegated (With a recommendation for who to delegate to)
- This event or meeting should be regretted
- More information is needed to make a recommendation (What specific information is needed?)

Please include this link in your response

<NOTES://DCOGCLN1/MHANSON\AO\IO\InvitationRequests.nsf/Processing/A54BEC11D033C73B852576B200689327>

Description/Purpose

Tentative Date	from	to	EPA Org:
03/16/2010			

Original Request (use Notes Viewer and set magnification (View, Magnification) to Fit Width)

+ **AMERICAN LUNG ASSOCIATION®**
Fighting for Air

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Chair

H. James Gooden
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Christine L. Bryant
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Speaker
Nationwide Assembly

Ross P. Lanzafame, Esq.
Speaker-Elect
Nationwide Assembly

NATIONAL HEADQUARTERS

Charles D. Connor
President &
Chief Executive Officer

1301 Pennsylvania Ave., NW
Suite 800
Washington, DC 20004-1725
Phone: (202) 785-3355
Fax: (202) 452-1805

14 Wall St.
Suite 8C
New York, NY 10005-2113
Phone: (212) 315-8700
Fax: (212) 608-3219

www.LungUSA.org

January 19, 2010

Ms. Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 200460

Dear Administrator Jackson:

We at the American Lung Association would like to invite you to speak to our National Board of Directors at our upcoming meeting on Tuesday, March 16, 2009 in Washington, DC.

Our Board will be meeting at the Washington Marriott at Metro Center at 775 12th Street, NW, that day. We would welcome the opportunity to get to know you better and to listen to you thoughts on the work we can do to help improve the air we breathe.

My staff will be in touch with yours to coordinate this meeting.

Sincerely,



Charles Connor
President and Chief Executive Officer
American Lung Association

Cc:

Gina McCarthy, Assistant Administrator, Office of Air and Radiation

Stephanie Owens, Office of Public Outreach

John Larmett, Office of Public Outreach

1 attachment



AX-10-000-0992.pdf

Daniel
Gerasimowicz/DC/USEPA/US
03/05/2010 11:17 AM

To Gina McCarthy
cc Don Zinger, Teri Porterfield, Cindy Huang
bcc
Subject Fw: Administrator Jackson Cement Kilns Rule Meeting Request

Hi Gina,

Below is a request that we received from Earthjustice regarding the cement kilns rule - we forwarded to this Bob P and Bob S for feedback and they recommend that this meeting be delegated to you (instead of having the Administrator meet) -

Can you please let us know if you would be available to meet with this group?

Thank you,
Dan

Dan Gerasimowicz
U.S. Environmental Protection Agency
gerasimowicz.daniel@epa.gov

----- Forwarded by Daniel Gerasimowicz/DC/USEPA/US on 03/05/2010 11:16 AM -----

From: Emily Enderle <eenderle@earthjustice.org>
To: Daniel Gerasimowicz/DC/USEPA/US@EPA
Date: 03/04/2010 05:49 PM
Subject: Administrator Jackson Cement Kilns Rule Meeting Request

Dear Daniel,

On behalf of several community leaders from across the country, I'm writing to request a meeting with Administrator Jackson to discuss the soon to be finalized cement kilns rule.

We understand EPA has come under immense pressure from industry and select Congressional representatives to weaken the proposed cement kilns air toxics rule. A small group of community leaders from Downwinders at Risk (TX), Desert Citizens Against Pollution (CA), Friends of Lower Cape Fear (NC), Friends of Hudson (NY), and Huron Environmental League (MI), as well as Leslie Fields of the Sierra Club and Jim Pew and me of Earthjustice would like to meet with the Administrator to explain why we are supportive of a rule that is at least as strong as the proposed rule. The group represents the perspective of citizens from across the country who in many cases have spent more than a decade working to ensure the EPA adopts cement kiln regulations that protect public health from toxic air emissions from these kilns.

Several community leaders will be in town for EPA's Conference, Strengthening Environmental Justice Research and Decision Making: A Symposium on the Science of Disproportionate Environmental Health Impacts March 17-19. If the Administrator has any time in her schedule to meet while they are in town for the conference, we'd would greatly appreciate the opportunity to meet with her then. If those dates do not work, others could also work.

Should you have any questions, please don't hesitate to let me know.

Thank in advance for considering this request. I look forward to hearing from you.
Emily

Emily Enderle
Legislative Associate
Earthjustice
1625 Massachusetts Ave., NW
Suite 702
Washington, DC 20036
T: 202-667-4500 ext. 201
C: 202-253-2397
F: 202-667-2356
www.earthjustice.org

scheduling

Sent by: Daniel Gerasimowicz

05/18/2010 09:51 AM

To Gina McCarthy, Janet McCabe, Lydia Wegman, Stephanie Owens, Steve Page

cc Alecia Allston, Bob Perciasepe, Bob Sussman, Cindy Huang, Diane Thompson, Donald Maddox, Georgia Bednar, Jean Walker, Joseph Goffman, Marjean Gleaton, Robert Goulding, Shakeba Carter-Jenkins, Shira Sternberg, Stephanie Washington, Teri Porterfield

bcc

Subject Information Update - Description has changed: The Administrator's Meeting with the American Lung Association and Public Health/Medical Organizations to discuss the Ozone Primary NAAQS

Confirmed Attendees as of 5/18:

Cindy Pellegrini, Asst. Director, Washington Office - American Academy of Pediatrics

Susan K. Bishop - American Heart Association

Charles D. Connor, President and Chief Executive Officer - American Lung Association

Janice Nolen, AVP, National Policy and Advocacy - American Lung Association

Donald Hoppert, Director of Government Relations - American Public Health Association

William Rom, MD., Past Chair, ATS Environment Committee - American Thoracic Society

Gary Ewart, Director, Government Relations - American Thoracic Society

William McLin, M.Ed, Executive Director - Asthma and Allergy Foundation

Charlotte Collins, JD. Director of Public Policy and Advocacy - Asthma and Allergy Foundation

Eli Briggs, Senior Government Affairs Specialist - National Association of County and City Health Officials

Kristen Walker-Hunt ScD MSN RN, Director, Environment and Health Programs - Physicians for Social Responsibility



- AX-10-000-6647.pdf

scheduling
Sent by: Daniel Gerasimowicz

05/20/2010 01:45 PM

To Gina McCarthy, Janet McCabe, Lydia Wegman, Stephanie Owens, Steve Page
cc Alecia Allston, Bob Perciasepe, Bob Sussman, Cindy Huang, Diane Thompson, Donald Maddox, Georgia Bednar, Jean Walker, Joseph Goffman, Marjean Gleaton, Robert Goulding, Shakeba Carter-Jenkins, Shira Sternberg, Stephanie Washington, Teri Porterfield

bcc

Subject Information Update - Description has changed: The Administrator's Meeting with the American Lung Association and Public Health/Medical Organizations to discuss the Ozone Primary NAAQS (call-in information added)

Please note:

Administrator Jackson will no longer be able to participate in this meeting . Gina McCarthy will lead this meeting for The Administrator .

All other meeting particulars (time, location, call-in number) will remain the same as currently scheduled . Thank you.

Call-in information:

1-


Confirmed Attendees as of 5/18:

Cindy Pellegrini, Asst. Director, Washington Office - American Academy of Pediatrics

Susan K. Bishop - American Heart Association

Charles D. Connor, President and Chief Executive Officer - American Lung Association

Janice Nolen, AVP, National Policy and Advocacy - American Lung Association

Donald Hoppert, Director of Government Relations - American Public Health Association

William Rom, MD., Past Chair, ATS Environment Committee - American Thoracic Society

Gary Ewart, Director, Government Relations - American Thoracic Society

William McLin, M.Ed, Executive Director - Asthma and Allergy Foundation

Charlotte Collins, JD. Director of Public Policy and Advocacy - Asthma and Allergy Foundation

Eli Briggs, Senior Government Affairs Specialist - National Association of County and City Health Officials

Kristen Walker-Hunt ScD MSN RN, Director, Environment and Health Programs - Physicians for Social Responsibility



- AX-10-000-6647.pdf

scheduling

Sent by: Daniel Gerasimowicz

05/10/2010 12:15 PM

To Gina McCarthy, Janet McCabe, Stephanie Owens, Steve Page

cc Alecia Allston, Bob Perciasepe, Bob Sussman, Cindy Huang, Diane Thompson, Donald Maddox, Georgia Bednar, Jean Walker, Joseph Goffman, Marjean Gleaton, Robert Goulding, Shakeba Carter-Jenkins, Shira Sternberg, Stephanie Washington, Teri Porterfield

bcc

Subject Rescheduled: The Administrator's Meeting with the American Lung Association and Public Health/Medical Organizations to discuss the Ozone Primary NAAQS (May 20 04:00 PM EDT in The Bullet Room)

From Janice Nolen at ALA:

"These groups have said they would welcome the opportunity to meet with Administrator Jackson in May:

American Academy of Pediatrics

American Thoracic Society

American Public Health Association

Asthma and Allergy Foundation of America

National Association of County and City Health Officials

I would expect others to want to attend as well. Depending on the schedule, we anticipate that any group of the signers to our letter to the Administrator on the ozone standard may be interested in attending. While I DO NOT expect that all of these groups will be able to join us, that list also includes the following additional groups:

American Association for Cardiovascular and Pulmonary Rehabilitation

American College of Chest Physicians

American College of Occupational and Environmental Medicine

American College of Preventive Medicine

American Heart Association

American Medical Association

Children's Environmental Health Network

Foundation for Sarcoidosis Research

The LAM foundation

National Association for the Medical Direction Of Respiratory Care

Physicians For Social Responsibility

Science and Environmental Health Network

Thank you,
Janice

Janice E. Nolen
Assistant Vice President
National Policy and Advocacy
American Lung Association

Original Request:



- AX-10-000-6647.pdf

scheduling
Sent by: Daniel Gerasimowicz

05/06/2010 04:56 PM

To Gina McCarthy, Janet McCabe, Steve Page
cc Alecia Allston, Bob Perciasepe, Cindy Huang, Diane Thompson, Donald Maddox, Jean Walker, Joseph Goffman, Marjean Gleaton, Robert Goulding, Stephanie Washington, Teri Porterfield
bcc

Subject Information Update - Location has changed: The Administrator's Meeting with the American Lung Association and Public Health/Medical Organizations to discuss the Ozone Primary NAAQS

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American Thoracic Society
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Asthma and Allergy Foundation of America
National Association of County and City Health Officials

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American College of Chest Physicians
American College of Occupational and Environmental Medicine
American College of Preventive Medicine
American Heart Association
American Medical Association
Children's Environmental Health Network
Foundation for Sarcoidosis Research
The LAM foundation
National Association for the Medical Direction Of Respiratory Care
Physicians For Social Responsibility
Science and Environmental Health Network

Thank you,
Janice

Janice E. Nolen
Assistant Vice President
National Policy and Advocacy
American Lung Association

Original Request:



- AX-10-000-6647.pdf

Daniel Hopkins/DC/USEPA/US

To Alan Rush

01/08/2013 04:07 PM

cc Jan Cortelyou-Lee, Nancy Ketcham-Colwill, OAR Special Assistants

bcc

Subject Re: Fw: revised Luminant summary for the WHW

Alan and Jan,

Thank you for the revised blurb. Question: do you know how EPA plans to respond to the petition? It is not explained in the write-up.

Daniel J. Hopkins
Special Assistant to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
Phone: 202-564-3277
Cell Phone: 202- [REDACTED]

Alan Rush

Daniel, If you can slip this in to the curre...

01/08/2013 03:05:32 PM

From: Alan Rush/DC/USEPA/US
To: OAR Special Assistants
Cc: Nancy Ketcham-Colwill/DC/USEPA/US@EPA, Jan Cortelyou-Lee/RTP/USEPA/US@EPA
Date: 01/08/2013 03:05 PM
Subject: Fw: revised Luminant summary for the WHW

Daniel,

If you can slip this in to the current White House Weekly, we think it a better explanation.

Alan

----- Forwarded by Alan Rush/DC/USEPA/US on 01/08/2013 03:03 PM -----

From: Jan Cortelyou-Lee/RTP/USEPA/US
To: Alan Rush/DC/USEPA/US@EPA, Jenny Noonan/RTP/USEPA/US@EPA
Date: 01/08/2013 03:01 PM
Subject: revised Luminant summary for the WHW

Alan - here is a simplified version. Do you want to replace the one from yesterday with this or would you like me to work with daniel and linda on that?

Luminant Title V:

By January 15, 2013, under a consent decree, EPA will respond to a petition concerning the Clean Air Act title V permit for the Sandow Creek Steam Electric Station located near Rockdale, Milam County, Texas. Luminant Generation Company operates the Sandow Creek Station. The Texas Commission on Environmental Quality issued a title V operating permit to Luminant for Sandow on August 18, 2011. This permit included a minor New Source Review permit for two new circular fluidized bed boilers that were installed in response to an EPA enforcement action. On October 4, 2011, the Environmental Integrity Project, Sierra Club, Public Citizen, Texas Campaign for the Environment, Environment Texas, and the SEED Coalition petitioned EPA objecting to certain aspects of the August 2011 permit.

Jan Cortelyou-Lee

United States Environmental Protection Agency
Office of Air Quality Planning and Standards
MD-C404-03
109 TW Alexander Drive
Research Triangle Park, NC 27709
phone: 919-541-5393
FAX: 919-541-2464

Darrel Harmon/DC/USEPA/US

To

11/10/2009 06:54 AM

cc

bcc Gina McCarthy

Subject last day today

Hi: You may be interested in this link to an Independent Lens (PBS) video entitled "Power Paths" on air pollution and renewable energy development in Indian country, with a focus on the southwest in general and the Navajo and Hopi reservations and the Mojave generating station/Black Mesa saga. The video explores energy impacts and efforts to develop renewable energy sources on these reservations.

Unfortunately, the link also says that it is only available on-line until today, although the dvd likely will remain available.

Please share this link with others that may be interested. The first link has more details and a small "watch online" button that takes you to the second link.

thanks.....Darrel

<http://www.pbs.org/independentlens/power-paths/>

<http://video.pbs.org/video/1317137222/#>

Here is a summary from the webpage:

POWER PATHS offers a unique glimpse into the global energy crisis from the perspective of a culture pledged to protect the planet, historically exploited by corporate interests and neglected by public policy makers.

The film follows an intertribal coalition as they fight to transform their local economies by replacing coal mines and smog-belching power plants with renewable energy technologies. This transition would honor their heritage and support future generations by protecting their sacred land, providing electricity to their homes and creating jobs for their communities.

Their story is a parable for our time, when the planet as a whole hungers for alternatives to fossil fuels. For environmental trailblazers, it's proof that going green is not only possible—it's the only choice we have.



The POWER PATHS story begins in the 1960s, when two massive coal mines open on Navajo and Hopi reservations in Arizona. Between them, they produce enough coal to satisfy the unquenchable energy thirsts of Phoenix, Las Vegas and Los Angeles. They also comprise the single largest strip-mining complex in the world. For more than 30 years, the mines—and the

Mohave Generating Station they supply—scar sacred native land, drain the natural aquifers and pollute the Southwestern skies.

Meanwhile, beneath the high-tension power lines that carry electricity to the neon-saturated Vegas Strip, Native American reservation dwellers have no electricity or running water.

Sickened by the economic disparity and the mounting toll on their land and health, some Navajo and Hopi tribe members begin pressuring their tribal governments not to renew the mining leases, but to no avail. As a result, a handful of grassroots organizers from both tribes join forces with The Sierra Club, the Grand Canyon Trust and the National Parks and Conservation Association to fight back. Calling themselves the Just Transition Coalition, they take on wealthy and entrenched adversaries from Peabody to Southern California Edison.

They succeed in closing the power plant (and subsequently the mines) in 2005. But the ecological and moral victory comes at a cost: About half of the adults on the reservations had worked for the mines, and are now unemployed.

Undeterred, the Just Transition Coalition shifts gears and heads for California, where they win a legal battle to use the shuttered Mohave plant's cap-and-trade pollution credits to finance investment in solar panels and wind turbines for their reservations.

In one scene, a Navajo mother screws a light bulb into a kitchen socket for the first time and sees it light up, enabling her children to stop depending on sunlight or dangerous kerosene lanterns in order to do their homework. She weeps in relief and gratitude.

Today, more tribes are seeking investments and partnerships to create green-energy economies on the reservation, with hopes that one day, renewable energy will replace casinos as a primary means for economic development and tribal self-sufficiency.

As the nation at large struggles to disengage itself from the chains of a fossil-fuel-based economy, POWER PATHS signals cause for hope that an alternative is not somewhere in the future, but possible right now. And Native Americans are leading the way.

Update

In June 2009, the 21st Navajo Nation Council voted 62 to 1 to establish a Navajo Green Economy Commission, according to the Sierra Club. The legislation, which is designed to take advantage of federal stimulus funds for green jobs, is intended to stimulate the economy by developing a sustainable energy infrastructure on the Navajo reservation.

David
Bloomgren/DC/USEPA/US
02/15/2012 04:56 PM

To John Millett
cc "David Bloomgren"
bcc

Subject Re: For dioxin materials: LEAN news release -- New Air Toxic Standards Cut Harmful Emissions From PVC Facilities

So you have the latest drafts. Add PVCs in the fact sheet? Is it critical?



Draft Dioxin Consumer Fact Sheet 2.15.12.doc Draft Dioxin Topline Messaging & Tough Q&A 2.15.12.doc



Draft Dioxin Release 2.15.12.doc
David E. Bloomgren
U.S. Environmental Protection Agency
Direct: 202.564.0639
Mobile: 202.604.5926

John Millett

Hey David -- just a reminder to add PV...

02/15/2012 07:30:33 AM

From: John Millett/DC/USEPA/US
To: "David Bloomgren" <Bloomgren.David@epamail.epa.gov>
Date: 02/15/2012 07:30 AM
Subject: For dioxin materials: LEAN news release -- New Air Toxic Standards Cut Harmful Emissions From PVC Facilities

Hey David -- just a reminder to add PVC to the list of industries regulated for dioxin emissions.

John Millett
EPA Office of Air and Radiation Communications
Desk: 202/564-2903
Cell: 202/ [REDACTED]

From: Janet McCabe
Sent: 02/14/2012 10:45 PM EST
To: Andrea Drinkard; John Millett
Subject: Fw: LEAN news release -- New Air Toxic Standards Cut Harmful Emissions From PVC Facilities

Shows how much I know....well done, you guys.

Janet McCabe
Principal Deputy Assistant Administrator
Office of Air and Radiation, USEPA
Room 5426K, 1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-3206
mccabe.janet@epa.gov

-----Forwarded by Janet McCabe/DC/USEPA/US on 02/14/2012 10:45PM -----

To: "McCarthy, Gina" <McCarthy.Gina@epamail.epa.gov>, "McCabe, Janet" <mccabe.janet@epa.gov>, Brendan Gilfillan/DC/USEPA/US@EPA, "Windsor, Richard" <>windsor.richard@epa.gov>
From: Al Armendariz/R6/USEPA/US
Date: 02/14/2012 08:59PM
Subject: LEAN news release -- New Air Toxic Standards Cut Harmful Emissions From PVC Facilities

Thanks to the amazing folks in OAR.

Al

Al Armendariz
Regional Administrator
U.S. EPA - Region 6
armendariz.al@epa.gov
214-665-2100
twitter: @al_armendariz
Darrin Larson

----- Original Message -----

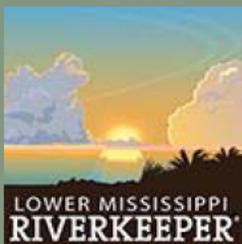
From: Darrin Larson
Sent: 02/14/2012 04:06 PM CST
To: Al Armendariz; Carl Edlund
Cc: Layla Mansuri; Chrissy Mann
Subject: LEAN news release re: New Air Toxic Standards Cut Harmful

Emissions From PVC Facilities
David forwarded this to me - very positive.

Darrin Larson
Acting Director, Office of External and Government Affairs
U.S. EPA Region 6
Office: 214-665-7115
Mobile: 972-467-5509



LEAN



Louisiana Environmental Action Network

FOR IMMEDIATE RELEASE - February 14, 2012

[Read this at LEANWEB](#)

New Air Toxic Standards Cut Harmful Emissions From PVC Facilities

BATON ROUGE, LA - As a result of a petition filed by Louisiana Environmental Action Network (LEAN), More Environmental Action Now (MEAN), and Sierra Club, with representation by Earth Justice the U.S. Environmental Protection Agency (EPA) has issued a final rule to update emission limits for air toxic releases by polyvinyl chloride production facilities.

The rule requires facilities that produce PVC to reduce emissions of harmful toxic air emissions, improving air quality and protecting public health in communities where these facilities are located. This includes the Louisiana communities of Baton Rouge, Plaquemine, Addis, Geismar, and Westlake/Mossville.

The rule issued today sets emission limits for vinyl chloride, dioxins and furans, and hydrogen chloride, as well as other organic air toxics. Vinyl chloride is a known human cancer causing agent.

The emission limits are more stringent than those currently regulating the industry. "Truly, this is a victory for clean air," said Marylee Orr, Executive Director of LEAN, "We want to thank EPA for this new rule, you couldn't have a better Valentine's Day than reducing worker and community exposure to these cancer causing chemicals."

EPA held two public hearings on the proposed rule. LEAN participated and testified at the hearing in Baton Rouge.

"The Environmental Justice communities living in close proximity to the vinyl chloride facilities will have their health improved as a result of the decrease in emissions," said Wilma Subra, technical advisor for LEAN.

There are currently 15 major and two area source PVC facilities in the United States. They are located in eight states: Louisiana with six, Texas with four, New Jersey with two, and Delaware, Illinois, Kentucky, Michigan, and Missouri with one each. There are no small businesses affected.

###

Read the EPA Fact Sheet and Get More Information at LEANWEB:

<http://leanweb.org/our-work/air/new-air-toxic-standards-cut-harmful-emissions-from-pvc-facilities>

Learn More About Us!



[-LEANWEB.ORG-](http://LEANWEB.ORG)



[-LMRK.ORG-](http://LMRK.ORG)

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Louisiana Environmental Action Network | P.O. Box 66323 | Baton Rouge | LA | 70809

David Marchick
<David.Marchick@carlyle.com>

06/26/2012 09:33 PM

To Bob Perciasepe

cc

bcc

Subject Re: Fwd: Landmark Decision from Federal Court Upholds Clean Air Rules

Thanks. I'm trying to convince Fred to put a positive statement in our press release. Perhaps mention it to the GC?

From: Bob Perciasepe [mailto:Perciasepe.Bob@epamail.epa.gov]

Sent: Tuesday, June 26, 2012 09:26 PM

To: David Marchick

Subject: Re: Fwd: Landmark Decision from Federal Court Upholds Clean Air Rules

Thanks.

I meant to tell you that I have a call with Fred's general counsel tomorrow to update.

I also have a conf call with R3 at 9 am Wednesday re the liability status.

On plane to go to Chongquig.

Good night for now.

From: David Marchick [David.Marchick@carlyle.com]

Sent: 06/27/2012 01:13 AM GMT

To: Bob Perciasepe

Subject: Fwd: Landmark Decision from Federal Court Upholds Clean Air Rules

FYI

Sent from my iPad

Begin forwarded message:

From: Fred Krupp <fkrupp@edf.org>

Date: June 26, 2012 5:35:23 PM EDT

To: "david.marchick@carlyle.com" <david.marchick@carlyle.com>

Subject: Landmark Decision from Federal Court Upholds Clean Air Rules

Today is a good day for climate progress in America and for the thin layer of atmosphere that sustains life on Earth.

This morning the U.S. Court of Appeals for the D.C. Circuit upheld the Environmental Protection Agency's (EPA) climate pollution emission standards, rejecting four legal challenges filed by industry groups and several states' attorneys general. [As reported by the Associated Press](#), "The ruling is perhaps the most significant to come on the issue since 2007, when the Supreme Court found that greenhouse gases could be controlled as air pollutants under the Clean Air Act."

The court ruled in favor of clean air protections in four major cases, denying petitions against the Climate Pollution Endangerment Finding and the Clean Car Standards and dismissing petitions against the Timing and Tailoring Rules. The opinion is unanimous, strong and emphatic in rejecting a challenge to EPA's science-based determination that greenhouse gases endanger human health and welfare. One piece of common sense stood out in today's ruling: "This is how science works. EPA is not required to re-prove the existence of the atom every time it approaches a scientific question." Hear, hear!

Environmental Defense Fund (EDF), together with a large coalition of states and environmental organizations, intervened in defense of these vital clean air protections. I am enormously grateful to our dedicated and talented climate and air attorneys, led by the incomparable EDF outside counsel Sean Donahue. We have been incredibly fortunate to team up with the nation's top environmental attorneys, including our colleagues at Earthjustice, NRDC and the Sierra Club.

Thank you for your steadfast support and please join me in celebrating today's historic ruling.

Sincerely,

Fred Krupp

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**David
McIntosh/DC/USEPA/US**
04/06/2011 12:48 PM

To Joel Beauvais
cc
bcc
Subject Fw: Per your earlier convo w Adora

Just FYI

----- Forwarded by David McIntosh/DC/USEPA/US on 04/06/2011 12:48 PM -----

From: Brendan Gilfillan/DC/USEPA/US
To: mcintosh.david@epa.gov
Cc: "Adora Andy" <Andy.Adora@epamail.epa.gov>
Date: 04/06/2011 10:39 AM
Subject: Per your earlier convo w Adora

Wanted to make sure you were aware of the FOIA from "JunkScience.com" re: ALA's participation in the MATS rollout.

We just rec'd this last week. "Subject: all correspondence, including letters and e-mail, between EPA and the American Lung Association and all its affiliates between November 1, 2010 and March 24, 2011."

David
McIntosh/DC/USEPA/US
04/15/2010 07:03 PM

To Joseph Goffman
cc
bcc
Subject Re: CLIMATE: Obama's chief of staff huddles with enviro
leaders (04/15/2010)

I can't divine anything from it. And I have to admit that I haven't heard any read outs from it.
Joseph Goffman

----- Original Message -----

From: Joseph Goffman
Sent: 04/15/2010 07:00 PM EDT
To: David McIntosh
Subject: Fw: CLIMATE: Obama's chief of staff huddles with enviro leaders
(04/15/2010)
anything to divine from this?

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

----- Forwarded by Joseph Goffman/DC/USEPA/US on 04/15/2010 07:00 PM -----

From: John Millett/DC/USEPA/US
To: Joseph Goffman/DC/USEPA/US@EPA
Date: 04/15/2010 03:36 PM
Subject: CLIMATE: Obama's chief of staff huddles with enviro leaders (04/15/2010)

fyi --

CLIMATE: Obama's chief of staff huddles with enviro leaders (04/15/2010)

Darren Samuelsohn, E&E reporter

This story was updated at 2:15 p.m. EDT.

President Obama's chief of staff summoned environmental leaders and other key administration allies to the White House today to discuss energy and climate legislation expected to be released in the Senate on April 26.

Rahm Emanuel met for about 30 minutes with a group that included League of Conservation Voters President Gene Karpinski, Sierra Club Chairman Carl Pope, Center for American Progress President John Podesta, Environmental Defense Fund President Fred Krupp, Alliance for Climate Protection CEO Maggie Fox, Natural Resources Defense Council President Frances

Beinecke, National Wildlife Federation President Larry Schweiger and Sheila O'Connell of Unity '09, a Democratic umbrella group.

The environmental groups are hopeful Obama will keep pushing Congress during this election year to pass comprehensive energy and climate legislation amid several of his other top domestic agenda items, including Wall Street regulatory reform and a nominee to replace retiring Supreme Court Justice John Paul Stevens.

Speaking last week in Washington, Larry Summers, Obama's top economic adviser, signaled the issues remain atop the administration's agenda ([Greenwire](#) , April 12). "There's no question that going forward for the rest of this year, a bipartisan energy solution is an absolutely critical priority for the president," he said.

Details on today's West Wing meeting remain unclear. A White House spokesman referred calls to Emanuel's office, which did not return requests for comment. Several of the environmental officials declined to comment as they left the White House.

Sources on and off Capitol Hill said Sens. John Kerry (D-Mass.), Lindsey Graham (R-S.C.) and Joe Lieberman (I-Conn.) have settled on Monday, April 26, as their date for release of the climate and energy package they have been crafting for about six months. The proposal is expected to set a series of greenhouse gas emission limits for different sectors of the economy, with an overall goal of reducing U.S. emissions 17 percent below 2005 levels by 2020. It also likely will expand domestic production of oil, gas and nuclear power.

The senators and their staff have had another packed week of meetings, including closed-door talks with Interior Secretary Ken Salazar; White House energy and climate adviser Carol Browner; Reps. Henry Waxman (D-Calif.) and Ed Markey (D-Mass.); officials from Shell Oil Co., BP America and ConocoPhillips; Texas oilman T. Boone Pickens; and members of the National Association of Manufacturers.

Also today, at least nine Democratic senators with heavy industry in their states will release a letter detailing what they expect to see in the energy and climate proposal, including a border adjustment fee to limit imports from developing countries that do not have their own strict environmental requirements.

"It's just clearly laying out all the manufacturing and high-energy user issues," said Sen. Debbie Stabenow (D-Mich.), a lead organizer on the letter with Sen. Sherrod Brown (D-Ohio). Others signing onto the letter include Sens. Robert Byrd (D-W.Va.), Arlen Specter (D-Pa.), Carl Levin (D-Mich.), Evan Bayh (D-Ind.), Mark Warner (D-Va.), Robert Casey (D-Pa.) and Claire McCaskill (D-Mo.).

~~~~~  
John Millett  
Office of Air and Radiation Communications  
U.S. Environmental Protection Agency  
5411 Ariel Rios Building North  
Washington, DC 20460

Phone: 202/564-2903  
Cell: 202 [REDACTED]

Dennis  
OConnor/DC/USEPA/US  
11/16/2012 12:36 PM

To Gina McCarthy, Janet McCabe, John Millett, Joseph Goffman, Mike Flynn, Duncan Anna, Betsy Shaw, Robert Dye, Paul Giardina, Carol Febbo, Mike Bandrowski, Davis Zhen, MaryPat Tyson, Stuart Perry, Todd Rinck, Ida McDonnell, Michael Compher, Robert Snowbarger, Scott Jackson, Diana Esher

cc Tom Eagles, Pat Childers, Cindy Huang, Kate Renahan, EUGENE JABLONOWSKI, Dan Burke, Eugene Benoit, Marybeth Smuts, Rhona Julien, Michael Debonis, Larainne Koehler, Ameesha Mehta-Sampath, Cristina Schulingkamp, Janice Bolden, Henry Slack, Patsy Brooks, LaShon Blakely, Sheila Batka, Jeanette Marrero, Fayette Bright, Paula Selzer, Stacy Murphy, Stephen Szabo, Ron Schiller, Barbara Spark, Shelly Rosenblum, Susan Titus, Michelle Moyer, Heidi LeSane, Mark Berry, Angelique Diaz, Helen Mollsen, Jack Barnette, Gina Grier, Monica Paguaia, Ken Mitchell, OAR Special Assistants, Beverly Banister, David Arnold

bcc

Subject ORIA Weekly

## **ORIA UPCOMING EVENTS (as of November 16, 2012)**

### **Note:**

**Due to Thanksgiving there will not be an ORIA Weekly on Friday, November 23.**

### **Indoor Air Quality:**

**Integrated Pest Management in Schools Webinar:** In collaboration with EPA Region 3 and the American Lung Association, the Indoor Environments Division (IED) will sponsor a webinar on November 28 entitled *“Integrated Pest Management in Schools - Basics for Winter.”* The webinar presentation will focus on the seasonal opportunities and specific interventions to control indoor pests in schools. Featured speaker will be Dion Lerman (Environmental Health Programs Specialist, Pennsylvania Integrated Pest Management Program, Penn State Univ.) who will provide in-depth information about the effects of pests on both indoor air quality and human health with an emphasis on asthma and address the integration of environmentally preferable chemicals.

**“Retained Heat Cooking” Webinar:** On November 29, ORIA and Winrock International will sponsor a webinar to raise awareness of the utility of retained heat cookers in providing additional fuel consumption, time and financial savings for families using improved cookstoves. Expert speakers from Practical Action East Africa and HELPS International Guatemala will share their experience and best practices in incorporating retained heat cookers into their cookstove projects and product lines and successfully marketing them with consumers.

**Tribal Indoor Air and Radon Training and Meeting:** Lauren Burton and Janise Palmer of IED will participate in and present during the Tribal Indoor Air and Radon Work Practices Training and Meeting on November 26-28 in Spokane, Washington. Adoption of the Healthy Indoor Environment Protocols and radon mitigation standards will be promoted for use in the Spokane Tribe's new construction and retrofit projects. Roundtable discussions will occur

among IED staff, tribal building authorities, construction crew members, and project bidders about effectively addressing indoor air quality through use of the protocols and the mitigation standards. Training at an actual project home with an experienced professional will be presented.

**Radon Best Practices Discussion with C-Change Officials:** On November 29, IED staff will meet with C-Change representatives to identify best practices of Iowa radon outreach and education strategies that could be replicated nationally by state cancer plans and coalitions with assistance from the C-Change multi-sector membership and other partners. C-Change representatives will include Tom Kean (President & CEO) and Bill Field (Epidemiologist and Professor, School of Public Health, University of Iowa). The mission of C-Change is to eliminate cancer as a major public health problem at the earliest possible time. The meeting extends IED's work to explore what cancer and public health organizations can do to further incorporate radon awareness and risk reduction messages into their communications with policy makers, donors, the medical community, advocates, and the general public.

### **Radiation Protection:**

**Regional Radioanalytical Assistance.** Upcoming regional work includes Region 2's US Radium Corp and Wolff-Alport projects, Region 3's Sediment Source Tracking and Safety Light Corp projects, and Region 4's follow-up sampling from the Monroe County Georgia groundwater well testing project. NAREL also is planning analytical work from three southwest Pennsylvania wastewater treatment facilities through ORD.

Dennis O'Connor  
Senior Policy Advisor  
Office of Radiation and Indoor Air  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington DC, 20460  
Mail Code: 6601J

Delivery Address

1310 L Street NW  
Washington, DC 20005  
Room 448  
202-343-9213

Dennis  
OConnor/DC/USEPA/US  
05/18/2012 04:47 PM

To Rob Brenner, Beth Craig, Don Zinger, Harrison.Jed, Michael Clark, Ron Fraass, Mike Bandrowski, Giardina.Paul, Richardv Graham, Todd Rinck, Jack Barnette, Carlton Nash, Robert Dye, MaryPat Tyson, Carol Febbo, Dan Brown, Davis Zhen, Steve Vargo, Regina Milbeck, Bonnie Gitlin, Michael Clark, Anna Duncan, Carl Edlund, Cordero.Cesar, Jeb Stenhouse, Jed Harrison, Ron Fraass, Juan Reyes  
cc Melissa Anley-Mills, Judi Maguire, Pat Childers, Darrel Harmon, David Bloomgren, Tom Eagles, Eugene Benoit, Larainne Koehler, Ameesha Mehta-Sampath, Cristina Schulingkamp, Patsy Brooks, Henry Slack, Sheila Batka, Helen Mollsen, Fayette Bright, Jeanette Marrero, Michael Miller, Stephen Szabo, Ron Schiller, Barbara Spark, Louise Hill, Shelly Rosenblum, Gregory Crable, Michael Debonis, LaShon Blakely, Erin Collard, Dan Burke, Marybeth Smuts, Rhona Julien, Janice Bolden, Susan Titus, Lara Lasky, Paula Selzer, Stacy Murphy, Cornelia Maes, George Brozowski, Jeanette Eng, Michael Murphy, Rick Button, Lloyd Generette, Robert Duraski, Van Shrieves, James Mitchell, Nidal Azzam, Davis Zhen, Anthony Honnellio, Cristina Fernandez, Jon Richards, CharlesA Hooper, Jack Barnette, Maura Beard, Michael Morton

bcc

Subject ORIA Weekly

## ORIA UPCOMING EVENTS (as of May 18, 2012)

### May is National Asthma Awareness Month

#### Indoor Air Quality

**National Tribal Forum on Air Quality:** ORIA staff members Lauren Burton, Chris Griffin, and Jed Harrison will lead sessions on healthy indoor environments during the **National Tribal Forum on Air Quality** on May 22-24 in Tulsa, Oklahoma. A major focus of the Forum is on ambient and indoor air contaminants. The Forum provides an opportunity for tribes, EPA, and other organizations to discuss current policies, regulatory initiatives, funding, and technical topics in air quality. Participants will learn how EPA's Healthy Indoor Environment Protocols for Home Energy Upgrades can help minimize occupant health risks. Attendees will also develop action plans that adopt asthma risk reduction measures and capitalize on the Communities in Action Asthma Initiative.

**EPA Administrator featured in Asthma Awareness Video:** Lisa P. Jackson and American Lung Association (ALA) Board Chairman, Albert A. Rizzo, are featured speakers in a newly posted video on *YouTube* that stresses the importance of becoming familiar with common asthma triggers and taking preventive measures to avoid exposure to them. The joint asthma message from the EPA and ALA emphasizes the availability of useful information on the EPA website: ([www.epa.gov/asthma](http://www.epa.gov/asthma)). Indoor Environment Division staff members were an integral part of managing the content on the website for EPA. The video message is available for viewing at: <http://www.youtube.com/watch?v=OeabXpfqhSY>

**White House Clearance of Coordinated Federal Action Plan to Reduce Asthma Disparities:**

The Executive Office of the President has approved the *Coordinated Federal Action Plan to Reduce Racial and Ethnic Asthma Disparities* . Federal staff members from ORIA, HHS National Heart, Lung, and Blood Institute, and U.S. Dept. of Housing & Urban Development have served as co-leaders during the development of the Action Plan. Planning is underway for a National Asthma Awareness Month launch event (in late May) that will feature EPA Administrator Jackson and U.S. Dept. of Health & Human Services (HHS) Secretary, Kathleen Sebelius.

**Radiological Emergency Response:**

**RadNet Report for the Week of May 7, 2012:** Monitor operational status: 93.7%

Monitors Not Operational Longer Than 14 Days:

|                                                                                                |
|------------------------------------------------------------------------------------------------|
|                                                                                                |
| R6:                                                                                            |
| Amarillo, TX last operational on Feb 04, 2012 - Site Disruption - No electrical power          |
| Corpus Christi, TX last operational on Jan 14, 2012 - Site Disruption - No electrical power    |
| Oklahoma City, OK last operational on Apr 12, 2012 - Service Required - Scheduling in progress |
|                                                                                                |

**Radiation Protection:**

**Upcoming Regional Assistance NAREL:** Analysis of groundwater samples from Region 2's US Radium Corp Facility is in progress. Upcoming Regional work includes Region 4's Monroe County, Georgia project, Region 6's Panola-Bethany Water System project, and Region 8's San Miguel Baseline Study

Dennis O'Connor  
Senior Policy Advisor  
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Environmental Protection Agency  
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Washington, DC 20005  
Room 448  
202-343-9213

Drew  
McConville/DC/USEPA/US  
06/01/2010 10:07 AM

To Gina McCarthy  
cc Janet McCabe  
bcc

Subject Re: Fw: BP Tells Fishermen Working On The Oil Spill That  
They Will Be Fired For Wearing A Respirator

FYI, I've been asking if our EOC folks could find us an OSHA contact for these kinds of inquiries. So far the best I've gotten is this link which has phone numbers for Gulf Coast OSHA offices:  
<http://www.osha.gov/oilspills/index.html>

Not really what Janice is looking for, though....

Drew McConville  
PMF Special Assistant to the Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency  
office: 202.564.7437  
[REDACTED]  
mcconville.drew@epa.gov

---

Gina McCarthy    Dana - As you can see below, the Amer...    06/01/2010 09:58:09 AM

---

From: Gina McCarthy/DC/USEPA/US  
To: Dana Tulis/DC/USEPA/US@EPA  
Cc: Drew McConville/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 06/01/2010 09:58 AM  
Subject: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

Dana - As you can see below, the American Lung Association is looking to reach out directly to the USCG and OSHA re: worker safety issues. Would it be appropriate for me to send along any POC names and contact info?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/01/2010 09:55 AM -----

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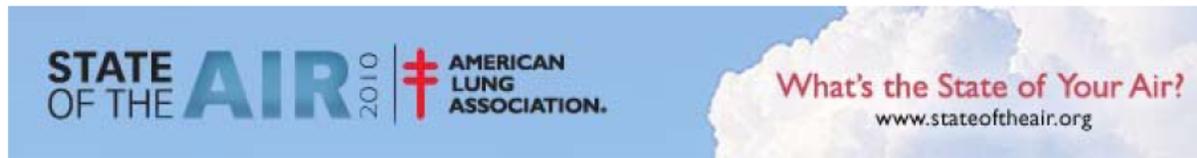
From: Janice Nolen <JNolen@lungusa.org>  
To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 06/01/2010 09:53 AM  
Subject: FW: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

Can you suggest the right person for me to share this with at the Coast Guard and OSHA?  
Thanks!

Janice E. Nolen  
Assistant Vice President  
National Policy and Advocacy  
American Lung Association  
jnolen@LungUSA.org  
1301 Pennsylvania Ave NW, Suite 800  
Washington, DC 20004-1725  
P 202-785-3355

C 202-486-0285  
F 202-452-1805



**From:** Paul Billings  
**Sent:** Tuesday, June 01, 2010 7:34 AM  
**To:** Janice Nolen  
**Subject:** FW: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

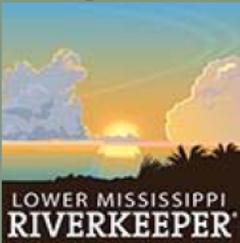
fyi

---

**From:** Paul Orr <paul@lmrk.org>  
**Sent:** Tuesday, June 01, 2010 1:25 AM  
**To:** Paul Billings <PBillings@lungusa.org>  
**Subject:** BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator



LEAN



Louisiana Environmental Action Network  
&  
Lower Mississippi RIVERKEEPER©

*Helping to Make Louisiana Safe for Future Generations*

E-ALERT

May 31, 2010

**BP Tells Fishermen Working On The Oil Spill That They  
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We have had numerous fisherman, that have been hired through BP's Master Vessel Charter Agreement to work on the oil spill response, tell us that their BP "bosses" have told them that if they use a respirator or any safety equipment not provided by BP that they would be fired.



A shrimp boat rigged up to skim oil from BP's oil spill. U.S. Coast Guard photo by Petty Officer 3rd Class Ann Marie Gorden

Hundreds of fisherman have been hired to attach booms to their shrimp boats in place of nets and drive their boats directly through the oil slicks to corral and collect the oil that is spilling from BP's broken well in the Gulf of Mexico. These fisherman have one of the highest potentials for exposure to toxic air pollutants from the crude oil out of all of the responders working the spill. In addition to crude oil there is the added danger posed by the aerial application of dispersant chemicals and there have already been reports that fishermen working on the spill feel that they have been impacted by the dispersants.

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Judge ordered a consent agreement, now court record, wherein British Petroleum has agreed to amend the Master Vessel Charter Agreement and take responsibility to ensure workers are properly trained in haz-mat protocol and are provided all necessary equipment at BP's expense," said James Garner, of Sher Garner Cahill Richter Klein & Hilbert, L.L.C.

"It appears that, despite the obvious potential for exposure to respiratory toxins, BP does not consider respiratory protection necessary equipment," said Paul Orr, Lower Mississippi Riverkeeper, "and even so to prevent the fishermen from using their own respiratory protection if they chose to do so is deeply troubling."

"The fisherman have entered into this (Master Vessel Charter) agreement with BP in order to make some income while they are unable to fish," Orr went on to say. "These fisherman are choosing to put themselves in harms way in order to provide for their families and that BP would force them to sacrifice their health in order to make ends meet when simply using a respirator could protect their health is unconscionable."

"There's no way you can be working in that toxic soup without getting exposures," said Hugh Kaufman, a senior policy analyst at the Environmental Protection Agency's (EPA) office of solid waste and emergency response. Kaufman likened the situation to the World Trade Center cleanup after 9/11, which left workers with long-term respiratory problems despite repeated official claims that workers did not need respirators because the working conditions were safe. "It's unbelievable what's going on. It's like deja vu all over again," he said.

LEAN and Lower Mississippi Riverkeeper will continue to demand that all those responding to the BP Deepwater Horizon disaster be given the proper safety gear including respiratory protection and that they be allowed to use any personal protective equipment they choose without fear of losing their job.

Due to concerns about losing their jobs we have chosen not to release the identities of any fishermen.

Read more about sick oil spill responders here:

[More oil-spill responders hospitalized and exposure information gaps persist](#)

by Elizabeth Grossman on The Pump Handle

---



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Louisiana Environmental Action Network | P.O. Box 66323 | Baton Rouge | LA | 70809

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Drew  
McConville/DC/USEPA/US

06/01/2010 04:34 PM

To Gina McCarthy, Janet McCabe

cc

bcc

Subject Re: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

I'll get back to Janice and cc you both.

Drew McConville  
PMF Special Assistant to the Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency  
office: 202.564.7437  
cell: [REDACTED]  
mcconville.drew@epa.gov

Gina McCarthy

Can you track down the contact info an...

06/01/2010 04:26:30 PM

From: Gina McCarthy/DC/USEPA/US  
To: Drew McConville/DC/USEPA/US@EPA  
Date: 06/01/2010 04:26 PM  
Subject: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

Can you track down the contact info and send it to ALA for me please? Thanks

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/01/2010 04:25 PM -----

From: Mike Faulkner/DC/USEPA/US  
To: Dana Tulis/DC/USEPA/US@EPA, Drew McConville/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Mark Mjoness/DC/USEPA/US@EPA  
Date: 06/01/2010 03:31 PM  
Subject: Re: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

I recommend starting with John Ferris, DOL/OSHA rep to the NRT. He has been keeping up with the worker issues in the region.

Mike Faulkner  
Executive Director  
NATIONAL RESPONSE TEAM

National Planning and Preparedness Division  
Office of Emergency Management (OEM)  
US EPA HQ 1200 Pennsylvania Ave. 5104A  
Washington DC, 20460  
Cell: 202-285-4466  
Email: faulkner.mike@epa.gov

Dana Tulis

Mark or Mike, can you recommend an...

06/01/2010 03:28:24 PM

From: Dana Tulis/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Cc: Drew McConville/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Mark Mjoness/DC/USEPA/US@EPA, Mike Faulkner/DC/USEPA/US@EPA

Date: 06/01/2010 03:28 PM  
Subject: Re: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

Mark or Mike, can you recommend an OSHA contact?

-----  
Dana S. Tulis  
Acting Office Director  
Office of Emergency Management  
Environmental Protection Agency  
202-564-8600

Gina McCarthy    It seems that we cannot identify the PO...    06/01/2010 01:44:14 PM

From: Gina McCarthy/DC/USEPA/US  
To: Dana Tulis/DC/USEPA/US@EPA  
Cc: Drew McConville/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 06/01/2010 01:44 PM  
Subject: Re: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

It seems that we cannot identify the POCs. Is there someone you can steer us to.

Dana Tulis

----- Original Message -----

**From:** Dana Tulis  
**Sent:** 06/01/2010 11:04 AM EDT  
**To:** Gina McCarthy  
**Cc:** Drew McConville; Janet McCabe  
**Subject:** Re: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator  
yes, I think that is fine to do.

-----  
Dana S. Tulis  
Acting Office Director  
Office of Emergency Management  
Environmental Protection Agency  
202-564-8600

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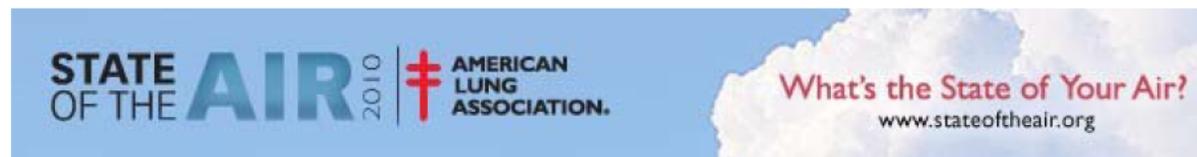
----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/01/2010 09:55 AM -----

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To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
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Assistant Vice President  
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American Lung Association  
jnolen@LungUSA.org  
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Washington, DC 20004-1725  
P 202-785-3355  
C 202-486-0285  
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fyi

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&  
Lower Mississippi RIVERKEEPER©

*Helping to Make Louisiana Safe for Future Generations*

E-ALERT

May 31, 2010

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The banner features the 'Save Our Gulf' logo, a navigation menu, and a central image of an oil spill cleanup operation. Text on the banner includes 'Support the front lines', 'Nearly 250 Waterkeepers voice as the voice of the world's waters', and 'Reactions & news from around the world...'

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Louisiana Environmental Action Network | P.O. Box 66323 | Baton Rouge | LA | 70809

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Drew  
McConville/DC/USEPA/US  
06/01/2010 01:44 PM

To Gina McCarthy  
cc Janet McCabe  
bcc

Subject Re: Fw: Fw: BP Tells Fishermen Working On The Oil Spill  
That They Will Be Fired For Wearing A Respirator

No, we need Dana's help to track down a good contact. The contact Lee found has not been responsive and may not be at the right level to deal with this.

Gina McCarthy Do we know who the POCs are? -----... 06/01/2010 01:42:49 PM

From: Gina McCarthy/DC/USEPA/US  
To: Drew McConville/DC/USEPA/US  
Date: 06/01/2010 01:42 PM  
Subject: Fw: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

Do we know who the POCs are?  
Dana Tulis

----- Original Message -----

**From:** Dana Tulis  
**Sent:** 06/01/2010 11:04 AM EDT  
**To:** Gina McCarthy  
**Cc:** Drew McConville; Janet McCabe  
**Subject:** Re: Fw: BP Tells Fishermen Working On The Oil Spill That They  
Will Be Fired For Wearing A Respirator  
yes, I think that is fine to do.

-----  
Dana S. Tulis  
Acting Office Director  
Office of Emergency Management  
Environmental Protection Agency  
202-564-8600

Gina McCarthy Dana - As you can see below, the Amer... 06/01/2010 09:58:09 AM

From: Gina McCarthy/DC/USEPA/US  
To: Dana Tulis/DC/USEPA/US@EPA  
Cc: Drew McConville/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 06/01/2010 09:58 AM  
Subject: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

Dana - As you can see below, the American Lung Association is looking to reach out directly to the USCG and OSHA re: worker safety issues. Would it be appropriate for me to send along any POC names and contact info?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/01/2010 09:55 AM -----

From: Janice Nolen <JNolen@lungusa.org>

To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 06/01/2010 09:53 AM  
Subject: FW: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

Can you suggest the right person for me to share this with at the Coast Guard and OSHA?  
Thanks!

Janice E. Nolen  
Assistant Vice President  
National Policy and Advocacy  
American Lung Association  
jnolen@LungUSA.org  
1301 Pennsylvania Ave NW, Suite 800  
Washington, DC 20004-1725  
P 202-785-3355  
C 202-486-0285  
F 202-452-1805



**From:** Paul Billings  
**Sent:** Tuesday, June 01, 2010 7:34 AM  
**To:** Janice Nolen  
**Subject:** FW: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

fyi

---

**From:** Paul Orr <paul@lmrk.org>  
**Sent:** Tuesday, June 01, 2010 1:25 AM  
**To:** Paul Billings <PBillings@lungusa.org>  
**Subject:** BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator



## **BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator**

We have had numerous fisherman, that have been hired through BP's Master Vessel Charter Agreement to work on the oil spill response, tell us that their BP "bosses" have told them that if they use a respirator or any safety equipment not provided by BP that they would be fired.



A shrimp boat rigged up to skim oil from BP's oil spill. U.S. Coast Guard photo by Petty Officer 3rd Class Ann Marie Gorden

Hundreds of fisherman have been hired to attach booms to their shrimp boats in place of nets and drive their boats directly through the oil slicks to corral and collect the oil that is spilling from BP's broken well in the Gulf of Mexico. These fisherman have one of the highest potentials for exposure to toxic air pollutants from the crude oil out of all of the responders working the spill. In addition to crude oil there is the added danger posed by the aerial

application of dispersant chemicals and there have already been reports that fishermen working on the spill feel that they have been impacted by the dispersants.

It is only prudent that these fisherman be provided respiratory protection and encouraged to use it. Instead, they have not only NOT been provided respiratory protection, they have been threatened with being fired for using their own respiratory protection.

When we first realized that these workers were not being provided with adequate safety gear we activated our project that provides safety gear to people working on hurricane recovery but, in this case tailored to oil spill response. We have since distributed hundreds of half face respirators with multiple packs of organic vapor cartridges a piece as well as nitrile gloves, sleeve protectors and booties.

LEAN also participated in what we thought was a successful Temporary Restraining Order (TRO), brought by a team of lawyers led by attorney Stuart Smith, requiring BP to provide the volunteers with safety gear (as reported in a previous e-alert). As a result of that TRO, "the Judge ordered a consent agreement, now court record, wherein British Petroleum has agreed to amend the Master Vessel Charter Agreement and take responsibility to ensure workers are properly trained in haz-mat protocol and are provided all necessary equipment at BP's expense," said James Garner, of Sher Garner Cahill Richter Klein & Hilbert, L.L.C.

"It appears that, despite the obvious potential for exposure to respiratory toxins, BP does not consider respiratory protection necessary equipment," said Paul Orr, Lower Mississippi Riverkeeper, "and even so to prevent the fishermen from using their own respiratory protection if they chose to do so is deeply troubling."

"The fisherman have entered into this (Master Vessel Charter) agreement with BP in order to make some income while they are unable to fish," Orr went on to say. "These fisherman are choosing to put themselves in harms way in order to provide for their families and that BP would force them to sacrifice their health in order to make ends meet when simply using a respirator could protect their health is unconscionable."

"There's no way you can be working in that toxic soup without getting exposures," said Hugh Kaufman, a senior policy analyst at the Environmental Protection Agency's (EPA) office of solid waste and emergency response. Kaufman likened the situation to the World Trade Center cleanup after 9/11, which left workers with long-term respiratory problems despite repeated official claims that workers did not need respirators because the working conditions were safe. "It's unbelievable what's going on. It's like deja vu all over again," he said.

LEAN and Lower Mississippi Riverkeeper will continue to demand that all those responding to the BP Deepwater Horizon disaster be given the proper safety gear including respiratory protection and that they be allowed to use any personal protective equipment they choose without fear of loosing their job.

Due to concerns about loosing their jobs we have chosen not to release the identities of any fishermen.

Read more about sick oil spill responders here:

[More oil-spill responders hospitalized and exposure information gaps persist](#)

by Elizabeth Grossman on The Pump Handle

---



Save Our Gulf banner with text: "Support the front lines. Nearly 700 Waterkeepers voice as the voice of the world's water." and "Visit [SaveOurGulf.org](http://SaveOurGulf.org) to get more information about the BP Deepwater Horizon disaster from Waterkeeper organizations across the Gulf Coast and donate to Save Our Gulf!"

For More About LEAN:



---

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Louisiana Environmental Action Network | P.O. Box 66323 | Baton Rouge | LA | 70809

Email Marketing by



**Drew  
McConville/DC/USEPA/US**  
05/11/2010 10:01 PM

To Janet McCabe  
cc Ellen Kurlansky  
bcc  
Subject Re: Fw: Meeting with Gina McCarthy

Will do.  
Janet McCabe

----- Original Message -----

**From:** Janet McCabe  
**Sent:** 05/11/2010 08:51 PM EDT  
**To:** Drew McConville  
**Cc:** Ellen Kurlansky  
**Subject:** Re: Fw: Meeting with Gina McCarthy

Probably so.....Drew--do you want to check with Gina about having these two sessions back to back?

Janet McCabe  
Office of Air and Radiation, USEPA  
Room 5426K, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
202-564-3206  
mccabe.janet@epa.gov

Drew McConville Yes, same meeting -- a general one wi... 05/11/2010 06:37:00 PM

From: Drew McConville/DC/USEPA/US  
To: Janet McCabe/DC/USEPA/US@EPA  
Cc: Ellen Kurlansky/DC/USEPA/US@EPA  
Date: 05/11/2010 06:37 PM  
Subject: Re: Fw: Meeting with Gina McCarthy

Yes, same meeting -- a general one with the health groups (before we'd have a utility-focused one, if we do). Ellen can correct me, but I think her conversations with Janice about it being utility-focused started before we knew Gina wanted to start with a general meet and greet.

Drew

Janet McCabe My first inclination was that it would be... 05/11/2010 06:29:10 PM

From: Janet McCabe/DC/USEPA/US  
To: Ellen Kurlansky/DC/USEPA/US@EPA  
Cc: Drew McConville/DC/USEPA/US@EPA  
Date: 05/11/2010 06:29 PM  
Subject: Re: Fw: Meeting with Gina McCarthy

My first inclination was that it would be better if they weren't back to back meetings, but it would be efficient of people's time, if the guest list is the same and Janice thinks that they would be able to and up for staying for a second meeting.

I want to make sure we're talking about the same meeting though, and I'm including Drew because he had been working on a meeting with public health folks as well. It wasn't intended to be totally focused on power plants, though. It was intended to be a more general meeting to introduce Gina to the group, talk about a number of the ongoing OAR priorities that we think they'd be interested in from a public health perspective, a key one of which of course is power plants. Are we talking about the same meeting?

Janet McCabe  
Office of Air and Radiation, USEPA  
Room 5426K, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
202-564-3206  
mccabe.janet@epa.gov

Ellen Kurlansky    What do you think about having this me...    05/11/2010 05:26:51 PM

From: Ellen Kurlansky/DC/USEPA/US  
To: Janet McCabe/DC/USEPA/US@EPA  
Date: 05/11/2010 05:26 PM  
Subject: Fw: Meeting with Gina McCarthy

What do you think about having this meeting (with the public health folks) right after their meeting with the Administrator on the O3 NAAQS ? That is coming right up so we would need to get the invitations out right away.

Ellen (Brown) Kurlansky  
Office of Air and Radiation  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
202-564-1669

----- Forwarded by Ellen Kurlansky/DC/USEPA/US on 05/11/2010 05:24 PM -----

From: Janice Nolen <JNolen@lungusa.org>  
To: Ellen Kurlansky/DC/USEPA/US@EPA  
Date: 05/11/2010 12:20 PM  
Subject: RE: Meeting with Gina McCarthy

Hi Ellen,

Sorry to take so long, but trying to nail down our meeting with the Administrator on May 20th at 4 PM to discuss Ozone NAAQS. Gina will be able to join us. It's at 4 PM, so if she is available for a meeting at 4:45 with them, we can be there. Below are the key folks I'm working with who are coming to the 20th meeting and they MAY also be able to stay to meet with Gina on power plants if that works for her. Several will also be bringing a volunteer leader or other key staff (my CEO is joining me), but these are the folks to contact. I don't have full list of attendees yet. My CEO, Charles Connor, will also be there with me.

If you think this is likely, I can ask them to save time for the second meeting as well.

Cindy Pellegrini, Assistant Director of Federal Affairs, American Academy of Pediatricians, cpellegrini@aap.org  
Gary Ewart, American Thoracic Society, gewart@thoracic.org  
Bill Rom, MD, Volunteer, American Thoracic Society (through Gary)  
Donald Hoppert, Director of Government Relations, American Public Health Association, donald.hoppert@apha.org  
Susan K. Bishop, American Heart Association, susan.k.bishop@heart.org

Kristen Welker-Hood, ScD MSN RN, Director, Environment and Health Programs,  
Physicians for Social Responsibility, kwelker-hood@psr.org  
Charlotte Collins, JD, Director of Public Policy and Advocacy, Asthma and  
Allergy Foundation of America, charlotte@aaafa.org  
Bill McLinn, President and CEO of the Asthma and Allergy Foundation  
of America, (through Charlotte)

I'm also reaching out to Debra Cohn, American Medical Association,  
Debra.Cohn@ama-assn.org. AMA has supported strengthening the ozone and PM  
standards in the past and she attended prior meeting with the previous  
Administrator.

Some of these folks have connections to others. These additional people are  
not likely to be able to attend a DC-meeting, but may be willing to add their  
voice in support. They are best reached through folks attending the meeting.  
The most connected person is Gary Ewart at ATS, who has gotten sign on to  
letters from the American Academy of Chest Physicians, the American College of  
Occupational and Environmental Medicine, the American College of Preventative  
Medicine and others.

Thank you,  
Janice

Janice E. Nolen  
Assistant Vice President  
National Policy and Advocacy  
American Lung Association  
jnolen@LungUSA.org  
1301 Pennsylvania Ave NW, Suite 800  
Washington, DC 20004-1725  
P 202-785-3355  
C 202-486-0285  
F 202-452-1805

-----Original Message-----

From: Kurlansky.Ellen@epamail.epa.gov [mailto:Kurlansky.Ellen@epamail.epa.gov  
]  
Sent: Monday, May 10, 2010 5:25 PM  
To: Janice Nolen  
Subject: Re: Meeting with Gina McCarthy

Janice, Just a reminder about a list for a meeting. Gina is really  
looking forward to doing it soon. Ellen

Ellen (Brown) Kurlansky  
Office of Air and Radiation  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
202-564-1669



**Drew  
McConville/DC/USEPA/US**  
06/01/2010 12:09 PM

To Janet McCabe, Gina McCarthy  
cc  
bcc

Subject Re: Fw: BP Tells Fishermen Working On The Oil Spill That  
They Will Be Fired For Wearing A Respirator

Lee was trying to identify that contact for us but has had trouble. The OSHA emergency response contact she knows has been pretty non-responsive (ironic!)  
Janet McCabe

----- Original Message -----

**From:** Janet McCabe  
**Sent:** 06/01/2010 11:24 AM EDT  
**To:** Drew McConville; Gina McCarthy  
**Subject:** Re: Fw: BP Tells Fishermen Working On The Oil Spill That They  
Will Be Fired For Wearing A Respirator  
I thought we had identified an OSHA contact sometime last week (we were going to replace the hotline  
with a more specific #)  
Drew McConville

----- Original Message -----

**From:** Drew McConville  
**Sent:** 06/01/2010 11:17 AM EDT  
**To:** Gina McCarthy; Janet McCabe  
**Subject:** Fw: Fw: BP Tells Fishermen Working On The Oil Spill That They  
Will Be Fired For Wearing A Respirator  
Dana or someone else higher up would need to help us find the right OSHA contact. I confirmed with Lee  
that she's hit a deadend at her level.  
Dana Tulis

----- Original Message -----

**From:** Dana Tulis  
**Sent:** 06/01/2010 11:04 AM EDT  
**To:** Gina McCarthy  
**Cc:** Drew McConville; Janet McCabe  
**Subject:** Re: Fw: BP Tells Fishermen Working On The Oil Spill That They  
Will Be Fired For Wearing A Respirator  
yes, I think that is fine to do.

---

Dana S. Tulis  
Acting Office Director  
Office of Emergency Management  
Environmental Protection Agency  
202-564-8600

---

Gina McCarthy     Dana - As you can see below, the Amer...     06/01/2010 09:58:09 AM

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To: Dana Tulis/DC/USEPA/US@EPA  
Cc: Drew McConville/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA

Date: 06/01/2010 09:58 AM  
Subject: Fw: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

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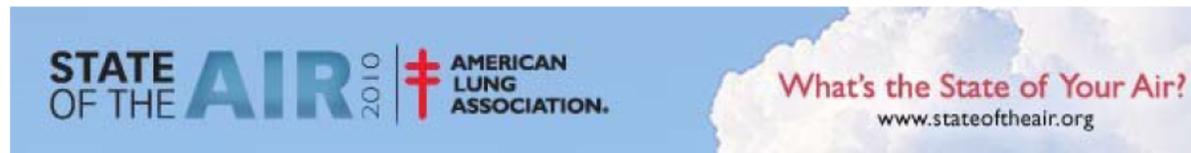
----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/01/2010 09:55 AM -----

From: Janice Nolen <JNolen@lungusa.org>  
To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 06/01/2010 09:53 AM  
Subject: FW: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

---

Can you suggest the right person for me to share this with at the Coast Guard and OSHA? Thanks!

Janice E. Nolen  
Assistant Vice President  
National Policy and Advocacy  
American Lung Association  
jnolen@LungUSA.org  
1301 Pennsylvania Ave NW, Suite 800  
Washington, DC 20004-1725  
P 202-785-3355  
C 202-486-0285  
F 202-452-1805



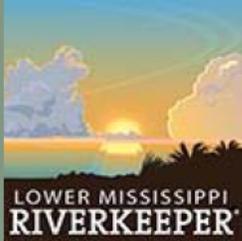
**From:** Paul Billings  
**Sent:** Tuesday, June 01, 2010 7:34 AM  
**To:** Janice Nolen  
**Subject:** FW: BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator

fyi

---

**From:** Paul Orr <paul@lmrk.org>  
**Sent:** Tuesday, June 01, 2010 1:25 AM  
**To:** Paul Billings <PBillings@lungusa.org>  
**Subject:** BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator





Louisiana Environmental Action Network  
&  
Lower Mississippi RIVERKEEPER©

*Helping to Make Louisiana Safe for Future Generations*

E-ALERT

May 31, 2010

## **BP Tells Fishermen Working On The Oil Spill That They Will Be Fired For Wearing A Respirator**

We have had numerous fisherman, that have been hired through BP's Master Vessel Charter Agreement to work on the oil spill response, tell us that their BP "bosses" have told them that if they use a respirator or any safety equipment not provided by BP that they would be fired.



A shrimp boat rigged up to skim oil from BP's oil spill. U.S. Coast  
Guard photo by Petty Officer 3rd Class Ann Marie Gorden

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"It appears that, despite the obvious potential for exposure to respiratory toxins, BP does not consider respiratory protection necessary equipment," said Paul Orr, Lower Mississippi Riverkeeper, "and even so to prevent the fishermen from using their own respiratory protection if they chose to do so is deeply troubling."

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---

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Louisiana Environmental Action Network | P.O. Box 66323 | Baton Rouge | LA | 70809

Email Marketing by



Emily Atkinson/DC/USEPA/US

11/07/2012 11:41 AM

To Janet McCabe

cc

bcc

Subject Fw: Post-Election Happy Hour on Nov. 8

Janet,

This morning I received a call from Kate Addleson of the Sierra Club about an event they are hosting tomorrow evening in Alexandria. She would like for OAR to send someone from our staff to say a few words at the event. Let me know if you would like to me respond or if you would like to get back to her directly.

Emily

Emily Atkinson  
Staff Assistant  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5426K, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-7403  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

----- Forwarded by Emily Atkinson/DC/USEPA/US on 11/07/2012 11:39 AM -----

From: Kate Addleson <[kate.addleson@sierraclub.org](mailto:kate.addleson@sierraclub.org)>  
To: Emily Atkinson/DC/USEPA/US@EPA  
Date: 11/07/2012 11:38 AM  
Subject: Post-Election Happy Hour on Nov. 8

---

Dear Emily,

Thank you for offering to check in with Janet and others in the division to see if someone from your office might be able to swing by for a few minutes tomorrow night to talk to our group. As I mentioned, our happy hour will be in Alexandria, which is not far for some of your staff - details below. The event is also listed online on The Patch at: <http://patch.com/E-qgMC>.

Thank you for your assistance and considering this request. We so appreciate all the work you do, and look forward to four more years of mutual support.

Sincerely yours,  
Kate Addleson

--

Kate P. Addleson  
Sierra Club  
Program Manager  
work: 804.648.3699  
cell: 703.963.5800  
[sierraclub.org/coal/va](http://sierraclub.org/coal/va)  
[vasierraclub.org](http://vasierraclub.org)

----- Forwarded message -----

From: **Kate Addleson** <[kate.addleson@sierraclub.org](mailto:kate.addleson@sierraclub.org)>  
Date: Fri, Nov 2, 2012 at 2:54 PM

Subject: Post-Election Happy Hour on Nov. 8

Throughout 2012, we have worked hard together to defend the Clean Air Act, America's fundamental law to protect people, wildlife, and our environment from polluted air. We defended important progress, worked for new protections, and helped defeat proposed rollbacks. All this helped to thwart the Big Polluters lobby in Washington, D.C., which is working overtime to weaken protections provided by the Clean Air Act.

Polluters are investing heavily in this election, just as they have invested heavily to push rollback votes on the Clean Air Act and other policies over the last two years. As soon as the election is over, Congress will get back to work, considering issues such as clean energy tax credits or rollbacks on rules to reduce carbon and soot pollution from dirty power plants.

The importance of acting to cut climate-changing pollution has never been more obvious. Intensities of storms are increasing, and rising seas compound the damage.

[Please join us](#) to discuss important environmental protections in a post-election context.

WHAT: Drinks and Debrief of the 2012 Election

WHEN: Thursday, November 8th, 6:00-8:00 p.m.

WHERE: Pork Barrel BBQ, 2312 Mount Vernon Avenue, Alexandria, VA 22301 [\[map\]](#)

SPEAKERS: Del. Rob Krupicka and Dr. Samantha Ahdoot, M.D., FAAP

**RSVP:** <http://action.sierraclub.org/post-electionhappyhour>

I hope to see you there!

Sincerely yours,

Kate

--

Kate P. Addleson

Sierra Club

Program Manager

work: 804.648.3699

cell: 703.963.5800

[sierraclub.org/coal/va](http://sierraclub.org/coal/va)

[vasierraclub.org](http://vasierraclub.org)

Emily Atkinson/DC/USEPA/US

To Janet McCabe

01/30/2013 09:25 AM

cc

bcc

Subject Re: Sierra Club Meeting Request for 2/6 at 12pm

I am running it by Cindy and Nancy to see if Gina wants to attend. In the meantime, I will get Steve, Mike Koerber, Michael Ling and Kevin McLean and notify OGC so everyone can get a heads up on the meeting.

Janet McCabe

Thanks emily. It may be that Gina want...

01/30/2013 02:02:03 AM

From: Janet McCabe/DC/USEPA/US  
To: Emily Atkinson/DC/USEPA/US@EPA  
Date: 01/30/2013 02:02 AM  
Subject: Re: Sierra Club Meeting Request for 2/6 at 12pm

Thanks emily. It may be that Gina wants to join the meeting as well--can you check to see if that day/time works for her too? We should include steve, mike, michael ling and kevin mclean and whoever else from ogc he wants to include.

Thanks

Emily Atkinson

Janet, I just want to confirm that it is o...

01/29/2013 05:05 PM EST

From: Emily Atkinson  
To: Janet McCabe  
Cc:  
Date: 01/29/2013 05:05 PM EST  
Subject: Sierra Club Meeting Request for 2/6 at 12pm

Janet,

I just want to confirm that it is ok to schedule this meeting with the Sierra Club. Joe Goffman had put John Coequyt in touch with me about coordinating times for the meeting and next week on Wednesday, February 6 at 12pm works for Sierra Club. Joe is suggesting that it be just you that meets with them. Is that ok? Any staff I should include on the invite?

Emily

**Fw: Meeting request**

**Emily Atkinson** to: Joseph Goffman

01/28/2013 03:11 PM

Cc: Cynthia Browne

I believe he wants Janet to do this meeting - if you scroll down the email exchange between him and John, this is what he told John::

"Schedules are very tight around here in the next couple of weeks. I think it would be best to start with Janet McCabe and see if we can get this on her calendar for early next week. Emily can work with you to find a time. Thanks."

Cynthia

Emily Atkinson Does he want Janet to just do the meeti... 01/29/2013 04:25:24 PM

From: Emily Atkinson/DC/USEPA/US  
To: Cynthia Browne/DC/USEPA/US@EPA  
Date: 01/29/2013 04:25 PM  
Subject: Re: Fw: HOLD | S02 and NAAQS Meeting with Sierra Club

Does he want Janet to just do the meeting -or- should this meeting not happen at all?

Cynthia Browne Emily, I just talked with Joe and he clea... 01/29/2013 04:22:23 PM

From: Cynthia Browne/DC/USEPA/US  
To: Emily Atkinson/DC/USEPA/US@EPA  
Date: 01/29/2013 04:22 PM  
Subject: Fw: HOLD | S02 and NAAQS Meeting with Sierra Club

Emily,

I just talked with Joe and he clearly stated that he does not need to be in this meeting.

Thank you,

Cynthia

----- Forwarded by Emily Atkinson/DC/USEPA/US on 01/29/2013 05:01 PM -----

From: Emily Atkinson/DC/USEPA/US  
To: Joseph Goffman/DC/USEPA/US@EPA  
Cc: Cynthia Browne/DC/USEPA/US@EPA  
Date: 01/28/2013 03:11 PM  
Subject: Fw: Meeting request

Joe,

It looks like Wednesday, 2/6 from 12 - 1pm works for the Sierra Club and it is open on your and Janet's calendars. They have asked for an hour - is that ok? What is the title for this meeting and should anyone else be on the invite?

Emily

----- Forwarded by Emily Atkinson/DC/USEPA/US on 01/28/2013 03:09 PM -----

From: John Coequyt <john.coequyt@sierraclub.org>  
To: Emily Atkinson/DC/USEPA/US@EPA  
Date: 01/28/2013 03:08 PM  
Subject: Re: Meeting request

Emily:

We can do Wednesday from 12 to 1. Thanks for helping.

On Mon, Jan 28, 2013 at 2:47 PM, <[Atkinson.Emily@epamail.epa.gov](mailto:Atkinson.Emily@epamail.epa.gov)> wrote:  
John,

Nice talking to you this afternoon. As I mentioned, Janet is on travel this week but is in town the following week. Below are a few times the week of February 4 - 8 both Janet McCabe and Joe Goffman are available for a one hour meeting. Let me know what could work on your end and then I can get the meeting confirmed.

Tuesday, 2/5 from 11am - 12pm or 4 - 5pm  
Wednesday, 2/6 from 12 - 1pm or 5 - 6pm  
Thursday, 2/7 from 10 - 11am or 11am - 12pm  
Friday, 2/8 from 11am - 12pm or 1 - 2pm or 2 - 3pm

Emily Atkinson  
Staff Assistant  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5426K, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: [202-564-7403](tel:202-564-7403)  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

▼ Joseph Goffman---01/28/2013 02:36:08 PM---Schedules are very tight around here in the next couple of weeks. I think it would be best to start

From: Joseph Goffman/DC/USEPA/US  
To: John Coequyt <[john.coequyt@sierraclub.org](mailto:john.coequyt@sierraclub.org)>  
Cc: Emily Atkinson/DC/USEPA/US@EPA  
Date: 01/28/2013 02:36 PM

Subject: Re: Meeting request

---

Schedules are very tight around here in the next couple of weeks. I think it would be best to start with Janet McCabe and see if we can get this on her calendar for early next week. Emily can work with you to find a time. Thanks.

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
[202 564 3201](tel:2025643201)

▼ John Coequyt ---01/28/2013 02:05:43 PM---Can you all do friday morning some time for the meeting? On Mon, Jan 28, 2013 at 8:10 AM, <Goffman.

From: John Coequyt <[john.coequyt@sierraclub.org](mailto:john.coequyt@sierraclub.org)>  
To: Joseph Goffman/DC/USEPA/US@EPA  
Date: 01/28/2013 02:05 PM

Subject: Re: Meeting request

---

Can you all do friday morning some time for the meeting?

On Mon, Jan 28, 2013 at 8:10 AM, <  
[Goffman.Joseph@epamail.epa.gov](mailto:Goffman.Joseph@epamail.epa.gov)> wrote:

> Sure thing. Let's talk, too.

>

>

> ----- Original Message -----

> From: John Coequyt [[john.coequyt@sierraclub.org](mailto:john.coequyt@sierraclub.org)]

> Sent: 01/28/2013 08:08 AM EST

> To: Joseph Goffman

> Subject: Meeting request

>

>

>

> Switching to email. Can a few of us come talk to you and Gina  
about

> so2 naaqs. Happy to discuss on phone before too.

>

> John Coequyt

> [202.669.7060](tel:202.669.7060)

--

John Coequyt

Sierra Club

C: [\(202\) 669-7060](tel:202.669.7060)

O: [\(202\) 675-7916](tel:202.675.7916)

--

John Coequyt

Sierra Club

C: (202) 669-7060

O: (202) 675-7916

Emily Atkinson/DC/USEPA/US

02/06/2012 04:48 PM

To Janet McCabe

cc

bcc

Subject Sierra Club Voicemail

Janet,

Josh Stentmonds, who identified himself as the east coast attorney for the Sierra Club, left a voice mail message this afternoon requesting a meeting with you on S02 MATS Implementation. He specifically requested the meeting be with EPA, Sierra Club, ALA, Earth Justice and NRC.

Please advise if you would like for me to move forward with calling him back to arrange the call as he has outlined or if this is a request that should be passed on to another individual to resolve.

Thanks.

Emily

Emily Atkinson  
Staff Assistant  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5426K, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-7403  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**Janet McCabe/DC/USEPA/US**  
Sent by: Emily Atkinson

01/30/2013 09:25 AM

To Joseph Goffman, Cynthia Browne

cc

bcc

Subject Update: HOLD | S02 and NAAQS Meeting with Sierra Club

John Coequyt

Sierra Club

C: (202) 669-7060

O: (202) 675-7916

**Janet McCabe/DC/USEPA/US**  
Sent by: Emily Atkinson

01/28/2013 04:05 PM

To Joseph Goffman

cc Cynthia Browne, Daniel Hopkins, Larke Williams

bcc

Subject HOLD | S02 and NAAQS Meeting with Sierra Club

John Coequyt

Sierra Club

C: (202) 669-7060

O: (202) 675-7916

**Janet McCabe/DC/USEPA/US**  
Sent by: Emily Atkinson

To Kevin McLean, Michael Ling, Mike Koerber, Steve Page

cc Daniel Hopkins, Lala Alston, Larke Williams

bcc

Subject Prebrief for 2/6 Meeting with Sierra Club re: S02 and NAAQS

**Janet McCabe/DC/USEPA/US**  
Sent by: Emily Atkinson

To  
cc

06/04/2012 11:57 AM

bcc

Subject Georgia Pacific Petition

### **Meeting**

Date 06/07/2012

Time 04:00:00 PM to 04:45:00 PM

Chair Janet McCabe

Invitees

Required Apple Chapman; Brian Doster; Carrie Wheeler; Dan Deroeck; Danielle Dixon; Dave Svendsgaard; Elliott Zenick; Eric Cohen; Genevieve Damico; George Czerniak; Grecia Castro; James Havard; Jane Woolums; Janet McDonald; Jonathan Averback; Juan Santiago; Michael Ling; Peter Keller; Stephanie Hogan; Steve Page; Susan Kraj; Susan Stahle; Virginia Sorrell

Optional Anna Wood; Johnetta Heilig; Kirsten King; Lala Alston; Mike Koerber; Sharon Cooperstein

FYI

Location ARN-OAR-Room 5415

video/conference: 1 [REDACTED]

access:202 [REDACTED]

**Requesting Meeting/Conference Call with: Janet McCabe**



**Date of this Request:** 05/15/12



**Point of Contact** (Name/Number): Janet McDonald 919-541-1450



**Title of Meeting: Georgia Pacific Petition**



**Purpose of Meeting:** DECISIONAL – To obtain decisions on how to respond to issues presented in the petition.



**Priority Status (check one)   X   Critical                      Less Immediate**



**Last possible date for meeting:** May 24, 2012



**If the meeting is critical, please explain why:**

We have a court-ordered deadline of 07/23/12 to respond to a Title V petition submitted by the Sierra Club. This meeting is needed by the date above in order to meet the schedule.



**Location of Meeting:** DC conference room & Call-in Number.



**Length of Meeting:** 60 minutes

**DATES TO AVOID:** May 15, 16, 17 and 18

**Key Participants:**

| <u>Office/Organization</u> | <u>Name</u>      |
|----------------------------|------------------|
| OAQPS                      | Steve Page       |
| OAQPS                      | Michael Ling     |
| OAQPS                      | Janet McDonald   |
| OAQPS                      | Grecia Castro    |
| OAQPS                      | Carrie Wheeler   |
| OAQPS                      | Dan DeRoeck      |
| OAQPS                      | Dave Svendsgaard |
| OAQPS                      | Peter Keller     |
| OGC                        | Susan Stahle     |
| OGC                        | James Havard     |
| OGC                        | Brian Doster     |
| OGC                        | Stephanie Hogan  |
| OGC                        | Jon Averbach     |
| OGC                        | Elliott Zenick   |
| OECA                       | Apple Chapman    |
| OECA                       | Virginia Sorrell |
| Region 5                   | Susan Kraj,      |
| Region 5                   | Jane Woolums,    |
| Region 5                   | Genevieve Damico |
| Region 5                   | George Czerniak  |
| Region 5                   | Eric Cohen       |

Cc:

|       |              |
|-------|--------------|
| OAQPS | Anna Wood    |
| OAQPS | Mike Koerber |

Authorized by:

\_\_\_\_\_

Group Leader

\_\_\_\_\_

Date

Authorized by:

\_\_\_\_\_

Director  
Air Quality Policy Division

\_\_\_\_\_

Date



Enesta Jones/DC/USEPA/US  
06/05/2012 11:51 AM

To Jenny Noonan  
cc "Alison Davis", "John Millett", "Jenny Noonan"  
bcc  
Subject Re: ACTION: SSM Petition

Anything?

Enesta Jones  
Press Office  
U.S. Environmental Protection Agency  
Desk: 202.564.7873  
Cell: 202.236.2426  
Jenny Noonan

----- Original Message -----

**From:** Jenny Noonan  
**Sent:** 06/05/2012 08:50 AM EDT  
**To:** Enesta Jones  
**Cc:** "Alison Davis" <davis.alison@epa.gov>; "John Millett" <millet.john@epa.gov>; "Jenny Noonan" <noonan.jenny@epa.gov>  
**Subject:** Re: ACTION: SSM Petition

We're working on this with OGC and will have something later this morning.

Thanks,  
Jenny

\*\*\*\*\*

Jenny Noonan  
Policy Analysis and Communications  
EPA's Office of Air Quality Planning and Standards  
919/541-0193 (w)  
919/██████████ (c)

Enesta Jones

[Download, please.](#)

06/04/2012 04:25:23 PM

---

From: Enesta Jones/DC/USEPA/US  
To: "John Millett" <millet.john@epa.gov>, "Jenny Noonan" <noonan.jenny@epa.gov>, "Alison Davis" <davis.alison@epa.gov>  
Date: 06/04/2012 04:25 PM  
Subject: ACTION: SSM Petition

---

Download, please.

Enesta Jones  
Press Office  
U.S. Environmental Protection Agency

Desk: 202.564.7873  
Cell: 202.236.2426

---

**From:** Bobby McMahon [bmcMahon@iwpnews.com]  
**Sent:** 06/04/2012 03:51 PM AST  
**To:** Enesta Jones  
**Cc:** Anthony Lacey <alacey@iwpnews.com>; John Millett; Jeremy Bernstein <jbernstein@iwpnews.com>  
**Subject:** Re: SSM Petition

Hi Enesta,

I hope all is well, and I'm hoping you can help me understand something you sent me in response to a question I had on a petition EPA was reviewing.

Back in May, I asked you if EPA had taken action on a June 30, 2011 Sierra Club petition to address SIPs containing start-up, shut down and malfunction provisions (this would have been May 15). At the time, you told me that EPA was "currently evaluating the petition," and when I followed up to clarify and confirm that EPA had not taken action, you replied that the agency had not done so.

However, in looking at EPA's "Action Initiation List" of new rulemakings launched in March, EPA has already decided to propose approving the petitions. The Action Initiation List was uploaded to EPA's website May 16, one day after you sent your reply to my question. The list shows that EPA initiated the approval of the petitions in March -- two months before you emailed your reply.

So, I'm hoping you can help me understand why we were told that EPA had not made a decision on the petition when the agency had two months ago already decided to grant that petition and move ahead with a SIP call. The information you gave me is incorrect on its face and makes us look foolish for printing it, and so I want to make sure that this doesn't happen again in the interest of avoiding errors in our publication.

I'm CC'ing both John Millet on your end as well as our editors on my end -- Anthony Lacey and Jeremy Bernstein -- so please include both of them in your response on how we can avoid this in the future. Thank you for your attention, and I look forward to hearing from you soon.

Best,  
Bobby

--

Bobby McMahon  
Senior Editor  
Inside EPA  
[www.insideepa.com](http://www.insideepa.com)  
phone: 703-416-8536

fax: 703-416-8543

[bcmahon@iwpnews.com](mailto:bcmahon@iwpnews.com)

Gina McCarthy/DC/USEPA/US

To Beth Craig

08/06/2009 09:05 AM

cc

bcc

Subject Re: Fw: Clean Air Act Title V Petition - Big Stone

Good summary thanks. Looks like there are a number of new issues raised.  
Beth Craig

----- Original Message -----

**From:** Beth Craig

**Sent:** 08/05/2009 04:44 PM EDT

**To:** "Gina Mccarthy" <mccarthy.gina@epa.gov>

**Subject:** Fw: Fw: Clean Air Act Title V Petition - Big Stone

Gina, As requested, Beth

-----  
Sent by EPA Wireless E-Mail Services  
Patricia Embrey

----- Original Message -----

**From:** Patricia Embrey

**Sent:** 08/05/2009 04:04 PM EDT

**To:** Beth Craig

**Cc:** Jeffrey Clark

**Subject:** Re: Fw: Clean Air Act Title V Petition - Big Stone

Beth --

Attached is the summary you requested. I hope this is helpful to Gina. Please let us know if you need anything further.

Patricia

[attachment "GHG issues in Big Stone.doc" deleted by Gina McCarthy/DC/USEPA/US]

Beth Craig

[Dear Patricia, Is it possible for you all to...](#)

08/05/2009 08:39:09 AM

---

From: Beth Craig/DC/USEPA/US  
To: Patricia Embrey/DC/USEPA/US@EPA  
Cc: Jeffrey Clark/RTP/USEPA/US@EPA  
Date: 08/05/2009 08:39 AM  
Subject: Fw: Clean Air Act Title V Petition - Big Stone

---

Dear Patricia,

Is it possible for you all to put together a short summary of the arguments that the Sierra Club made on why GHG are currently regulated under the CAA? Gina would like to get a copy. It is the Issue#3 section of the attached.

Thanks, Beth

----- Forwarded by Beth Craig/DC/USEPA/US on 08/05/2009 08:36 AM -----

From: Carol Rushin/R8/USEPA/US  
To: Steve Tuber/P2/R8/USEPA/US@EPA, Debrah Thomas/P2/R8/USEPA/US@EPA, videtich.callie@epa.gov, Robert Ward/RC/R8/USEPA/US@EPA, ornstein.peter@epa.gov  
Cc: Beth Craig, gaydosh.mike@epa.gov

Date: 08/04/2009 08:41 AM  
Subject: Fw: Clean Air Act Title V Petition - Big Stone

---

Carol Rushin  
Acting Regional Administrator  
USEPA Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Phone: 303.312.6308  
FAX: 303.312.6882

----- Forwarded by Carol Rushin/R8/USEPA/US on 08/04/2009 06:40 AM -----

**George Hays**  
<[georgehays@mindspring.com](mailto:georgehays@mindspring.com)>  
m>

08/03/2009 08:37 PM

To: LisaP Jackson/DC/USEPA/US@EPA, Carol  
Rushin/R8/USEPA/US@EPA,  
DENRINTERNET@state.sd.us, TGraumann@otpc.com,  
cwmadsen@bgpw.com  
cc: "Thomas Welk" <[tjwelk@bgpw.com](mailto:tjwelk@bgpw.com)>, Callie  
Videtich/P2/R8/USEPA/US@EPA, Christopher  
Ajayi/R8/USEPA/US@EPA, Sara  
Laumann/RC/R8/USEPA/US@EPA,  
Brian.Gustafson@state.sd.us, Roxanne.Giedd@state.sd.us,  
Carl Daly/R8/USEPA/US@EPA  
Subject: Clean Air Act Title V Petition - Big Stone

Pursuant to Section 42 USCS § 7661d(c) of the Clean Air Act, Sierra Club and Clean Water Action petition the Administrator to object to the Title V Permit issued by South Dakota DENR for the Big Stone power plant. A copy of the petition is attached. The exhibits referred to in the petition can be downloaded by accessing the following link:

<http://www.sendspace.com/file/t8p2om>

George E. Hays  
Attorney at Law  
236 West Portal Avenue #110  
San Francisco, CA 94127  
Office: 415/566-5414 Fax: 415/731-1609  
e-mail: [georgehays@mindspring.com](mailto:georgehays@mindspring.com)[attachment "2009 8-3 Big Stone T5 Petition Final.pdf" deleted by Patricia Embrey/DC/USEPA/US]

Gina McCarthy/DC/USEPA/US

To Beth Craig

08/06/2009 12:32 PM

cc

bcc

Subject Re: Fw: Clean Air Act Title V Petition - Big Stone

Please. Thx  
Beth Craig

----- Original Message -----

**From:** Beth Craig

**Sent:** 08/06/2009 09:06 AM EDT

**To:** Gina McCarthy

**Subject:** Re: Fw: Clean Air Act Title V Petition - Big Stone

Dear Gina,

yes. Do you want me to set up a meeting on Monday with OAQPS and OGC on any possible changes to the Johnson memo notice?

Thanks, Beth

Gina McCarthy

Good summary thanks. Looks like ther...

08/06/2009 09:05:14 AM

---

From: Gina McCarthy/DC/USEPA/US  
To: Beth Craig/DC/USEPA/US@EPA  
Date: 08/06/2009 09:05 AM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

---

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----- Original Message -----

**From:** Beth Craig

**Sent:** 08/05/2009 04:44 PM EDT

**To:** "Gina Mccarthy" <mccarthy.gina@epa.gov>

**Subject:** Fw: Fw: Clean Air Act Title V Petition - Big Stone

Gina, As requested, Beth

-----  
Sent by EPA Wireless E-Mail Services  
Patricia Embrey

----- Original Message -----

**From:** Patricia Embrey

**Sent:** 08/05/2009 04:04 PM EDT

**To:** Beth Craig

**Cc:** Jeffrey Clark

**Subject:** Re: Fw: Clean Air Act Title V Petition - Big Stone

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Patricia

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Beth Craig      Dear Patricia, Is it possible for you all to...      08/05/2009 08:39:09 AM

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Thanks, Beth

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Cc: Beth Craig, gaydosh.mike@epa.gov  
Date: 08/04/2009 08:41 AM  
Subject: Fw: Clean Air Act Title V Petition - Big Stone

Carol Rushin  
Acting Regional Administrator  
USEPA Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Phone: 303.312.6308  
FAX: 303.312.6882

----- Forwarded by Carol Rushin/R8/USEPA/US on 08/04/2009 06:40 AM -----

**George Hays**  
<[georgehays@mindspring.com](mailto:georgehays@mindspring.com)>  
m>

08/03/2009 08:37 PM

To: LisaP Jackson/DC/USEPA/US@EPA, Carol Rushin/R8/USEPA/US@EPA, DENRINTERNET@state.sd.us, TGraumann@otpc.com, cwmadsen@bgpw.com  
cc: "Thomas Welk" <[tjwelk@bgpw.com](mailto:tjwelk@bgpw.com)>, Callie Videtich/P2/R8/USEPA/US@EPA, Christopher Ajayi/R8/USEPA/US@EPA, Sara Laumann/RC/R8/USEPA/US@EPA, Brian.Gustafson@state.sd.us, Roxanne.Giedd@state.sd.us, Carl Daly/R8/USEPA/US@EPA  
Subject: Clean Air Act Title V Petition - Big Stone

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petition can be downloaded by accessing the following link:

<http://www.sendspace.com/file/t8p2om>

George E. Hays

Attorney at Law

236 West Portal Avenue #110

San Francisco, CA 94127

Office: 415/566-5414 Fax: 415/731-1609

e-mail: [georgehays@mindspring.com](mailto:georgehays@mindspring.com)[attachment "2009 8-3 Big Stone T5 Petition Final.pdf" deleted by [Patricia Embrey/DC/USEPA/US](#)]

Gina McCarthy/DC/USEPA/US

To Beth Craig

10/01/2009 09:13 PM

cc

bcc

Subject Re: Meeting that Bob Sussman has set up

That's what it is. My guess is that he gave up on us. We have taken way too long on this one to respond to him. I know you spoke with thr region, can we get an update in advance of this mtg?

---

**From:** Beth Craig

**Sent:** 10/01/2009 06:12 PM EDT

**To:** Steve Page; mccarthy.gina@epa.gov

**Cc:** zinger.don@epa.gov

**Subject:** Meeting that Bob Sussman has set up

Dear Steve and Gina,

I asked Marta to find out more about this meeting and to let us know if it is on Hyperion. I do think the invitee list is pretty odd. Will get you more information as I receive it, Beth

**Broadcast: South Dakota Oil Refineries**

**Mon 10/05/2009 3:00 PM - 4:00 PM**

Attendance is **required** for Beth Craig

Chair: **Bob Sussman/DC/USEPA/US**

Sent By: **Georgia Bednar/DC/USEPA/US**

Location: 3309 ARN

**Bob Sussman** has invited you to a meeting. You have not added this entry to your calendar.

Req  
uire  
d: Beth Craig/DC/USEPA/US@EPA

Opti  
onal  
: Charles Imohiosen/DC/USEPA/US@EPA, Colleen Flaherty/DC/USEPA/US@EPA, Georgia Bednar/DC/USEPA/US@EPA, ktamillow@elpc.org, Lynn Zipf/DC/USEPA/US@EPA, Marta Montoro/DC/USEPA/US@EPA, Robert Polin/DC/USEPA/US@EPA, Teri Porterfield/RTP/USEPA/US@EPA

AS OF 10/01/09

1200 Pennsylvania Ave, NW

Room 3309 ARN

Washington, DC

Please call 202-564-8443 to be escorted into the building.

AS OF 9/25/2009

Georgia,

Yes, we are still on for 3:00 p.m. Attending the meeting will be Howard Learner (ELPC), Gay Sigel (Jenner & Block), Professor Dean Spader (South Dakota Sierra Club) and Ed Cable (Save Union County). I will go ahead and advise them that the meeting is confirmed and they should purchase plane tickets.

Who is planning to attend from EPA?

Thanks!

Kay

Kay Tamillow  
Executive Assistant  
Environmental Law & Policy Center  
35 E. Wacker Drive, Suite 1300  
Chicago, IL 60601  
312-795-3709 (direct)  
312-673-6500 (main)  
[www.elpc.org](http://www.elpc.org)

Howard Learner, Environmental Law & Policy Center  
Bob Graham, Jenner & Block

RE: South Dakota Oil Refineries

POC  
Kay Tamillow  
(312) 795-3709

EPA POC:  
Georgia Bednar  
202-564-9816  
[bednar.georgia@epa.gov](mailto:bednar.georgia@epa.gov)

Gina McCarthy/DC/USEPA/US

To Betsy Shaw

08/29/2012 04:18 PM

cc

bcc

Subject Re: Clarification re Shawnee

Thanks.

Betsy Shaw

----- Original Message -----

**From:** Betsy Shaw

**Sent:** 08/29/2012 02:17 PM EDT

**To:** Gina McCarthy

**Subject:** Clarification re Shawnee

Hi Gina,

I misspoke when we talked. The delayed action Steve brought up at staff meeting yesterday was not the Shawnee Title V petition but the action related to the startup, shutdown, and malfunction (SSM) provisions of state plans. (See details per Mike K. below). The Shawnee petition is with Don and looking good for signature on Friday.

Luckily, I figured this out before bugging Janet. Sorry for causing confusion due to poor penmanship on my part.

Thanks,

Betsy

From Mike Koerber: In June 2011, Sierra Club and WildEarth Guardians filed a petition claiming that the SSM provisions in the SIPs for 39 states were flawed. In November 2011, we entered into a settlement agreement with the litigants to, on a state-by-state basis, either deny the petition or grant the petition (and take final action to issue a SIP call) by August 31, 2012. We recently agreed to a 1-month extension (to the end of September) to work out a new schedule for our action.

Gina McCarthy/DC/USEPA/US

To Bill Snape

05/04/2010 08:19 PM

cc

bcc

Subject Re: FW: NEWS: Back to EPA

Just tried to catch you but probably called a bit late. Please give a call to the office and we can try to connect. The number is 202-564-7404.

Bill Snape

Could we chat about this matter (the iss...

05/04/2010 05:01:20 PM

From: Bill Snape <bsnape@biologicaldiversity.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 05/04/2010 05:01 PM  
Subject: FW: NEWS: Back to EPA

Could we chat about this matter (the issue, not the news story per se) for a few minutes at some point relatively soon?

Warm regards,  
Bill  
202-536-9351



**ClimateWire**  
THE POLITICS AND BUSINESS OF CLIMATE CHANGE

An E&E Publishing Service

**EPA: The usual suspects aren't lining up to block agency's pending 'tailoring rule'** *(Tuesday, May 4, 2010)*  
**Jessica Leber, E&E reporter**

Opponents of climate regulations have long warned that a court is sure to strike down U.S. EPA's "tailoring" rule, which offers a reprieve to small businesses that would otherwise need greenhouse gas emissions permits next year.

But first, someone would have to pull the trigger with a lawsuit. With EPA soon due to release its final rule, many of the usual suspects point the other way.

The challenge won't likely come from the mainstream environmental community. National groups such as the Sierra Club have said that claims that they would sue are simply meant to raise alarm. The Center for Biological Diversity, a group that has fired off a barrage of lawsuits and petitions to pressure more stringent climate actions from the Obama administration, is also not opposed to the rule's general goal.

"We agree with the concept that you need to start somewhere, and starting first with the mega-large sources makes sense," said Bill Snape, the group's senior legal counsel.

He said he believes industry groups might bring a self-fulfilling challenge to a rule they say is doomed to fail. "It is a knee-jerk reaction," he said. "They have sued EPA at every single juncture of the greenhouse pollutant regulatory process."

Indeed, industries, free-market groups, climate science skeptics and more than a dozen states have all lined up to challenge EPA's declaration that greenhouse gases are pollutants, a finding that imposes no direct regulation. And a coalition of industry groups has also sued EPA for its plan to make stationary sources subject to regulation beginning this January, warning of dire consequences.

## A different species of rule

The tailoring rule, however, is different because it limits the scope of regulations. Large industries and states have a lot more to lose should a challenge succeed in nullifying the rule, as they themselves have so consistently warned.

Without the tailoring rule, hospitals, schools and a host of unregulated businesses would suddenly need permits next year. Air regulators would also be buried under a pile of paperwork that could grind all permit reviews to a halt, states have said.

The White House is now reviewing the final rule, which EPA Administrator Lisa Jackson has said will avoid these dire scenarios by initially raising the trigger threshold to 75,000 tons of emissions a year, about 750 times what is written in the letter of the Clean Air Act.

"What EPA is proposing helps industry, helps state and local governmental agencies, and helps the environmental community," said Bill Becker, executive director of the National Association of Clean Air Agencies.

Jeff Holmstead, an industry attorney who headed EPA's air office during the George W. Bush administration, said it certainly won't be his clients who line up to challenge that.

Still, Holmstead said he expected that when EPA releases the rule, the first lawsuit would be in before the day was out.

Among other potential challengers, groups ideologically opposed to EPA's foray into climate change regulation might want to prove their point, Holmstead said. Becker, too, said that only someone who wanted this program to fail might sue.

## Free-market groups may hang back

The Competitive Enterprise Institute, an industry-funded free-market think tank that is among the most strident opponents of EPA's climate regulations, does not want to sue, according to Senior Fellow Marlo Lewis. "Similarly, I can't see one of the free-market groups mounting a litigation challenge, which would be like asking for more regulation," he said.

Lewis instead saw the lurking lawsuit threat in unwieldy activist groups that oppose large chain development, such as Wal-Mart or McDonald's.

"Once they realize that lawfully you must apply the [Clean Air] Act as it's written to carbon dioxide, they will see this as the perfect avenue to prevent that kind of development," Lewis said.

The Center for Biological Diversity's Snape did not, however, rule out his group's opposition on narrower grounds.

The group is pressing EPA to ensure the tailoring rule does not exempt offshore oil and gas drilling air permits.

Direct emissions from these activities could fall below EPA's final threshold, he said. But once the fossil fuels are extracted and burned, he said, the emissions would be far larger, and EPA should include those.

"If it's a hospital ... the tailoring rule makes sense, but not if it's a fossil fuel extraction rig on the Chukchi Sea," Snape said. Given the ongoing Gulf of Mexico oil spill disaster, he said, now is not the time to give drillers a free pass in the region most vulnerable to climate change. "An oil spill in the Arctic would be completely and utterly catastrophic on many levels," Snape said.

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### About ClimateWire

ClimateWire is written and produced by the staff of E&E Publishing, LLC. It is designed to provide comprehensive, daily coverage of all aspects of climate change issues. From international agreements on carbon emissions to alternative energy technologies to state and federal GHG programs, ClimateWire plugs readers into the information they need to stay abreast of this sprawling, complex issue.



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Gina McCarthy/DC/USEPA/US

To Bill Snape

05/05/2010 12:57 PM

cc

bcc

Subject Re: today

Bill - Thanks for the reminder of the importance of the tailoring rule and I couldn't agree with you more. Since the rule is still under development, it might be best if we didn't have an email exchange or discussion on any detail of the rule unless it is worth docketing.

Bill Snape

Thanks for the call back, Gina. I'm arou...

05/05/2010 08:23:13 AM

From: Bill Snape <bsnape@biologicaldiversity.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 05/05/2010 08:23 AM  
Subject: today

Thanks for the call back, Gina.

I'm around now until about 10am. Then from 11:30 to 1pm. Then from 3pm until 11pm.

Recognizing the tremendous amount of work you have already put into this, my message is that a proper tailoring rule could give the agency momentum and legal insulation for a long time. A poignant moment indeed.

Bill

-----Original Message-----

From: McCarthy.Gina@epamail.epa.gov [mailto:McCarthy.Gina@epamail.epa.gov]  
Sent: Tuesday, May 04, 2010 8:19 PM  
To: Bill Snape  
Subject: Re: FW: NEWS: Back to EPA

Just tried to catch you but probably called a bit late. Please give a call to the office and we can try to connect. The number is 202-564-7404.

|----->  
| From: |  
|----->

>-----  
-----  
|Bill Snape <bsnape@biologicaldiversity.org>  
|

>-----  
-----  
|----->  
| To: |  
|----->

>-----  
-----  
|Gina McCarthy/DC/USEPA/US@EPA

|  
>-----  
-----|  
|----->  
| Date: |  
|----->  
>-----  
-----|  
|05/04/2010 05:01 PM  
|  
>-----  
-----|  
|----->  
| Subject: |  
|----->  
>-----  
-----|  
|FW: NEWS: Back to EPA  
|  
>-----  
-----|

Could we chat about this matter (the issue, not the news story per se) for a few minutes at some point relatively soon?

Warm regards,  
Bill  
202-536-9351

|-----|  
|(Embedded image moved to file: pic19979.gif)ClimateWire |  
| An E&E Publishing Service |  
| |  
| |  
|EPA: The usual suspects aren't lining up to block agency's pending |  
|'tailoring rule' (Tuesday, May 4, 2010) |  
|Jessica Leber, E&E reporter |  
|Opponents of climate regulations have long warned that a court is |  
|sure to strike down U.S. EPA's "tailoring" rule, which offers a |  
|reprieve to small businesses that would otherwise need greenhouse |  
|gas emissions permits next year. |  
|But first, someone would have to pull the trigger with a lawsuit. |  
|With EPA soon due to release its final rule, many of the usual |  
|suspects point the other way. |  
|The challenge won't likely come from the mainstream environmental |  
|community. National groups such as the Sierra Club have said that |  
|claims that they would sue are simply meant to raise alarm. |  
|The Center for Biological Diversity, a group that has fired off a |

|barrage of lawsuits and petitions to pressure more stringent  
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|reaction," he said. "They have sued EPA at every single juncture of  
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|Indeed, industries, free-market groups, climate science skeptics  
|and more than a dozen states have all lined up to challenge EPA's  
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|  
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|carbon emissions to alternative energy technologies to state and |  
|federal GHG programs, ClimateWire plugs readers into the |  
|information they need to stay abreast of this sprawling, complex |  
|issue. |

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Gina McCarthy/DC/USEPA/US

11/16/2010 10:09 PM

To Brenner.Rob, Janet McCabe, Joseph Goffman, Zinger.Don,  
Millett.John

cc

bcc

Subject Fw: Peaceful Rally Anticipated for November 17

Does anyone know what this is all about?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 11/16/2010 10:08 PM -----

From: EPA Security Updates  
To: Federal Triangle Broadcast (AR, East, West, CW, RR)  
Date: 11/16/2010 03:51 PM  
Subject: Peaceful Rally Anticipated for November 17

---

The Sierra Club has announced it will hold a peaceful rally on Wednesday, November 17, from 10:30 to 11 a.m. in the Ariel Rios Courtyard on 12th Street. Between 25 and 50 participants may attend. Rally preparations are expected to begin at 9:00 a.m. The Federal Protective Service will have a presence onsite, and a security guard will check employee badges outside rather than inside the EPA North and South lobby entrances. No other disruptions to EPA functions are expected.

Please send any questions to OARM-OA-SMD-OB@epa.gov.

Gina McCarthy/DC/USEPA/US

To CHARLES THOMAS PAUL

10/12/2010 08:59 PM

cc

bcc

Subject Re: Bridgeport coal plant

Charles - I would work with the CT DEP who is working towards clean energy as we speak. Why dont you call Tracy Babbidge at CTDEP - she is terrific!

CHARLES THOMAS PAUL

Gina it was good to see...

10/12/2010 12:38:41 PM

From: CHARLES THOMAS PAUL <cthomaspaul@sbcglobal.net>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 10/12/2010 12:38 PM  
Subject: Bridgeport coal plant

---



Gina it was good to see again at the Connecticut Fund Annual Meeting at the boat house in Hartford. I talked to you about the coal fired power plant at Bridgeport, CT. I am the Vice Chairman for the Connecticut Chapter of the Sierra Club. We are taking a look at the Bridgeport coal power plant. I have some information about the 2008 report. Is there any information how to evaluate this report? Are there other years of reports to look at? I don't know what the air quality limits are at this time. Is there some way you could help us. C. Thomas Paul, 813 Summer Hill Road, Madison, CT 06443, 203-421-5612, [cthomaspaul@sbcglobal.net](mailto:cthomaspaul@sbcglobal.net).



Gina McCarthy/DC/USEPA/US

To Cindy Huang

02/28/2012 10:59 AM

cc

bcc

Subject Re: Call with Environmental Leaders with the Administrator

Thx

Cindy Huang

----- Original Message -----

**From:** Cindy Huang

**Sent:** 02/28/2012 10:38 AM EST

**To:** Gina McCarthy

**Subject:** Fw: Call with Environmental Leaders with the Administrator

Don mentioned you asked about the Enviros call on Oil and Gas - just wanted to let you know it's been scheduled for 3/1 at 4:45pm -

On the Phone:

Peter Lehner - Natural Resources Defense Council

Michael Brune - Sierra Club

Fred Krupp - Environmental Defense Fund

Let me know if you have any questions!

----- Forwarded by Cindy Huang/DC/USEPA/US on 02/28/2012 10:34 AM -----

### Call with Environmental Leaders with the Administrator

Thu 03/01/2012 4:45 PM - 5:15

PM

Attendance is for Gina McCarthy

Chair: **scheduling**

Sent By: **Ryan Robison/DC/USEPA/US**

Location: Administrator's Office

|           |                                                                                                                                                                                                   |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Required: | Bob Perciasepe/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA                                                                                                       |
| Optional: | Carla Veney/DC/USEPA/US@EPA, Cindy Huang/DC/USEPA/US@EPA, Denise Anderson/DC/USEPA/US@EPA, Diane Thompson/DC/USEPA/US@EPA, Stephanie Washington/DC/USEPA/US@EPA, Teri Porterfield/DC/USEPA/US@EPA |

Description

---

**Personal Notes**

---

---

---

Gina McCarthy/DC/USEPA/US

To: Cindy Huang

03/05/2012 01:47 PM

cc

bcc

Subject: Re: Car to Ann Arbor and other stuff

Confusing.  
Cindy Huang

----- Original Message -----

**From:** Cindy Huang

**Sent:** 03/05/2012 01:45 PM EST

**To:** Gina McCarthy

**Subject:** Re: Car to Ann Arbor and other stuff

Fred Krup call is separate from the Enviros call on Friday

Gina McCarthy

Is that the Fred Krup call or is that a sep...

03/05/2012 01:41:33 PM

From: Gina McCarthy/DC/USEPA/US  
To: Cindy Huang/DC/USEPA/US@EPA  
Date: 03/05/2012 01:41 PM  
Subject: Re: Car to Ann Arbor and other stuff

Is that the Fred Krup call or is that a separate call?

Cindy Huang

----- Original Message -----

**From:** Cindy Huang

**Sent:** 03/05/2012 01:41 PM EST

**To:** Gina McCarthy

**Subject:** Re: Car to Ann Arbor and other stuff

The Administrator's call with NRDC, Sierra Club, and EDF that was on Oil and Gas - originally scheduled for tomorrow when you were on the plane.

Cindy Huang  
(202) 564-7404

Gina McCarthy

Sorry - what call with enviros? ----- Or...

03/05/2012 01:11:38 PM

From: Gina McCarthy/DC/USEPA/US  
To: Cindy Huang/DC/USEPA/US@EPA  
Date: 03/05/2012 01:11 PM  
Subject: Re: Car to Ann Arbor and other stuff

Sorry - what call with enviros?

Cindy Huang

----- Original Message -----

**From:** Cindy Huang

**Sent:** 03/05/2012 01:06 PM EST

**To:** Gina McCarthy

**Subject:** Car to Ann Arbor and other stuff

Your confirmation # for the car is: 3907065. Follow the signs for ground transportation to get the car - the company name is called Metro car. Use your government travel card to pay and give us the receipt so we can add it on your voucher. Let me know if there are any problems!

Also, I'm trying to get the Administrator's office to bump up the call with Enviros on Friday to earlier in the day but it looks like it's going to stay. They've sent an invitation to Janet. FYI, your flight on Friday departs BWI at 6pm and you'll need to leave the office around 4:10 to get the train.

Gina McCarthy/DC/USEPA/US

To Craig.Beth

08/10/2009 07:12 PM

cc

bcc

Subject Fw: ltr from environmental grps

Beth - Is someone working on an outline of our issues or a briefing of some kind? Many of the signatories are people I know all too well and they are emailing me separately looking to meet, I will need to respond soon.

----- Forwarded by Gina McCarthy/DC/USEPA/US on 08/10/2009 07:11 PM -----

From: Bob Sussman/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 08/10/2009 12:48 PM  
Subject: Fw: ltr from environmental grps

---

Assume you saw this. Any thoughts/reactions? These issues have been simmering ever since we came to EPA.

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 08/10/2009 12:47 PM -----

From: Charles Imohiosen/DC/USEPA/US  
To: Bob Sussman <sussman.bob@epa.gov>  
Date: 08/10/2009 12:18 PM  
Subject: Fw: ltr from environmental grps

---

Letter from the enviros to Mathy, Gina, Pete S. and OGC (dated 8/5) relating to OIRA issues.

Charles Imohiosen  
Special Assistant to the Senior Counsel  
Office of the Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
(202) 564-9025

----- Forwarded by Charles Imohiosen/DC/USEPA/US on 08/10/2009 12:10 PM -----

From: Antoinette Powell-Dickson/DC/USEPA/US  
To: Charles Imohiosen/DC/USEPA/US@EPA  
Cc: Mathy Stanislaus/DC/USEPA/US@EPA  
Date: 08/10/2009 10:46 AM  
Subject: Fw: ltr from environmental grps

---

Per your request see below.

Thanks  
APD

---

Antoinette Powell Dickson  
Special Assistant  
Office of Solid Waste & Emergency Response  
U.S. Environmental Protection Agency  
Phone: (202) 566-0738; Fax: (202) 566-0207

powell-dickson.antoINETte@epa.gov

----- Forwarded by Antoinette Powell-Dickson/DC/USEPA/US on 08/10/2009 10:44 AM -----

From: Matt Straus/DC/USEPA/US  
To: Antoinette Powell-Dickson/DC/USEPA/US@EPA  
Date: 08/10/2009 10:04 AM  
Subject: Fw: ltr from environmental grps

---

Antoinette, attached is a copy of the environmental letter.

----- Forwarded by Matt Straus/DC/USEPA/US on 08/10/2009 10:03 AM -----

From: Mathy Stanislaus/DC/USEPA/US  
To: James Woolford/DC/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, Matt Hale/DC/USEPA/US@EPA  
Cc: Ellen Manges/DC/USEPA/US@EPA, Antoinette Powell-Dickson <powell-dickson.antoINETte@epa.gov>, Ellyn Fine/DC/USEPA/US@EPA, Barry Breen/DC/USEPA/US@EPA  
Date: 08/05/2009 06:05 PM  
Subject: Fw: ltr from environmental grps

---

Jim, Matt, & Matt: Please see the issues raised in this letter. Assuming that I meet with the group - please provide background on the OSWER issues raised in this letter - sometime in the next week or so would be find.

----- Forwarded by Mathy Stanislaus/DC/USEPA/US on 08/05/2009 06:01 PM -----

From: Daniel O Hirsch <cbghirsch@aol.com>  
To: Mathy Stanislaus/DC/USEPA/US@EPA  
Date: 08/05/2009 01:31 PM  
Subject: ltr from environmental grps

---

Dear Assistant Administrator Stanislaus,

Please find attached a letter to you from the Center for Health, Environment & Justice; Clean Water Action; Committee to Bridge the Gap; Environment America; Food and Water Watch; Friends of the Earth; Greenpeace; Massachusetts Citizens for Safe Energy; Natural Resources Defense Council; Nuclear Information and Resource Service; Professor Richard Clapp; Public Citizen; and the Sierra Club.

The letter calls to your attention a number of troubling proposals by the prior Administration to weaken environmental protections, initiatives that remain under consideration within EPA, and requests a meeting with you to discuss them.

The letter contains supporting attachments about these matters.

If you have trouble opening the file, or have any questions, please feel free to contact me at (831) 336-8003.

Sincerely,

Daniel Hirsch  
Committee to Bridge the Gap



080509LetterToEPA.pdf

Gina McCarthy/DC/USEPA/US

To Daniel Kanninen

09/28/2010 07:45 PM

cc

bcc

Subject Fw: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

Dan - I didn't want to become the person who sends all the recreation stakeholders your way. Not sure why this person came to me but should i refer them to you?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 09/28/2010 07:44 PM -----

From: Jackie Ostfeld <Jackie.Ostfeld@sierraclub.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 09/28/2010 01:02 PM  
Subject: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

---

Dear Ms. McCarthy

The Outdoors Alliance for Kids (OAK) has developed recommendations for the White House America's Great Outdoors (AGO) initiative to reconnect children, youth, and families with nature – a primary goal of AGO. OAK is a newly formed alliance whose steering committee members include: YMCA of the USA, REI, Sierra Club, National Wildlife Federation, Izaak Walton League of America, The Outdoor Foundation, National Recreation and Park Association and the Children & Nature Network, collectively representing over 30 million members nationwide. You can read these recommendations by clicking here (<http://bit.ly/bihQZ8>), by scrolling to the bottom of this email or by opening the attached PDF.

We hope you will consider OAK's recommendations to reconnect Americans with nature as you draft the AGO report. Please do not hesitate to use us as a resource in exploring additional solutions for reconnecting children, youth, and families with the outdoors.

Thanks for your consideration.

Sincerely,

Jacqueline Ostfeld and the members of OAK's Steering Committee

- - -

Jacqueline Ostfeld  
National Youth Representative, Sierra Club  
202-548-6584

[www.facebook.com/SierraClubBBTO](http://www.facebook.com/SierraClubBBTO)  
[www.facebook.com/outdoorsallianceforkids](http://www.facebook.com/outdoorsallianceforkids)  
Youth E-Newsletter Subscribe: <http://bit.ly/9JmRre>



**Children & Nature Network ♦ Izaak Walton League ♦ National Recreation and Park Association ♦ National Wildlife Federation ♦ Outdoor Foundation ♦ REI ♦ Sierra Club ♦ YMCA of the USA**

## **America's Great Outdoors**

### **Recommendations from the Outdoors Alliance for Kids (OAK)**

The Outdoors Alliance for Kids (OAK) supports the Administration's America's Great Outdoors (AGO) initiative to engage the public in shaping a new conservation and recreation agenda that meets the needs of the 21<sup>st</sup> Century. OAK appreciates in particular the emphasis on engaging youth in the agenda-setting process. The members of OAK are brought together by the belief that the health and well-being of current and future generations, our planet, our communities and the economy depend on humans having a personal, direct and life-long relationship with nature and the outdoors. OAK is working to expand the number and quality of opportunities for children, youth and families to connect with the outdoors.

Today's children are spending less time outdoors in nature than any generation in history. Best-selling author Richard Louv coined the phrase *Nature Deficit Disorder* to describe this relatively recent phenomenon that is shaping the way our children relate to the natural world. Emerging research suggests that time spent outdoors in nature results in health benefits for children and youth and that significant exposure to the natural world during childhood results in positive attitudes towards the environment in adulthood. When shaping the 21<sup>st</sup> Century Conservation Agenda, OAK recommends that the Administration advance and promote policies, programs and initiatives that foster inter-agency collaboration at all levels of government, as *Nature Deficit Disorder* has societal implications that extend beyond the scope of any single federal agency or department and solutions will require broad-based collaboration. The America's Great Outdoors initiative should consider the vast array of federal, state and local policy solutions for reconnecting children, youth and families with the Great Outdoors, including in the areas of recreation and conservation, transportation and built environment, health and wellness, and education.

#### **OAK recommends four broad principles for the 21<sup>st</sup> Century Conservation Agenda:**

- Connect health and wellness initiatives to outdoor recreation and unstructured outdoor play in nature, and promote solutions that encourage appropriate use of public and private lands as a means to improve the health of children, youth and families;
- Create policies and further conduct research that helps to build the next generation of conservationists by connecting children and youth with the outdoors through unstructured

- outdoor play in nature, quality recreation, education programs and service opportunities;
- Engage diverse audiences in experiences in the great outdoors through targeted outreach and initiatives to make outdoor experiences more culturally relevant; and
- Engage youth and parents to learn more about the barriers preventing children, youth and families from connecting with the great outdoors and provide opportunities for them to help shape the agenda and participate in the implementation of solutions at all levels.

**OAK's Top Ten recommendations for the 21<sup>st</sup> Century Conservation Agenda:**

1. **Building on the Executive Order launching America's Great Outdoors, the administration should develop a comprehensive national strategy to connect children, youth and families with the outdoors:** This strategy should incorporate the four principles above and be multi-disciplinary and inclusive. It can be best developed and coordinated by a multi-agency council, led by the White House, which engages departments, agencies, and other government organizations with wide ranging expertise on public land management, health, education, infrastructure, the environment, public service, and other issues related to this initiative. This national strategy should be developed in close coordination with other public and private sector and non-profit organizations that are actively working at the local, state, regional, and national levels to connect children, youth and families with the outdoors. In addition, it is essential to meaningfully engage youth leaders in developing and implementing the national strategy.
2. **Further align conservation goals with the First Lady's "Let's Move Outside" campaign** by raising the profile of our public and private lands as contributors to healthy lifestyles. Identify strategies and deepen partnerships with organizations that can further enhance this work. Bring together health, conservation and other experts to identify ways to align the Administration's conservation goals with the First Lady's Let's Move Outside campaign, consider the request for a Surgeon General "Call to Action" on the physical and mental health benefits of time outdoors, and create a plan to implement the relevant physical activity recommendations of the Federal Task Force on Childhood Obesity.
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management agencies to leverage resources, coordinate programming and promote outreach to youth and diverse communities.

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8. **Strengthen Outreach to Communities of Color** at all relevant agencies by designing and implementing targeted media and marketing campaigns and investing resources in developing partnerships and identifying appropriate role models within underrepresented communities. It is also important to ensure that outreach initiatives integrate 21<sup>st</sup> Century communications tools such as mapping devices, iphone applications, Facebook, Twitter, blogs, and other tools that will provide communities of color with information about parks, playgrounds and natural spaces.
9. **Engage, Employ and Empower Youth** on public lands through volunteerism, community service opportunities, employment and other means by building upon the Department of the Interior's 21<sup>st</sup> Century Conservation Corps program. Support passage of the Public Lands Service Corps Act (H.R. 1612 / S. 1442) and similar legislative initiatives that would expand the capacity for service work on federal, state and local lands, build and maintain the necessary infrastructure to connect children, youth and families with the great outdoors, engage and employ youth, especially youth from communities of color, and diversify our conservation constituency. Reach out to youth through newer technologies including social media.
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to provide quality environmental education to students.

OAK member organizations engaged members of the public including hundreds of youth to attend the AGO listening sessions. Common themes emerging from the youth roundtables are captured within OAK's broad recommendations.



OAK's Recommendations for AGO - FINAL.pdf

Gina McCarthy/DC/USEPA/US

To Daniel Kanninen

09/28/2010 08:18 PM

cc

bcc

Subject Re: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

will do

Daniel Kanninen

Hi Gina, I think they are pingo...

09/28/2010 07:54:17 PM

---

From: Daniel Kanninen/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 09/28/2010 07:54 PM  
Subject: Re: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

---

Hi Gina,

I think they are pingo everyone they can think of. Feel free to tell them to direct they comments to me and I'll share with the report drafting team (though I suspect they already have these comments).

Thx-

Dk

Gina McCarthy

----- Original Message -----

**From:** Gina McCarthy

**Sent:** 09/28/2010 07:45 PM EDT

**To:** Daniel Kanninen

**Subject:** Fw: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

Dan - I didn't want to become the person who sends all the recreation stakeholders your way. Not sure why this person came to me but should i refer them to you?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 09/28/2010 07:44 PM -----

---

From: Jackie Ostfeld <Jackie.Ostfeld@sierraclub.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 09/28/2010 01:02 PM  
Subject: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

---

Dear Ms. McCarthy

The Outdoors Alliance for Kids (OAK) has developed recommendations for the White House America's Great Outdoors (AGO) initiative to reconnect children, youth, and families with nature – a primary goal of AGO. OAK is a newly formed alliance whose steering committee members include: YMCA of the USA, REI, Sierra Club, National Wildlife Federation, Izaak Walton League of America, The Outdoor Foundation, National Recreation and Park Association and the Children & Nature Network, collectively representing over 30 million members nationwide. You can read these

recommendations by clicking here (<http://bit.ly/bihQZ8>), by scrolling to the bottom of this email or by opening the attached PDF.

We hope you will consider OAK's recommendations to reconnect Americans with nature as you draft the AGO report. Please do not hesitate to use us as a resource in exploring additional solutions for reconnecting children, youth, and families with the outdoors.

Thanks for your consideration.

Sincerely,

Jacqueline Ostfeld and the members of OAK's Steering Committee

- - -

Jacqueline Ostfeld  
National Youth Representative, Sierra Club  
202-548-6584

[www.facebook.com/SierraClubBBTO](http://www.facebook.com/SierraClubBBTO)  
[www.facebook.com/outdoorsallianceforkids](http://www.facebook.com/outdoorsallianceforkids)  
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**Children & Nature Network ♦ Izaak Walton League ♦ National Recreation and Park Association ♦ National Wildlife Federation ♦ Outdoor Foundation ♦ REI ♦ Sierra Club ♦ YMCA of the USA**

## **America's Great Outdoors** Recommendations from the Outdoors Alliance for Kids (OAK)

The Outdoors Alliance for Kids (OAK) supports the Administration's America's Great Outdoors (AGO) initiative to engage the public in shaping a new conservation and recreation agenda that meets the needs of the 21<sup>st</sup> Century. OAK appreciates in particular the emphasis on engaging youth in the agenda-setting process. The members of OAK are brought together by the belief that the health and well-being of current and future generations, our planet, our communities and the economy depend on humans having a personal, direct and life-long relationship with nature and the outdoors. OAK is working to expand the number and quality of opportunities for children, youth and families to connect with the outdoors.

Today's children are spending less time outdoors in nature than any generation in history. Best-selling author Richard Louv coined the phrase *Nature Deficit Disorder* to describe this relatively recent phenomenon that is shaping the way our children relate to the natural world. Emerging research suggests that time spent outdoors in nature results in health benefits for children and youth and that significant exposure to the natural world during childhood results in positive attitudes towards the environment in adulthood. When shaping the 21<sup>st</sup> Century Conservation Agenda, OAK recommends that the Administration advance and promote policies, programs and initiatives that foster inter-agency collaboration at all levels of government, as *Nature Deficit Disorder* has societal implications that extend beyond the scope of any single federal agency or department and solutions will require broad-based collaboration. The America's Great Outdoors initiative should consider the vast array of federal, state and local policy solutions for reconnecting children, youth and families with the Great Outdoors, including in the areas of recreation and conservation, transportation and built environment, health and wellness, and education.

**OAK recommends four broad principles for the 21<sup>st</sup> Century Conservation Agenda:**

- Connect health and wellness initiatives to outdoor recreation and unstructured outdoor play in nature, and promote solutions that encourage appropriate use of public and private lands as a means to improve the health of children, youth and families;
- Create policies and further conduct research that helps to build the next generation of conservationists by connecting children and youth with the outdoors through unstructured outdoor play in nature, quality recreation, education programs and service opportunities;
- Engage diverse audiences in experiences in the great outdoors through targeted outreach and initiatives to make outdoor experiences more culturally relevant; and
- Engage youth and parents to learn more about the barriers preventing children, youth and families from connecting with the great outdoors and provide opportunities for them to help shape the agenda and participate in the implementation of solutions at all levels.

**OAK's Top Ten recommendations for the 21<sup>st</sup> Century Conservation Agenda:**

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[attachment "OAK's Recommendations for AGO - FINAL.pdf" deleted by Daniel Kanninen/DC/USEPA/US]

Gina McCarthy/DC/USEPA/US

To huang.cindy

05/19/2011 05:38 PM

cc

bcc

Subject Fw: Invitation to dinner with Michael Brune, Executive Director of the Sierra Club on Thursday, June 9, 2011

I would like to go if I can. Thanks

----- Forwarded by Gina McCarthy/DC/USEPA/US on 05/19/2011 05:37 PM -----

From: Timothy Wirth <timothy.wirth@unfoundation.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 05/19/2011 11:28 AM  
Subject: Invitation to dinner with Michael Brune, Executive Director of the Sierra Club on Thursday, June 9, 2011

---

Dear Gina:

On the evening of June 9 we are hosting a small dinner with one of the rising stars of the environmental community – Michael Brune, Executive Director of the Sierra Club. Michael took over as the Club’s Executive Director from Carl Pope a year ago, as Carl stayed on as Chairman. We want to take this opportunity to introduce him to senior people in the Administration and around town who may not yet have had a chance to meet this vibrant new leader.

Previously, Michael was Executive Director of the Rainforest Action Network for seven years and worked as an organizer for Greenpeace. He grew up in Chadwick Beach, on the New Jersey shore, but most of his life and experience has been on the West Coast. His critically acclaimed 2008 book, *Coming Clean – Breaking America's Addiction to Oil and Coal*, details a plan for a new green economy that will create well-paying jobs, promote environmental justice and bolster national security. He is particularly interested in promoting programs that link the Club's traditional protection of wild places, including national parks, to urgently needed climate change solutions. Just 39, he holds degrees in economics and finance from West Chester University in Pennsylvania.

We hope you are able to join us for an engaging evening of conversation with Michael. The dinner will be held at the Metropolitan Club (1700 H Street, NW, Washington, DC) with a brief reception at 7:00 p.m., followed by dinner at 7:30 p.m. Please R.S.V.P. to Nicole Karl Ernst at [nkarl@unfoundation.org](mailto:nkarl@unfoundation.org) or 202-419-3225. We look forward to seeing you on Thursday, June 9.

With best wishes,

Sincerely yours,

Timothy E. Wirth



Gina McCarthy/DC/USEPA/US

To huang.cindy

10/14/2011 02:41 PM

cc

bcc

Subject Fw: Key mtgs next week

fyi

----- Forwarded by Gina McCarthy/DC/USEPA/US on 10/14/2011 02:41 PM -----

From: Gina McCarthy/DC/USEPA/US  
To: Zinger.Don@EPA.GOV, Janet McCabe/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Jim Jones/DC/USEPA/US@EPA  
Date: 10/14/2011 02:38 PM  
Subject: Key mtgs next week

---

This is just an FYI. i will walk Don thru this and see what we have to do next week.

We have some key decision next week that we need to move ahead on. Lets set up mtgs and make sure we walk thru them:

- MATS: SAB info into the docket; A&N to OMB; lignite subcategory; compliance timeline
- Boilers: Package to OMB; Paper Sludge as SW; Next steps on Sierra Club discussions
- Energy Star: Prep work for mtg with Bob P on Thursday
- OMB mtg on ozone-related rules
- Tailoring Rule: Scope and timing of proposal based on OGC legal needs
- CSAPR: Options for final supplemental rule.
- Wood Heaters: SBA panel report needs to be approved and Janet and I need to talk more about the wood heaters rule so we can sent to OP and get to OMB
- Chemical Industries Rule: Need an update so i can answer OMB questions
- IMO: Need mtg with Nat that Jim is setting up.
- EGU GHG NSPS: Need to gear up to get new source proposal to OMB by end of October. Need mtg on transitional units asap; need Kevin to re-engage OP staff and ask their help with preamble, RIA etc.
- MATS: Answer UARG petition
- LDV: need complete package to OMB
- Refineries: need mtg/call with WEG to get extension; need to align with Tier 3, need mtg to talk about GHG requirement

Gina McCarthy/DC/USEPA/US

To huang.cindy, Zinger.Don

03/07/2012 06:23 PM

cc

bcc

Subject Fw: NAAQS Implementation Coalition McCarthy Meeting Request Letter and Modeling Conference Comments

Lets set it up. Thanks

----- Forwarded by Gina McCarthy/DC/USEPA/US on 03/07/2012 06:23 PM -----

From: Janet McCabe/DC/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Cc: Zinger.Don@EPA.GOV, huang.cindy@epa.gov  
Date: 03/07/2012 06:17 PM  
Subject: Re: Fw: NAAQS Implementation Coalition McCarthy Meeting Request Letter and Modeling Conference Comments

---

this is the flip side of the meeting I had with Sierra Club. I agree you should do the meeting. If your schedule doesn't permit the meeting to happen next week because you're traveling and into the following week, there might be more to say....

Janet McCabe  
Principal Deputy Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5426K, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
202-564-3206  
mccabe.janet@epa.gov

---

Gina McCarthy

Janet - I am going to set up a meet with...

03/07/2012 04:19:09 PM

From: Gina McCarthy/DC/USEPA/US  
To: Janet McCabe/DC/USEPA/US@EPA  
Cc: Zinger.Don@EPA.GOV, huang.cindy@epa.gov  
Date: 03/07/2012 04:19 PM  
Subject: Re: Fw: NAAQS Implementation Coalition McCarthy Meeting Request Letter and Modeling Conference Comments

---

Janet - I am going to set up a meet with them unless you say otherwise.

---

Janet McCabe

03/06/2012 09:40:45 PM

Gina McCarthy/DC/USEPA/US

09/28/2010 08:20 PM

To Jackie Ostfeld  
cc Daniel Kanninen  
bcc

Subject Re: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

Jackie - I shared your email with Dan Kanninen who is the appropriate contact person. You can find his email address above. Thanks

Jackie Ostfeld

Dear Ms. McCarthy The Outdoors Allian...

09/28/2010 01:02:30 PM

---

From: Jackie Ostfeld <Jackie.Ostfeld@sierraclub.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 09/28/2010 01:02 PM  
Subject: OAK - Outdoors Alliance for Kids - Recommendations for America's Great Outdoors Initiative

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Sincerely,

Jacqueline Ostfeld and the members of OAK's Steering Committee

- - -

Jacqueline Ostfeld  
National Youth Representative, Sierra Club  
202-548-6584

[www.facebook.com/SierraClubBBTO](http://www.facebook.com/SierraClubBBTO)  
[www.facebook.com/outdoorsallianceforkids](http://www.facebook.com/outdoorsallianceforkids)  
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**Children & Nature Network ♦ Izaak Walton League ♦ National Recreation and Park Association ♦ National Wildlife Federation ♦ Outdoor Foundation ♦ REI ♦ Sierra Club ♦ YMCA of the USA**

## **America's Great Outdoors**

### **Recommendations from the Outdoors Alliance for Kids (OAK)**

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8. **Strengthen Outreach to Communities of Color** at all relevant agencies by designing and implementing targeted media and marketing campaigns and investing resources in developing partnerships and identifying appropriate role models within underrepresented communities. It is also important to ensure that outreach initiatives integrate 21<sup>st</sup> Century communications tools such as mapping devices, iphone applications, Facebook, Twitter, blogs, and other tools that will provide communities of color with information about parks, playgrounds and natural spaces.
9. **Engage, Employ and Empower Youth** on public lands through volunteerism, community service opportunities, employment and other means by building upon the Department of the Interior's 21<sup>st</sup> Century Conservation Corps program. Support passage of the Public Lands Service Corps Act (H.R. 1612 / S. 1442) and similar legislative initiatives that would expand the capacity for service work on federal, state and local lands, build and maintain the necessary infrastructure to connect children, youth and families with the great outdoors, engage and employ youth, especially youth from communities of color, and diversify our conservation constituency. Reach out to youth through newer technologies including social media.
10. **Engage Youth in the Outdoors during the School Day** by collaborating with the Department of Education and local school leadership to engage school children in outdoor learning opportunities and active time outdoors at school. Support the establishment of schoolyard habitats and gardens, leverage programs that connect school children to our public lands before, during and after the school day, and support environmental education legislation including the No Child Left Inside Act (H.R. 2054 / S.866) that would provide funding for outdoor and field-based learning and train teachers

to provide quality environmental education to students.

OAK member organizations engaged members of the public including hundreds of youth to attend the AGO listening sessions. Common themes emerging from the youth roundtables are captured within OAK's broad recommendations.

[attachment "OAK's Recommendations for AGO - FINAL.pdf" deleted by Gina McCarthy/DC/USEPA/US]

Gina McCarthy/DC/USEPA/US

To Joseph Goffman

02/22/2012 11:12 PM

cc

bcc

Subject Fw: FYI - March 2 - Attendee List for Meeting with ODEQ -  
Re: PSO Plans to Meet Air Quality Rules

Joe - I forget Sierra Club's no coal person. Do you have his name and/or number?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 02/22/2012 11:12 PM -----

From: Al Armendariz/R6/USEPA/US  
To: Gina McCarthy/DC/USEPA/US@EPA  
Cc: mccabe.janet@epa.gov  
Date: 02/22/2012 08:37 PM  
Subject: Re: Fw: FYI - March 2 - Attendee List for Meeting with ODEQ - Re: PSO Plans to Meet Air Quality Rules

---

It would be great if you know the right person within SC who will have the outline of this agreement. Surprises are OK, but perhaps not in this case.

And yes, I checked and saw that an invite went out to Gina for Friday March 2nd, 2 pm, via video conference.

Best,

Al

---

Al Armendariz  
Regional Administrator  
Environmental Protection Agency  
Region 6  
Dallas, Texas  
armendariz.al@epa.gov  
office: 214-665-2100  
twitter: @al\_armendariz

Gina McCarthy/DC/USEPA/US

To Mike Flynn, "Beth Craig", "Steve Page"

05/17/2010 03:54 PM

cc

bcc

Subject Fw: Letter from Environmental and Labor Organizations re:  
EPA's Dangerous Experiments on Demolishing Buildings  
Containing Asbestos

Fyi

---

**From:** "Jim Hecker" [JHECKER@publicjustice.net]

**Sent:** 05/17/2010 01:41 PM AST

**To:** LisaP Jackson; Bob Sussman; Bob Perciasepe; Gina McCarthy; Paul Anastas; Cynthia Giles-AA; Lisa Heinzerling; David McIntosh

**Subject:** Letter from Environmental and Labor Organizations re: EPA's Dangerous Experiments on Demolishing Buildings Containing Asbestos

Please see the attached letter submitted on behalf of:

**Public Justice**

**Natural Resources Defense Council**

**Sierra Club**

**AFL-CIO**

**Building and Construction Trades Department, AFL-CIO**

**International Association of Heat and Frost Insulators and Allied Workers**

**Physicians for Social Responsibility**

**Asbestos Disease Awareness Organization**



Letter to EPA re AACM reports.pdf

Gina McCarthy/DC/USEPA/US

To Mike Flynn

08/15/2011 06:04 PM

cc Jim Jones, Janet McCabe

bcc

Subject Fw: letter from enviro groups requesting mtg

fyi

----- Forwarded by Gina McCarthy/DC/USEPA/US on 08/15/2011 06:03 PM -----

From: Daniel O Hirsch <dhirsch1@cruzio.com>  
To: Bob Perciasepe/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Nancy Stoner/DC/USEPA/US@EPA  
Date: 08/15/2011 05:45 PM  
Subject: letter from enviro groups requesting mtg

---

Attached please find a letter from environmental and public health groups on a number of radiation issues and requesting a meeting, plus an attachment thereto.

The letter is from Center for Health, Environment & Justice □ Clean Water Action □ Committee to Bridge the Gap □ Environment America □ Food and Water Watch □ Friends of the Earth □ Greenpeace □ Massachusetts Citizens for Safe Energy □ Natural Resources Defense Council □ Nuclear Information and Resource Service □ Physicians for Social Responsibility □ Professor Richard Clapp □ Public Citizen □ Sierra Club

The point of contact is Dan Hirsch 831 336 8003, cell 831 332 3099.

Thank you.



Grp Ltr to EPA on Rad Issues 8-15-11.pdf 080509LetterToEPA4.pdf

Gina McCarthy/DC/USEPA/US

To Millett.John

01/04/2010 01:58 PM

cc

bcc

Subject Fw: EPA greenhouse gas regulation? Business Week story

Let's set up a time later today. I will catch Seth and David in advance.

----- Forwarded by Gina McCarthy/DC/USEPA/US on 01/04/2010 01:57 PM -----

From: "Carey, John" <John\_Carey@businessweek.com>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 01/04/2010 12:32 PM  
Subject: RE: EPA greenhouse gas regulation? Business Week story

---

Hi Gina,

Happy New Year! Will undoubtedly be a very busy one for you.

But if you have time later today (just about anytime, except when I have a 3 PM interview with AEP CEO Mike Morris), or by mid-afternoon tomorrow to talk about this briefly, that would be a huge help.

many thanks,  
john

*John Carey*  
*senior correspondent*  
*Bloomberg Business Week*  
*202 654-1284 (office)*  
*703 304-6867 (cell)*  
*john\_carey@businessweek.com*

---

**From:** McCarthy.Gina@epamail.epa.gov [mailto:McCarthy.Gina@epamail.epa.gov]  
**Sent:** Friday, January 01, 2010 12:02 PM  
**To:** Carey, John  
**Subject:** Re: EPA greenhouse gas regulation? Business Week story

John. Happy New Year. I am glad that you are going to tackle this story. Happy to help walk through these issues with you. It is complicated stuff and it would be great for me to be able to give you a more complete picture than you might otherwise get. I will get back to you with times for Monday if that works.

---

**From:** "Carey, John" [John\_Carey@businessweek.com]  
**Sent:** 12/31/2009 02:20 PM EST  
**To:** Gina McCarthy  
**Subject:** EPA greenhouse gas regulation? Business Week story

Dear Gina,

Great to talk with you at the USCAP reception in Copenhagen. I also appreciated your comments

at the Pew Center side-event about the historic nature of the endangerment finding.

I've been telling my editors for months that the coming greenhouse gas rules are a really big deal and that we *have* to do a story—and they've finally agreed. Of course, they've also asked for the story for the next issue, which means delivering it on Tuesday.

So I'm hoping there might be a chance, please, to chat with you more about this. In talking to companies, law firms, and enviros, it seems like there are a whole host of interesting questions. Here are some issues that people have raised (all of which I'm sure you've heard many times before):

-- Companies like Dow are arguing that EPA doesn't have to finalize the tailpipe rule (I don't get this, given the Supreme Court case and the endangerment finding). Or, even if it comes out and triggers the 'prevention of significant deterioration' provisions for stationary sources, EPA could decide that CO<sub>2</sub> doesn't have to be included as a pollutant. "We're told that legally EPA has the discretion to not do the tailpipe rule, and, even if it does, it doesn't have to include CO<sub>2</sub>," says Dow's Keith Belton. (The chemical industry also wants the threshold to be raised to 50,000 tons per year).

-- Lawyers question whether you'll get away with the tailoring rule. They say that changing the PSD permit trigger from 250 tons to 25,000 tons involves invoking two doctrines (i.e. absurd results if implemented, and administrative necessity) that "are pretty tough arguments to make," says Kyle Danish at Van Ness Feldman: "The concern is that it will unravel on them." On the other hand, David Bookbinder at the Sierra Club says it will be very hard for opponents to get standing to challenge the tailoring rule.

-- If it all does go forward, companies are painting a picture of a "bureaucratic nightmare," saying that "all of a sudden we are talking about the need for state regulators to make hundreds and hundreds of individual decisions about what constitutes 'best available control technology' – and those decisions have to be approved by EPA."

Plus, what will be allowed as BACT? switching a coal plant to natural gas? boosting efficiency? Utilities say that requiring carbon capture could be easily challenged, since it doesn't meet the definition of commercially available. So what guidelines will EPA be offering on BACT decisions?

I'm also told that several key dates will be coming up as EPA sets actual numerical emissions targets for cement (June 6), nitric acid (November 15), and the Big One, coal-fired powerplants, March 15, 2011?

-- EPA is treading into dangerous political waters, some say. Opponents will charge that greenhouse gas regulation will be a job-killer and get their allies in Congress (e.g. Senator Murkowski) to fight back. "EPA has to be careful," one industry lobbyist told me: "If they want to use this as a stick to get Congress to act on climate legislation, they could easily go too far, and cause a backlash, with Congress keeping EPA from spending money on this."

For their part, enviros hope that the threat of EPA regulation will be what finally gets legislation over the hump (as in this off-the-record comment: "EPA is dipping its toe in with

cement and nitric acid, and then on March 15, 2011, comes the big one, the Big Bang. I want coal to see what's coming, because then we will negotiate with them for legislation. This is the goal: By Nov 2010, I want those stupid bastards to understand what's going to hit them on March 2011."

On the other hand, as you said in Copenhagen, EPA regulation doesn't have to be seen as a second choice. Maybe it is a good way to go?

-- There's a suggestion that EPA's recent *Cash Creek* decision (denial of a permit for an IGCC plant on the grounds that natural gas as a fuel was not considered in the BACT analysis) is sending strong signal to industry that EPA will be thinking of fuel-switching as a BACT for CO<sub>2</sub> as well as for other pollutants. Plausible?

Whew. A lot of this gets down in the weeds, so I'd like to step back and also ask just how important all of this will be...

Might it be possible to talk about this by early next week?

Many thanks for any help—and Happy New Year!

best regards,  
john

*John Carey*  
*senior correspondent*  
*Bloomberg Business Week*  
*202 654-1284 (office)*  
*703 304-6867 (cell)*  
*john\_carey@businessweek.com*

Gina McCarthy/DC/USEPA/US

To Paul Billings

03/11/2011 05:12 PM

cc Joseph Goffman, Tsirigotis.Peter

bcc

Subject RE: Event

We will manage the name - sorry Paul. If Monday works for you, Joe will call you and set up a time. Thanks Paul.

Paul Billings

Looks like today is slipping away - so ca...

03/11/2011 05:06:20 PM

---

From: Paul Billings <PBillings@lungusa.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 03/11/2011 05:06 PM  
Subject: RE: Event

---

Looks like today is slipping away – so can we calendar something for Monday?

Also we have heard that folks may be calling this rule the Mercury, Arsenic and Dioxin Rule -

I strongly urge folks to reconsider as it will quickly be shortened to MAD MACT.

We are calling it the Power Plant Air Toxics Rule here –we are willing to follow good branding but not bad!

Paul Billings  
202-785-3355

**From:** McCarthy.Gina@epamail.epa.gov [mailto:McCarthy.Gina@epamail.epa.gov]  
**Sent:** Friday, March 11, 2011 1:50 PM  
**To:** Paul Billings  
**Subject:** Re: Event

Excellent. I will have a call or visit set up. I am very excited and grateful.

---

**From:** Paul Billings [PBillings@lungusa.org]  
**Sent:** 03/11/2011 01:47 PM EST  
**To:** Gina McCarthy  
**Cc:** John Millett; Don Zinger; Peter Iwanowicz <PIwanowicz@lungusa.org>; Janice Nolen <JNolen@lungusa.org>  
**Subject:** Event

Gina  
We are a yes for the event on Wednesday.

We would like to discuss the specifics on the event and the background at your earliest convenience.

Cheers

Paul

Paul G. Billings  
Vice President National Policy & Advocacy  
American Lung Association  
1301 Pennsylvania Ave NW Suite 800  
Washington, DC 20004-1725  
Phone: 202-785-3355 x 3988  
Fax: 202 -452-1805  
[pbillings@lungusa.org](mailto:pbillings@lungusa.org)

Gina McCarthy/DC/USEPA/US

To Paul Billings

03/08/2011 10:28 AM

cc

bcc

Subject Re: Ads on Power Plant Toxics

Thanks Paul.

Paul Billings

Attached find our print ad from today's...

03/08/2011 07:57:19 AM

From: Paul Billings <PBillings@lungusa.org>  
To: Janice Nolen <JNolen@lungusa.org>, Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Rob Brenner/DC/USEPA/US@EPA  
Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Peter Iwanowicz <PIwanowicz@lungusa.org>  
Date: 03/08/2011 07:57 AM  
Subject: Ads on Power Plant Toxics

Attached find our print ad from today's Roll Call it also running in CQ Daily this week

Below is an online version that is running this week as well



Paul Billings  
202-785-3355

**From:** Janice Nolen

**Sent:** Monday, March 07, 2011 8:20 PM

**To:** 'McCarthy.Gina@epamail.epa.gov'; 'mccabe.janet@epa.gov'; 'Brenner.Rob@epamail.epa.gov'

**Cc:** 'Tsirigotis.Peter@epamail.epa.gov'; 'Goo.Michael@epamail.epa.gov';  
'McIntosh.David@epamail.epa.gov'; 'Schmidt.Lorie@epamail.epa.gov'; Paul Billings; Peter Iwanowicz  
**Subject:** Report on Utility Air Toxics Coming out tomorrow

Gina,

We are releasing tomorrow a report *Toxic Air: The Case for Cleaning Up Coal-fired Power Plants*, to help the public understand the long-overdue need to clean up emissions of hazardous air pollutants from coal-fired power plants in the electric grid. In addition, we are releasing the white paper that formed the basis of that report, *Emissions of Hazardous Air Pollutants from Coal-fired Power Plants*, prepared for us by Environmental Health & Engineering, Inc. in Boston. Both and the press release are attached. They can be accessed after 5 AM tomorrow from our website at [www.LungUSA.org/ToxicAirReport](http://www.LungUSA.org/ToxicAirReport). You will note that by coincidence, the lead researcher in the E H& E team is David MacIntosh, Sc.D. who is in no way related to the current member of EPA's esteemed team.

If you have questions, please let me, Paul Billings or Peter Iwanowicz know.

Thanks,

Janice

**Janice E. Nolen**

**Assistant Vice President, National Policy and Advocacy  
American Lung Association**

1301 Pennsylvania Ave NW Suite 800

Washington, DC 20004-1725

P 202.785.3355 C 202.486.0285 F 202.452.1805

[jnolen@lungusa.org](mailto:jnolen@lungusa.org) @lungassociation



[attachment "Toxic Report Ad rollcall 3811.pdf" deleted by Gina McCarthy/DC/USEPA/US]

Gina McCarthy/DC/USEPA/US

To Paul Billings

03/11/2011 05:12 PM

cc Joseph Goffman, Tsirigotis.Peter

bcc

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202-785-3355

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**Subject:** Event

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Paul G. Billings  
Vice President National Policy & Advocacy  
American Lung Association  
1301 Pennsylvania Ave NW Suite 800  
Washington, DC 20004-1725  
Phone: 202-785-3355 x 3988  
Fax: 202 -452-1805  
[pbillings@lungusa.org](mailto:pbillings@lungusa.org)

Gina McCarthy/DC/USEPA/US

To Zinger.Don

06/22/2009 09:55 AM

cc

bcc

Subject Fw: EPA-R05-OAR-2006-0609 - opposition to petition for reconsideration of NSR Reforms in WI SIP

fyi

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/22/2009 09:55 AM -----

From: "Hunt, Tim" <Tim\_Hunt@afandpa.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Cc: Danny Marcus/R5/USEPA/US@EPA, <bpedersen@perkinscoie.com>, Bill Harnett/RTP/USEPA/US@EPA, "Hulse, Leslie" <Leslie\_Hulse@americanchemistry.com>, "David Ailor" <DAilor@NOPA.ORG>, <bsteiner@accci.org>, "Bryan Brendle" <BBrendle@nam.org>, "Stacy Linden" <lindens@api.org>, Bharat Mathur/R5/USEPA/US@EPA, Rob Brenner/DC/USEPA/US@EPA, Susan Tennenbaum/R5/USEPA/US@EPA, <lkavanagh@steel.org>  
Date: 06/19/2009 05:45 PM  
Subject: EPA-R05-OAR-2006-0609 - opposition to petition for reconsideration of NSR Reforms in WI SIP

---

Assistant Administrator McCarthy,

Please find attached the listed trade associations' opposition to the Natural Resource Defense Council's and Sierra Club's petition for reconsideration on the adoption of the NSR Reform Rules into the Wisconsin State Implementation Plan (docket # EPA-R05-OAR-2006-0609). If you have any questions, please contact me. Thank you for your consideration of this matter.

Timothy Hunt  
Senior Director, Air Quality Programs  
**AMERICAN FOREST & PAPER ASSOCIATION**  
1111 19th St NW, Suite 800, Washington, DC 20036  
tim\_hunt@afandpa.org  
202.463.2588 w  
202.463.2787 f  
[www.afandpa.org](http://www.afandpa.org)



Improving Tomorrow's Environment Today.®



Industry Opposition to NRDC-SC Petition on NSR Reforms in Wisconsin SIP 6-19-09.pdf

**Gina McCarthy/DC/USEPA/US**

To Zinger.Don, Janet McCabe, Joseph Goffman, Lorie Schmidt,  
Jim Jones

10/14/2011 02:38 PM

cc

bcc

Subject Key mtgs next week

This is just an FYI. i will walk Don thru this and see what we have to do next week.

We have some key decision next week that we need to move ahead on. Lets set up mtgs and make sure we walk thru them:

- MATS: SAB info into the docket; A&N to OMB; lignite subcategory; compliance timeline
- Boilers: Package to OMB; Paper Sludge as SW; Next steps on Sierra Club discussions
- Energy Star: Prep work for mtg with Bob P on Thursday
- OMB mtg on ozone-related rules
- Tailoring Rule: Scope and timing of proposal based on OGC legal needs
- CSAPR: Options for final supplemental rule.
- Wood Heaters: SBA panel report needs to be approved and Janet and I need to talk more about the wood heaters rule so we can sent to OP and get to OMB
- Chemical Industries Rule: Need an update so i can answer OMB questions
- IMO: Need mtg with Nat that Jim is setting up.
- EGU GHG NSPS: Need to gear up to get new source proposal to OMB by end of October. Need mtg on transitional units asap; need Kevin to re-engage OP staff and ask their help with preamble, RIA etc.
- MATS: Answer UARG petition
- LDV: need complete package to OMB
- Refineries: need mtg/call with WEG to get extension; need to align with Tier 3, need mtg to talk about GHG requirement

**Gina McCarthy/DC/USEPA/US**

To Zinger.Don, Janet McCabe, Joseph Goffman, Lorie Schmidt,  
Jim Jones

10/14/2011 02:38 PM

cc

bcc

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Gina McCarthy/DC/USEPA/US

To Zinger.Don, porterfield.teri

06/10/2010 03:13 PM

cc

bcc

Subject Fw: ABA Panelist Invitation - August 2010 ABA Annual Meeting in San Francisco

Let's consider this but I think I will need to delegate.

----- Forwarded by Gina McCarthy/DC/USEPA/US on 06/10/2010 03:12 PM -----

From: Chris Costanzo <costanzo12@gmail.com>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 06/10/2010 10:33 AM  
Subject: ABA Panelist Invitation - August 2010 ABA Annual Meeting in San Francisco

---

Dear Ms. McCarthy,

The American Bar Association is putting together a plenary session on climate change at its 2010 Annual Meeting held in San Francisco from August 5-7. The plenary session will take place Friday afternoon, August 6. Below is the description of the session, along with a list of panelists, some of whom have already confirmed their participation.

We would be delighted if you could join our distinguished panel, which would greatly benefit from your perspective as the Assistant Administrator of the EPA office charged with developing federal climate change policy and initiatives. The program will be interactive and consist of a question and answer format between the moderator and the panelists, with brief materials provided by the panelists to the audience to satisfy CLE requirements.

Because the conference is rapidly approaching, I would greatly appreciate hearing from you in the next couple of days if possible.

If for some reason you are unable to participate, we would be grateful to receive any suggestions of other good candidates from your office.

Thanks in advance for your consideration of the ABA's invitation.

Best regards,

Chris

-----  
Chris Costanzo  
Vice Chair, International Environmental Law Committee  
ABA Section of International Law  
+1 949.395.4297  
[Costanzo12@gmail.com](mailto:Costanzo12@gmail.com)  
<http://www.linkedin.com/in/chriscostanzo1>

---

3:45 PM – 5:15 PM

**CLE PROGRAM: The Bumpy Road to Comprehensive Climate Change Law and Policy**

*CLE Centre*

There is widespread agreement that comprehensive legal regimes will be adopted to force a shift to a low carbon economy. But volatility and uncertainty surrounding the near-term passage and implementation of such regimes is higher than ever before. Indeed, this past year has seen significant challenges to the adoption of national and international top-down approaches, complicated by the state of the economy and a changing geopolitical landscape. Even state and regional actions have had their share of dissenters and detractors, threatening their momentum as climate change regulatory and market mechanisms become metaphorical lightning rods in election-year politics and the court of public opinion. Yet consensus is building, and fundamental steps have been taken that will allow decision-makers to develop comprehensive legislative action against climate change.

Please join our panel as it presents a critical overview of significant climate change legal and policy developments at an international, national, and state and regional level, including the road to Cancun, US and state/regional legislative and regulatory initiatives, and evolving climate change tort litigation. The panel will also discuss and debate hot issues in this fast-paced area of law and policy and provide its insight on possible near-term opportunities for those in the legal profession.

**Co-sponsors:** ABA Section of International Law; ABA Section of Environment, Energy and Resources (TBC)

**Speakers:**

David Bookbinder, Chief Climate Counsel, Sierra Club

Chris Costanzo (Speaker and Moderator)

Gina McCarthy, Assistant Administrator, EPA Office of Air and Radiation (TBC)

Mary D. Nichols, Chair, California Air Resources Board (TBC)

Robert A. Wyman Jr., Partner, Latham & Watkins LLP

Gina McCarthy/DC/USEPA/US

To Zinger.Don

02/22/2010 04:30 PM

cc

bcc

Subject Fw: Panel Invitation - Good Jobs Green Jobs National Conference - Youth and the Outdoors

One more to consider.

----- Forwarded by Gina McCarthy/DC/USEPA/US on 02/22/2010 04:30 PM -----

From: Jackie Ostfeld <Jackie.Ostfeld@sierraclub.org>  
To: Gina McCarthy/DC/USEPA/US@EPA  
Date: 02/22/2010 11:30 AM  
Subject: Panel Invitation - Good Jobs Green Jobs National Conference - Youth and the Outdoors

---

Dear Ms. McCarthy:

I am writing to formally invite you to participate in a panel discussion on Youth, the Great Outdoors and Green Jobs on May 4, 2010 at the Washington Hilton. The panel is part of the 3<sup>rd</sup> Annual Good Jobs Green Jobs National Conference sponsored by the Blue Green Alliance. This year's theme is "Investment, Innovation, Action." The panel is called "Youth and the Outdoors: Laying the Foundation for Green Careers" and will focus on ways to invest in youth today to strengthen the green economy of tomorrow.

The "Youth and the Outdoors: Laying the Foundation for Green Careers" panel brings together experts on youth and the great outdoors to inform the national discussion around green jobs. Today's youth are tomorrow's leaders and they are growing up disconnected from the natural and green world outdoors. The panel will focus on the significance of exposing young people to the natural world for inspiring a generation to help shape tomorrow's green economy. Panelists will share stories, opportunities and innovative ideas for making a smooth transition from green play to green pay, one that reaches all sectors of society.

We would like each panelist to speak for 8-10 minutes, describing the work you and your agency do to engage youth in the natural world, to create career ladders for young people to transition from green play to green pay and the significance of engaging youth in the great outdoors for the green economy and the health of the environment. Also, please feel free to discuss barriers young people face in connecting to the natural world, solutions for getting kids engaged and the significance of getting kids outdoors and educated about the natural world for solving our environmental challenges. The audience, which will be comprised of the Sierra Club Youth Delegation and conference participants from across the country, will also have an opportunity to address the panel with questions.

For more information about the conference, please visit the Conference website at [www.greenjobsconference.org](http://www.greenjobsconference.org)

Jacqueline Ostfeld of my staff will follow up with you shortly to answer any questions you might have and see if you will be able to join us. I hope your answer is yes. (Formal invitation attached)

Sincerely,

Martin LeBlanc  
National Youth Education Director  
Sierra Club

- - -

Jacqueline Ostfeld  
National Youth Representative  
Sierra Club, Building Bridges to the Outdoors  
(O): 202-548-6584 / (F): 202-835-2072



McCarthySpeakerInvitationLetter.doc

Gina McCarthy/DC/USEPA/US

To "Beth Craig"

04/29/2010 02:00 PM

cc "Don Zinger", "Steve Page"

bcc

Subject Fw: Oil Burning

Beth - can you ask Alan to have the EOC connect with ALA (Paul's info is below) per Bob P's request. We should probably reach out to all ngos we normally work with when we have a message developed.

---

**From:** Bob Perciasepe  
**Sent:** 04/29/2010 01:48 PM EDT  
**To:** Gina McCarthy  
**Subject:** Fw: Oil Burning

Gina.

This from Paul.  
I told him you would follow up.  
Bob Perciasepe  
Office of the Administrator  
(o)202 564 4711  
(c) [REDACTED]

---

**From:** Paul Billings [PBillings@lungusa.org]  
**Sent:** 04/29/2010 01:45 PM AST  
**To:** Bob Perciasepe  
**Subject:** Oil Burning

Thanks for sharing the information with me last night  
If asked, here is what we are saying to the media and the public

- The American Lung Association is deeply concerned about the health threats presented by air emissions from the Gulf Coast oil spill and subsequent burning.
- These emissions could lead to adverse health effects, especially for children, older adults, and people with chronic lung disease, heart diseases and diabetes. However, it can even harm healthy adults. Health effects can include coughing, wheezing and shortness of breath, as well as more serious effects that could be life-threatening, such as asthma attacks and heart attacks.
- We offer the following guidance to Gulf Coast residents to protect your lung health:
  - Identify how local authorities will notify you during a disaster and how you will get information, whether through local radio, TV or NOAA Weather Radio stations or channels.
  - Children, older adults and individuals with lung disease or other chronic conditions are particularly at risk. If you or a family member are in one of these groups, be sure to prepare with your doctor or health care provider steps you can take if the air quality worsens in your area. Check with your doctor or healthcare provider if you are experiencing breathing

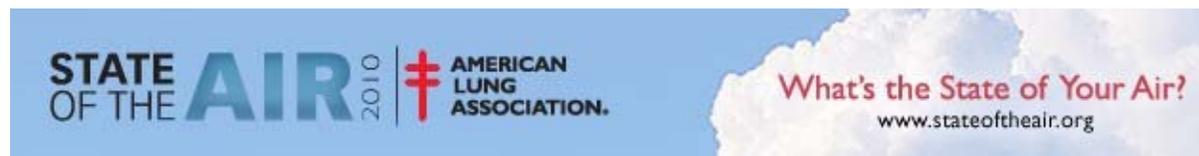
difficulty. In an emergency, dial 9-1-1.

- Stay indoors and reduce physical activity outdoors as long as unhealthy air conditions continue. Close windows, doors and fireplace dampers; use air conditioners on the recirculation setting so outside air will not be moved into the room.
- The American Lung Association also urges governments to move swiftly to protect lung health, and suggests the following:
  - We are encouraging the U.S. Environmental Protection Agency (EPA), and the impacted states to deploy air pollution monitors to detect harmful gases, particulate matter and hazardous air pollutants resulting from the oil spill and any burning of the oil.
  - We are urging the EPA, Department of Homeland Security, states and local governments to inform the public and the medical and public health community about the potential health threats. We recommend these agencies update the public rapidly as the situation changes.
  - Finally, the EPA, Department of Homeland Security, states and local governments must inform the public about what steps should be taken to reduce or mitigate the health threat posed by any emissions from the oil spill or burn.

**Reactive use only, should you receive any questions regarding wearing masks:**

Particle masks (N95) will help protect against some particles but not fumes. These masks may be useful for people with lung disease in the event of dense smoke from an oil burn. Ordinary medical masks may be better than nothing but not likely to be adequate.

Paul G. Billings  
Vice President National Policy & Advocacy  
American Lung Association  
1301 Pennsylvania Ave NW Suite 800  
Washington, DC 20004-1725  
Phone: 202-785-3355 x 3988  
Fax: 202 -452-1805  
[pbillings@lungusa.org](mailto:pbillings@lungusa.org)



Gina McCarthy/DC/USEPA/US

To "Betsy Shaw"

01/09/2013 03:23 PM

cc Janet McCabe, Joseph Goffman

bcc

Subject Fw: Keep Pollution Cops On The Beat: Congress Proposes Stripping \$100 Million From Clean Air Enforcement

Betsy - Is this something new and if so, can you get the scoop?

----- Forwarded by Gina McCarthy/DC/USEPA/US on 01/09/2013 03:21 PM -----

From: Paul Billings <Paul.Billings@lung.org>  
To: Arvin Ganesan/DC/USEPA/US@EPA, Laura Vaught/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA  
Date: 01/09/2013 12:42 PM  
Subject: FW: Keep Pollution Cops On The Beat: Congress Proposes Stripping \$100 Million From Clean Air Enforcement

---

FYI check out our new editorial cartoon and Peter's blog about the importance of keeping the pollution cop on the beat.

[Paul.Billings@Lung.org](mailto:Paul.Billings@Lung.org)

Paul G. Billings  
Senior Vice President, Advocacy & Education  
American Lung Association  
202-785-3355 x 3988

## **Keep Pollution Cops On The Beat: Congress Proposes Stripping \$100 Million From Clean Air Enforcement**

By Climate Guest Blogger on Jan 9, 2013 at 10:30 am

*by Peter Iwanowicz*

The Clean Air Act is one of the most successful public health laws we have. The U.S. Environmental Protection Agency's (EPA) [assessment](#) of the Act finds that in 2010 alone, the reductions in fine particle and ozone pollution from the 1990 Clean Air Act amendments prevented more than: 160,000 cases of premature mortality; 130,000 heart attacks; 13 million lost work days; and, 1.7 million asthma attacks.

Under normal implementation and enforcement of the Act, the EPA projects that in 2020, benefits will be even greater, preventing more than 230,000 cases of premature mortality, 200,000 heart attacks, 17 million lost work days, and, 2.4 million asthma attacks. The health benefits are expected to exceed \$2 trillion while the costs will be \$85 billion.

We are, however, working in anything but “normal” circumstances and EPA’s ability to realize these benefits is under significant risk.

For the past two years, Big Polluters and their allies in Congress have been working to roll back, weaken and block critically important updates to clean air standards that the EPA is required to make under the Act. These efforts included attempts to permanently block EPA rules that would limit [standards](#) to limit toxic air pollution from coal-fired power plants and [protect us](#) from air pollution that blows into other states. At the urging of Big Oil, members of Congress have also tried to [strip away](#) EPA’s authority to limit greenhouse gas emissions, which not only endangers our health today but also future generations by increasing temperatures that significantly contribute to the formation of lethal ozone (smog) pollution. Other attacks on the Clean Air Act have focused on undermining the very core of this public health focused law by attempting to [block consideration](#) of health benefits in setting clean air protections

Thus far, these attempts to impede our nation’s healthy air progress have been thwarted by the leadership in the Senate and the effective implementation of this healthy air law by the Obama Administration. Except for the [outrageous](#) decision made by the President in September 2011 to reject EPA’s proposed health standard for ozone, the Administration has largely acted to implement the Clean Air Act as required and as a result millions of people will lead healthier lives and tens of thousands will not die prematurely.

While Congress has reached a short-term agreement to avoid the so called “fiscal cliff,” the across the board budget cuts are still looming and could truly weaken the effectiveness of current air quality safeguards as Congress considers ways to reduce spending. Here’s why: According to the National Association of Clean Air Agencies (NACAA) more than [\\$100 million in budget cuts](#) to EPA’s Air program are proposed. Twenty-percent of the cut would be to the funds provided to states and local governments who monitor air pollution levels and administer permits for industrial facilities among other key aspect of the Act. In addition, EPA’s budget for enforcement would also be cut by \$64.5 million.

The inevitable result if these cuts are made will be delayed enforcement, fewer inspections of polluting facilities and a serious hit to the public’s right to know about levels of pollution in the air. Big Polluters might enjoy having fewer cops on the beat, but those who get sick and those that might die prematurely because air quality is not improving or being sufficiently monitored deserve better. The Clean Air Act promises healthy air for all to breathe. Fights over tax rates and deficit reduction should not have us [reaching for a gas mask](#) as a means of getting cleaner air.

Over the past two years, public support for the Clean Air Act has prevailed over the wishes of Big Polluters. Now more than ever [Congress needs to hear from you](#). There is a way [to balance](#)

the need for deficit reduction and at the same time, improve lung health.

*Peter Iwanowicz is Assistant Vice President of the American Lung Association. Cartoon by John de Rosier .*

\*\*\*\*\* ATTACHMENT NOT DELIVERED  
\*\*\*\*\*

This Email message contained an attachment named  
image001.jpg  
which may be a computer program. This attached computer program  
could  
contain a computer virus which could cause harm to EPA's  
computers,  
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses  
introduced  
into the EPA network. EPA is deleting all computer program  
attachments  
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate,  
you  
should contact the sender and request that they rename the file  
name  
extension and resend the Email with the renamed attachment.  
After  
receiving the revised Email, containing the renamed attachment,  
you can  
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at  
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED  
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Gina McCarthy/DC/USEPA/US

To "Betsy Shaw"

01/09/2013 03:23 PM

cc Janet McCabe, Joseph Goffman

bcc

Subject Fw: Keep Pollution Cops On The Beat: Congress Proposes Stripping \$100 Million From Clean Air Enforcement

Betsy - Is this something new and if so, can you get the scoop?

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FYI check out our new editorial cartoon and Peter's blog about the importance of keeping the pollution cop on the beat.

[Paul.Billings@Lung.org](mailto:Paul.Billings@Lung.org)

Paul G. Billings  
Senior Vice President, Advocacy & Education  
American Lung Association  
202-785-3355 x 3988

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*Peter Iwanowicz is Assistant Vice President of the American Lung Association. Cartoon by John de Rosier .*

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\*\*\*\*\*

Gina McCarthy/DC/USEPA/US

To "Heather Zichal"

07/15/2011 04:22 PM

cc

bcc

Subject Fw: Sierra Club + Enviros meeting request

Heather - folks are calling me. Are any on your list in invitees?  
Cindy Huang

----- Original Message -----

**From:** Cindy Huang

**Sent:** 07/15/2011 03:15 PM EDT

**To:** Gina McCarthy

**Cc:** Don Zinger

**Subject:** FW: Sierra Club + Enviros meeting request

Hi Gina, this is the Sierra Club meeting request you asked me to send you. -Cindy

From: Kesaaraa Wijeyewickrema <Kesaaraa.Wijeyewickrema@sierraclub.org>  
To: OAR Invitations@EPA  
Date: 07/14/2011 04:55 PM  
Subject: Re: Fw: Scheduling a meeting with Assistant Administrator McCarthy

---

Hi Cindy,

Thank you for the quick response. The coalition includes the Sierra Club, Union of Concerned Scientists, National Wildlife Federation, American Council for Energy Efficient Economy, the Safe Climate Campaign, and Environment America. A meeting for Monday or Tuesday is Best.

Sincerely,

Kesaaraa Wijeyewickrema  
Program Assistant  
Green Transportation  
Sierra Club  
50F st NW, Washington DC 20001  
202-675-6279

----- Forwarded by Cindy Huang/DC/USEPA/US on 07/15/2011 03:12 PM -----

From: Kesaaraa Wijeyewickrema <Kesaaraa.Wijeyewickrema@sierraclub.org>  
To: Cindy Huang/DC/USEPA/US@EPA  
Date: 07/14/2011 04:45 PM  
Subject: Scheduling a meeting with Assistant Administrator McCarthy

---

Dear Cindy,

I would like to schedule a meeting with Gina McCarthy for a coalition of environmental groups to discuss fuel efficiency standards for vehicles produced from 2017 through 2025. Would it be possible to schedule

a time for either Monday July 18th or Tuesday July 19?

Thank you,

Kesaaraa Wijeyewickrema  
Program Assistant  
Green Transportation  
Sierra Club  
50F st NW, Washington DC 20001  
202-675-6279

Jon Monger/DC/USEPA/US

06/04/2012 08:45 PM

To Bob Perciasepe

cc

bcc

Subject Roundtable this weekend in Arlington

Hi Bob:

I hope your week is going well. Are you around this weekend to potentially speak at a roundtable in Arlington being coordinated by the Sierra Club and LCV? Carol is also tentatively scheduled to speak. Happy to discuss further.

Thanks, and hope you are having a good evening.

--Jon

Arlington - June 9<sup>th</sup> or 10<sup>th</sup> - Arlington Public Library

Point of Contact: Matt Oberhoffner, Regional Field Director: 202.650.6080

[matto@saveoureenvironment.org](mailto:matto@saveoureenvironment.org)

*Groups Coordinating:* Sierra Club, League of Conservation Voters

*Tentative Speakers:* Carol Browner

Jon Monger  
White House Liaison  
Environmental Protection Agency

Monger.Jon@epa.gov  
202-564-0628 office  
202-██████ blackberry

Judith Enck/R2/USEPA/US

02/29/2012 05:11 PM

To Bob Sussman, Bob Perciasepe, Janet Woodka, Bob Martin

cc

bcc

Subject Fw: Good jobs/green jobs conferences

bob: this is the group I am scheduled to speak before. it's at their philadelphia conference. it is april 3. i will coordinate with shawn as the date gets closer.

Judith Enck

Regional Administrator

U.S. Environmental Protection Agency

290 Broadway

New York, N.Y. 10007-1866

(212) 637-5000

----- Forwarded by Judith Enck/R2/USEPA/US on 02/29/2012 05:10 PM -----

From: Janet Woodka/DC/USEPA/US

To: Gwendolyn KeyesFleming/R4/USEPA/US@EPA, Shawn Garvin/R3/USEPA/US@EPA, Susan Hedman/R5/USEPA/US@EPA

Cc: Curt Spalding/R1/USEPA/US@EPA, Judith Enck/R2/USEPA/US@EPA, Karl Brooks/R7/USEPA/US@EPA, Jim Martin/R8/USEPA/US@EPA, Dennis McLerran/R10/USEPA/US@EPA, Stephanie Owens/DC/USEPA/US@EPA, Bicky Corman/DC/USEPA/US@EPA

Date: 02/28/2012 05:07 PM

Subject: Good jobs/green jobs conferences

---

Hi all -

I just wanted to make sure that you had information on these "good jobs/green jobs" conferences. There are regional folks who have been working on the plenary sessions and workshops - as noted in the attached document. This is not a request to participate from HQ but just wanted you to be aware that this is going on (and give you some resources to go to).

Gwen may also have insight into the one that occurred in Atlanta last week that she can share and Bicky or Steph may know if others of these will be planned in other locations.

What:

National Conference coordinated by Blue/Green Alliance Foundation with many sponsors & participants (hundreds) from public and private sectors, including unions, environmental groups, universities, businesses, various levels of gov't, nonprofits, etc.

These conferences are a forum for sharing ideas and strategies to help promote, preserve and build coalitions that create good, green jobs and a green economy. Innovative ideas & strategies in the public, private and non-profit sectors are also show cased during the conference.

Conference features plenary sessions and workshops that range from a focus on clean energy manufacturing and supply chain developments to clean transportation alternatives, to responsible investment, to regional, state and local initiatives and partnerships, to workforce and economic development, to business, investments and new markets, and to renewable energy and energy efficiency. This is the fifth year for this national conference and the first year they are doing regional conferences instead of one national conference in DC.

Who/What is BG Alliance Foundation: "...conducts research and educates the public about solutions to environmental challenges that create economic opportunities for American people. Works with BlueGreen Alliance--a national partnership of labor unions and environmental organizations dedicated to expanding the number and quality of jobs in the green economy."

Who participates and/or sponsors this conference:

Business, community and elected leaders, union members, environmentalists, and government representatives (). Last year's sponsors included: AFL-CIO, Sierra Club, at&t, EDF, NRDC, Wilderness Society, NWF, United Steel Workers, Liuna, Phillips Lighting, UPS, Ohio & Oregon Environmental Council, Kaiser Aluminum, Honeywell, Goodyear, Cornell University ILR School, Greater Cincinnati Energy Alliance, The Corps Network, Solar Energy Industries Association, NGA, NLC, Women for a Health Environment, NW PA Green Economy Task Force, Center on Wisconsin Strategy, and lots more.

EPA is coordinating a total of 10 workshops for all four conferences. EPA workshops and descriptions are attached below.

Links:

Link to regional conferences & registration : <http://www.greenjobsconference.org/>

Atlanta: Feb 23 & 24

Los Angeles: March 15 & 16

Philadelphia: April 3 & 4

Detroit: May 10 & 11

Workshops Links: (same as agendas--includes more detail about sessions, e.g., moderators and presenters where listed)

Links to conference workshops in Philadelphia, Los Angeles or Atlanta: (Detroit conference not up yet)  
<http://www.greenjobsconference.org/2012/workshop-schedule>

Agenda Links:

Atlanta conference agenda: <http://www.greenjobsconference.org/agenda/2012/0/55>

Philadelphia conference agenda: <http://www.greenjobsconference.org/agenda/2012/0/58>

Los Angeles conference agenda: <http://www.greenjobsconference.org/agenda/2012/0/56>



EPA Workshops by Region.docx

**Karen Steuer**  
<ksteuer@pewtrusts.org>

01/08/2013 11:44 AM

To Bob Perciasepe

cc

bcc

Subject request to meet on CAFO rule

Dear Bob,

We initially met when I was working for George Miller and you in the Clinton EPA, but I'm now writing on behalf of The Pew Charitable Trusts, Natural Resources Defense Council, Environment America, Center on Progressive Reform, Sierra Club, and the Environmental Integrity Project to request a little of your time to discuss EPA's plans on the CAFO Regulations Revision Rule (RIN 2040-AF20) and how the Agency might address the serious ongoing water pollution problems associated with these facilities.

Attached please find a letter outlining some of our concerns and suggestions for resolution. According to DaRRT, the projected date for a proposed rule is April, 2013. We would appreciate meeting with you at your earliest convenience to ensure that our concerns are taken into account during EPA's deliberations on the proposal.

Please feel free to contact me by email or phone at any time if you have any questions, or for your staff to arrange a meeting.

Thank you,

Karen

**Karen Steuer**

Director, Government Relations

Pew Environment Group

901 E Street NW, Washington D.C.

(202) 887-8818

*ksteuer@pewtrusts.org*



EPA rule letter final 1-3-13.docx

Lena Moffitt  
<[lana.moffitt@sierraclub.org](mailto:lana.moffitt@sierraclub.org)>  
02/07/2013 03:57 PM

To Leslie Fields  
cc Denny Larson, Bob Perciasepe, Katherine Cima  
bcc  
Subject Re: State Department meeting scheduled for the 19th for refinery delegation

Thanks, Leslie!

On Thu, Feb 7, 2013 at 2:32 PM, Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)> wrote:  
Thanks Lena! I sent the EPA request to Bob Perciasepe (Deputy Administrator) and Lisa Garcia. Usually when we meet with Perciasepe we get representation from all the offices but I'll make the request to make sure Air/Radiation is in with us. best, Leslie

On Thu, Feb 7, 2013 at 11:45 AM, Denny Larson <[larson.denny@gmail.com](mailto:larson.denny@gmail.com)> wrote:  
I am at Smart Growth Conf and mentioned our trip to Charles Lee  
We really need EPA air enforcement folks to talk about the need for them to launch an program to track upsets and flaring and fires at tar sands refineries  
Like Region 6 did when Eric Schaeffer was there  
Thanks  
Denny

Denny Larson  
Global Community Monitor  
[www.gcmonitor.org](http://www.gcmonitor.org)

On Feb 7, 2013, at 8:50 AM, Lena Moffitt <[lana.moffitt@sierraclub.org](mailto:lana.moffitt@sierraclub.org)> wrote:

> We'll be meeting with Principal Deputy Assistant Secretary Judy Garber at the State Department at 10am. Denny, Leslie and I are still trying for meetings with EPA and CEQ and will let you know as soon as we get them! Katherine is putting together individualized itineraries for each participant, which we hope to send out tomorrow. Just wanted to keep everyone updated!  
> Thank you!  
>  
> --  
> Lena Moffitt  
> Sierra Club  
> [202-675-2396](tel:202-675-2396) (w)  
> [505-480-1551](tel:505-480-1551) (c)

--

Leslie G. Fields

Director, Environmental Justice & Community Partnerships Program  
Sierra Club  
50 F Street NW, Eighth Floor  
Washington, DC 20001  
[202-548-4586](tel:202-548-4586)  
[Leslie.Fields@sierraclub.org](mailto:Leslie.Fields@sierraclub.org)  
[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

--

Lena Moffitt  
Sierra Club  
202-675-2396 (w)  
505-480-1551 (c)

**Lisa Feldt/DC/USEPA/US**

07/12/2012 04:11 PM

To Bob Perciasepe

cc Nena Shaw, Teri Porterfield

bcc

Subject Fw: Gowanus Canal Superfund CAG Resolution

Judith and I just talked about the full CAG request. I have a recommendation for you on this and obviously will want to cross check with Mathy when he is back on Monday.

Nena/Teri, I'm sensitive to Bob's time but is there any time either later today (after 5:45) or tomorrow for Bob and I to have a quick phone call or I can come your way.

Lisa Feldt  
Deputy Assistant Administrator  
Office of Solid Waste & Emergency Response  
U.S. Environmental Protection Agency  
Phone: (202) 566-0200:  
Fax: (202) 566-0207  
feldt.lisa@epa.gov

----- Forwarded by Lisa Feldt/DC/USEPA/US on 07/12/2012 04:07 PM -----

From: Judith Enck/R2/USEPA/US  
To: Lisa Feldt/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA  
Date: 07/12/2012 03:57 PM  
Subject: Fw: Gowanus Canal Superfund CAG Resolution

---

Judith Enck  
Regional Administrator  
U.S. Environmental Protection Agency  
290 Broadway  
New York, N.Y. 10007-1866  
(212) 637-5000

----- Forwarded by Judith Enck/R2/USEPA/US on 07/12/2012 03:53 PM -----

From: Gowanus CAG <gowanuscagop@gmail.com>  
To: LisaP Jackson/DC/USEPA/US@EPA  
Cc: Judith Enck/R2/USEPA/US@EPA, Walter Mugdan/R2/USEPA/US@EPA, Christos Tsiamis/R2/USEPA/US@EPA, Natalie Loney/R2/USEPA/US@EPA  
Date: 07/12/2012 03:30 PM  
Subject: Gowanus Canal Superfund CAG Resolution

---

#### VIA Email

July 12, 2012

Lisa P. Jackson, Administrator  
United States Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave. N.W.  
Washington D.C. 20460

Dear Administrator Jackson,

The Gowanus Canal Superfund Site Community Advisory Group (CAG) consists of 54 representatives from

civic, environmental, business and community organizations, as well as individual “at-large” citizen-members who live or work in the Gowanus watershed. These individuals and organizations are concerned and active stakeholders with a vested interest in the success and permanence of the cleanup of the Gowanus Canal.

As you know, our community has been plagued by the pollution in the canal caused by combined sewer overflows whose toxic compounds and hazardous regulated materials present adverse health risks to people, animals and plant life. The Gowanus CAG has expressed its overwhelming support for addressing CSOs as part of the Superfund clean-up. As a result the Gowanus Canal Superfund Site Community Advisory Group (CAG) has unanimously passed the following resolution—

*The Gowanus Superfund Community Advisory Group fully supports the U.S. Environmental Protection Agency in its finding that New York City’s Combined Sewer Overflows are a significant contributor of harmful sediment and Superfund regulated PAHs and metals to the canal. The CAG takes the position that the total elimination of CSOs into the Gowanus Canal is the only acceptable solution to the problem.*

*The CAG asks that the EPA, under their Superfund authority, take the necessary measures that will ensure protection of the proposed remedy from ongoing CSO sediment solids deposits and the release of PAHs and other toxins.*

In summary, the CAG believes that the Superfund cleanup represents a unique opportunity to conduct a comprehensive cleanup of the Gowanus Canal and that it would be a waste of time, money, and energy to select a remedy that does not completely prevent recontamination by CSOs.

We respectfully urge you to take every action possible to support the full intent of this resolution, which will make a difference in the health and welfare of the residents of our community.

Gratefully yours,

***The Gowanus Canal Community Advisory Group***

Comprised of:

Brooklyn Chamber of Commerce  
Carroll Gardens Coalition for Respectful Development (CORD)  
Carroll Gardens Neighborhood Association  
Center for Urban Pedagogy  
Citizens of Pozzallo  
Cobble Hill Association  
Community Board 6  
Fifth Avenue Committee  
Friends and Residents of Greater Gowanus (FROGG)  
Friends of Douglass/Greene Park, Inc.  
Gowanus Canal Community Development Corporation  
Gowanus Canal Conservancy  
Gowanus Dredgers Canoe Club  
Gowanus Houses Tenants Association  
Gowanus Neighborhood Association/Gowanus-4-Life  
Metropolitan Waterfront Association  
Our Lady of Loretto  
Council #585, Knights of Columbus  
Park Slope Civic Council  
Park Slope Neighbors  
Pratt Center for Community Development

Proteus Gowanus  
Red Hook Civic Association  
Red Hook East Tenants Association  
Red Hook West Tenants Association  
Riverkeeper  
Sierra Club  
South Brooklyn Local Development Corporation  
Southwest Brooklyn Industrial Development Corporation  
Urban Divers Estuary Conservancy  
Wyckoff Gardens Tenants Association/Public Housing Communities, Inc.

And 25 At-Large Members

**Mathy  
Stanislaus/DC/USEPA/US**  
11/28/2012 06:43 PM

To Victoria Rivas-Vazquez  
cc Bob Perciasepe, Diane Thompson  
bcc  
Subject Fw: Fw: Environmental and Public Health Groups Urge  
Bloomberg, Cuomo to Reject Plan to Burn Debris in Brooklyn  
Park PRESS RELEASE

Please note that the Administrator was sent this directly by this blogger.

Mathy Stanislaus  
USEPA Assistant Administrator  
Office of Solid Waste & Emergency Response

-----Forwarded by Mathy Stanislaus/DC/USEPA/US on 11/28/2012 06:41PM

-----  
To: Mathy Stanislaus/DC/USEPA/US  
From: Judith Enck/R2/USEPA/US  
Date: 11/28/2012 06:13PM  
Subject: Fw: Environmental and Public Health Groups Urge Bloomberg, Cuomo to Reject  
Plan to Burn Debris in Brooklyn Park PRESS RELEASE

Sent by EPA Wireless E-Mail Services

---

**From:** Rob Jett [citybirder@earthlink.net]  
**Sent:** 11/28/2012 05:17 PM EST  
**To:** <envjoel@ix.netcom.com>  
**Cc:** George Pavlou; Joseph Siegel; MENDELSON.RICHARD@DOL.GOV; Phyllis Feinmark;  
Judith Enck; Tony Avella <avella@nysenate.gov>; rosenthall@assembly.state.ny.us;  
dkass@health.nyc.gov; Terry Wesley; AMY.RUTKIN@MAIL.HOUSE.GOV; Letitia James  
<james@council.nyc.ny.us>; JACKSON.LISAP@EPAMAIL.GOV;  
JBYRNE@GW.DEC.STATE.NY.US; ej@gw.dec.state.ny.us; nmoore@gw.dec.state.ny.us;  
mike@bloomberg2001.org; airregs@gw.dec.state.ny.us; 218lev3@gw.dec.state.ny.us;  
tim.minton@nbc.com; BGLADSTONE@WNYC.ORG; SANTORA@NYTIMES.COM;  
JGONZALEZ@EDIT.NYDAILYNEWS.COM; MIKE@DEMOCRACYNOW.ORG;  
GSMITH@NYDAILYNEWS.COM  
**Subject:** Re: Environmental and Public Health Groups Urge Bloomberg, Cuomo to Reject  
Plan to Burn Debris in Brooklyn Park PRESS RELEASE

The burning at Floyd Bennett Field has already begun and they are refusing reporters  
access into the park.

Rob

<http://citybirder.blogspot.com>

On Nov 27, 2012, at 12:22 PM, Joel R Kupferman <[envjoel@ix.netcom.com](mailto:envjoel@ix.netcom.com)> wrote:

Dear New Yorkers:

Time and again, concerned environmentalists have seen short-sighted policy decisions made in the immediate aftermath of a crisis create ever-spiraling toxic repercussions. From mass aerial pesticide spraying in response to the West Nile Virus outbreak; to the lack of protective gear, appropriate warnings and precautions afforded for first responders and others in the immediate vicinity of the World Trade Center buildings: concerns for the health and safety of the community at large need to be considered in the first moments following such disasters. This is especially in a dense and ecologically-sensitive area like the New York metropolitan region. The New York Environmental Law and Justice Project continues to monitor such activity at the regulatory, executive and legislative levels, coalescing with other local and national organizations to bring about awareness and accountability.

Today, the New York Environmental Law and Justice Project joins with the American Lung Association of the Northeast, New York Public Interest Research Group (NYPIRG), Sierra Club Atlantic Chapter and Citizens' Environmental Coalition to warn of the dangers inherent in "air-curtain" open-air burning of wood debris to dispose of waste material created by Superstorm Sandy. This is a particularly critical time to uphold – not relax – air pollution standards.

We should remember the burning of wood and trees in Miami after Hurricane Andrew in 1992. They had to stop because of the smoke and debris in the air and people getting sick, particularly those who were at the burn sites.

Alternatives should be explored including mulching. Mulch dealers might like to have the opportunity to get a lot of free wood mulch.

As for fire in the wood piles do we know what is actually in the wood pile? Do not assume only wood. There could also be spontaneous sources such as oil, grease, fuel, PCBs etc. from the storm. People are dumping everything into a pile with most likely no substantial separation.

While community responses to humanitarian needs like shelter, food and heat are a first priority in a situation such as Sandy has created, we continue to protect the environment in a fast-paced, 'on-the-ground' responsive way that only the New York Environmental Law and Justice Project provides. This is but one of many issues the Justice Project is monitoring – including the health hazards created by unabated mold in affected communities; potentially hazardous conditions for public service workers in harms' way weeks after the storm, and the potential for toxic release in burning of debris.

The Law Project is looking forward to working with you to advocate for effective governmental action on this issue.

Yours,

Joel R Kupferman, Esq.

**New York Environmental Law and Justice Project**

**Environmental Justice Initiative for Haiti**  
**National Lawyers Guild- Environmental Justice Committees**  
**NLG-NYC Hurricane Sandy Task Force**  
**NLG- northeast regional co-vice-president**  
351 Broadway FL3 New York NY 10013-3902  
[www.nyenvirolaw.org](http://www.nyenvirolaw.org)  
212-334-5551 F: 212-658-9540 Cell 917-414-1983

**FOR IMMEDIATE RELEASE**  
**November 26, 2012**

**Contact:**

Kathleen O'Neill, [koneill@lungne.org](mailto:koneill@lungne.org); 518.545.5045  
Laura Haight, [lhaight@nypirg.org](mailto:lhaight@nypirg.org), 518.588.5481

**Environmental and Public Health Groups Urge Bloomberg, Cuomo to Reject Plan to Burn Debris in Brooklyn Park**

*Shortsighted Proposal to Burn Waste Left From Hurricane Sandy Would Lead to Increased Levels of Air Pollution*

**(NEW YORK, NY)** – Today, a coalition of environmental and public health groups including the American Lung Association of the Northeast, New York Public Interest Research Group (NYPIRG), Sierra Club Atlantic Chapter, New York Law and Environmental Justice Project and Citizens' Environmental Coalition, joined together in calling on Mayor Bloomberg and Governor Cuomo to reject a plan which would allow the burning of wood and other yard debris generated by Hurricane Sandy.

The groups' call comes in response to a request made by a contractor involved in Hurricane Sandy recovery efforts to secure a variance from local air pollution regulations. The variance would authorize the company to burn storm-related vegetative debris in Floyd Bennett Field in Brooklyn. Burning wood debris may appear to offer a quick solution to coping with the vast amount of cleanup that remains to be done, but the groups contend it would have a detrimental effect on both air quality and public health.

Jeff Seyler, President and CEO of the American Lung Association of the Northeast declared, "Approving this proposal to allow debris to be burned would add insult to injury. Many parts of our region are still cleaning up from Hurricane Sandy and are already dealing with major indoor air quality issues because of flooding, water damage and the resulting mold growth. This proposal would increase air pollution which can also make people sick and send them the hospital. We urge the city and state to use safe non-combustion alternatives when disposing the remaining waste."

The groups explained that wood smoke contains at least 26 pollutants specified in the Clean Air Act as hazardous. Some include particulate matter, carbon monoxide, nitrogen oxides, volatile organic compounds, hazardous air pollutants and carcinogens. These gases can irritate the eyes, skin, and respiratory tract, impair lung function, and affect vital organs. "It is a terrible waste to just burn the trees that came down during the storm into ashes and smoke," said Laura Haight, senior environmental associate with the New York Public Interest Research Group. "There is a strong market for wood chips which can be used for garden mulch and a variety of other purposes. In this way, these casualties of the storm can be given a new life."

The American Lung Association's *State of the Air Report 2012* shows that the air is getting incrementally cleaner in the New York City metropolitan area. Allowing a variance that would give contractors to green light to burn debris and create more pollution would not only threaten this important progress but place public health at risk.

If the variance is approved, burning could begin as early as this week.

# # #

**About the American Lung Association of the Northeast**

The American Lung Association of the Northeast is part of the American Lung Association, the oldest voluntary health organization in the U.S. Established in 1904 to combat tuberculosis; our mission today is to save lives by improving lung health and preventing lung disease. The focus is on air quality, asthma, tobacco control, and all lung disease. The American Lung Association in the Northeast serves CT, MA, ME, NH, NY, RI and VT.

[www.LungNE.org](http://www.LungNE.org)

Michael Brune  
<[michael.brune@sierraclub.org](mailto:michael.brune@sierraclub.org)>

12/17/2012 11:46 AM

To Bob Perciasepe

cc

bcc

Subject Re: Thanks

Hi Bob,

I did get this message - not sure why you received a bounce-back.

It would be good to finish the conversation, as there are indeed some important water issues we should discuss. Please let me know if you're in the Bay Area and have some time. I'll also be in DC a couple times in January, so maybe we can get together then. Hope you have a great holiday.

Mike

Michael Brune  
Executive Director  
Sierra Club  
415-977-5662

[www.sierraclub.org](http://www.sierraclub.org)

Follow on [Facebook](#) and [Twitter](#)

On Mon, Dec 17, 2012 at 4:36 AM, <[Perciasepe.Bob@epamail.epa.gov](mailto:Perciasepe.Bob@epamail.epa.gov)> wrote:

Michael:

Thanks for the discussion Friday. We covered a bit of ground but ran out of time before we talked about some key water issues. I believe these will be important in the next 4 years, or sooner (waters of the US for example) so we may want to have another time to talk.

Let's set something up the next time you are in town here or I am out in SF. Or we can talk on phone anytime.

Thanks

Bob

**Michael Goo/DC/USEPA/US**

12/06/2012 06:53 AM

To "Bob Perciasepe", "Teri Porterfield"

cc

bcc

Subject Fw: Meeting with Bob Perciasepe

Hi Bob and Teri. As I mentioned to Bob, I'm passing along this request from the head of the Sierra Club to meet with Bob. My understanding is that the Administrator suggested Mike Brune get in touch. If it doesn't work out this time, I believe Mike Brune comes to town pretty frequently. Teri I will reply to the Sierra Club rep (John Coequyt) and Cc you so you are directly in touch with him. His contact info is below. Thanks very much.

---

**From:** John Coequyt [john.coequyt@sierraclub.org]

**Sent:** 12/05/2012 10:27 AM EST

**To:** Michael Goo

**Subject:** Meeting with Bob Perciasepe

Michael:

I am trying to set up a meeting between Mike Brune (Sierra Club ED) and Bob Perciasepe Friday the 14th between 9 and 11:30. I know it's a short window and if it doesn't work we will just try next time. Can you help get this request to the right person.

--

John Coequyt

Sierra Club

C: (202) 669-7060

O: (202) 675-7916

Nancy  
Ketcham-Colwill/DC/USEPA/U  
S

03/25/2010 06:45 PM

To Diann Frantz

cc

bcc

Subject Fw: Murkowski amdt

----- Forwarded by Nancy Ketcham-Colwill/DC/USEPA/US on 03/25/2010 06:45 PM -----

From: "Eric Thu" <ethu@capitolsolutions.com>  
To: Nancy Ketcham-Colwill/DC/USEPA/US@EPA  
Date: 01/12/2010 10:29 AM  
Subject: Murkowski amdt

---

Not sure if you saw this article today. Looks like you were right, it is either the amendment or the resolution and apparently she has yet to decide on a course of action. According to the article, the amendment strategy, while it could be more narrowly focused, is likely more risky with the 60 vote threshold and open to 2nd degree amendments. No mention of Andy Wheeler, but Holmstead instead. Interesting.

3. CLIMATE: Coal lobbyist downplays role in Murkowski amendment (01/12/2010)

Robin Bravender, E&E reporter

Industry lobbyist Jeff Holmstead is downplaying reports that he influenced an amendment to limit U.S. EPA climate regulations, but environmentalists are pointing to his role as proof that polluters were behind the effort.

Holmstead, former air chief during the George W. Bush administration and now an attorney at Bracewell & Giuliani, acknowledged that he advised Alaska Republican Sen. Lisa Murkowski's office on an amendment offered last fall. He maintained, however, that he had no role in writing the language.

"It is a wild exaggeration to say that I was somehow involved in drafting it," said Holmstead, whose clients include Southern Co., Duke Energy Corp., Arch Coal Inc. and the Salt River Project. He said the senator's office contacted him to ensure that the proposal did not go beyond its stated goal of limiting stationary source regulations for one year.

Holmstead's comments came after the Washington Post reported yesterday that he and another former EPA official, Roger Martella, "helped craft the original amendment Murkowski planned to offer on the floor last fall."

Martella, who served as EPA general counsel also during the Bush administration, is now an attorney at Sidley Austin, and represents the Alliance of Food Associations and the National Alliance of Forest Owners, according to recent lobbying reports. Martella was not immediately available for comment.

Environmentalists pounced on the reports as evidence that coal and oil interests are behind Murkowski's efforts.

"We now have proof that lobbyists for Big Oil, dirty coal and other special interests are directly involved in recent attempts to bail out big polluters and gut the Clean Air Act," said a Sierra Club press release. "What's more, these big polluter lobbyists are the same former Bush administration officials who completely disregarded the Clean Air Act and even disobeyed the Supreme Court for years."

Frank O'Donnell, president of Clean Air Watch, said, "It's pretty clear who's supporting and behind Murkowski. It's clearly the coal cabal and others who would try to block EPA from taking action."

Murkowski spokesman Robert Dillon said the Alaska senator reached out to a host of experts beyond the former Bush administration officials when considering the amendment, including EPA, Senate Democrats and Republicans, and other clean air experts. "To make it look like it was written by industry is just a hatchet job," Dillon said.

Murkowski's amendment, introduced to the fiscal 2010 EPA spending bill, would have prohibited the agency from regulating heat-trapping emissions from stationary sources like power plants and industrial facilities for one year. The proposal was quashed when Senate leadership decided not to allow the Alaska senator to offer it on the floor (Greenwire, Sept. 24, 2009).

EPA Administrator Lisa Jackson and some environmental attorneys argued last year that the amendment would have had the unintended effect of upending the agency's pending greenhouse gas limits for automobiles (E&E Daily, Sept. 24, 2009).

Dillon added that EPA never offered Murkowski's office a substantive response to requests for discussions about the amendment and its possible effects. Murkowski sent a letter to Jackson last October expressing "considerable disappointment" over how EPA handled the amendment (E&ENews PM, Oct. 8, 2009).

Jackson responded to Murkowski's concerns in an Oct. 20 letter laying out the agency's explanation for how the amendment would have affected pending EPA rules.  
Murkowski plots next step

Murkowski is now considering several other approaches to curb EPA's regulatory authority: another amendment that could be introduced on the floor next week and a formal disapproval resolution to block the agency from moving forward with all greenhouse gas regulations.

In a letter sent to senators last week, 37 left-leaning groups asked lawmakers to vote against an amendment from Murkowski (E&ENews PM, Jan. 11).

Dillon said the senator still has not decided whether to offer an amendment or move forward with the disapproval resolution.

Some proponents of efforts to limit EPA climate regulations are concerned that offering an amendment would open the door to a second-degree amendment from Democrats that would codify EPA's efforts to tailor greenhouse gas regulations so they do not hit the smallest industrial sources.

Lou Hayden, a policy analyst with the American Petroleum Institute, said in an interview last week that his group supports Murkowski's efforts

but has concerns about the tailoring rule (Greenwire, Jan. 8).

"We just have to be careful in the legislative solution that's put forward," Hayden said. "What we want to avoid is the tailoring rule, because the tailoring rule does not protect small emitters."

Eric Thu  
Capitol Solutions  
1455 Pennsylvania Ave., NW  
Suite 400  
Washington, DC 20004  
202-280-1525  
[www.capitolsolutions.com](http://www.capitolsolutions.com)

Nancy Stoner/DC/USEPA/US  
03/28/2011 06:36 PM

To Michael Goo, Jim Hanlon, Deborah Nagle, Cynthia Giles-AA,  
Catherine McCabe

cc

bcc

Subject Fw: a further thought about the Section 308 rule on CAFOs

fyi

----- Forwarded by Nancy Stoner/DC/USEPA/US on 03/28/2011 06:35 PM -----

From: Ed Hopkins <Ed.Hopkins@sierraclub.org>  
To: Nancy Stoner/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA  
Date: 03/28/2011 05:34 PM  
Subject: a further thought about the Section 308 rule on CAFOs

---

Thank you for meeting with us on Friday. Toward the end of our meeting, after Nancy left, we mentioned a GAO report related to EPA's information needs regarding CAFOs. I've taken another look at this and think that it helps to bolster the argument for collecting the kind of information outlined in the settlement. The GAO report was motivated by an effort by the CAFO industry and some members of Congress to eliminate reporting requirements for hazardous air pollutants under CERCLA and EPCRA, not by anything related to the Office of Water, as far as I know. The report makes a compelling case that OSWER and OAR could benefit from the kind of information we want you to collect. It's not just water pollution permitting or even water pollution; other parts of EPA could use this info, too.

I've cut and pasted in a few excerpt below. Seems like it could be helpful.

GAO September 2008 (GAO-08-944) <http://www.gao.gov/new.items/d08944.pdf>  
"Concentrated Animal Feeding Operations: EPA Needs More Information and a Clearly Defined Strategy to Protect Air and Water Quality from Pollutants of Concern"

p.4 No federal agency collects accurate and consistent data on the number, size, and location of CAFOs.

p.5 Over the last 5 years, EPA has been compiling data from its regions in an effort to develop information on the number of permitted CAFOs nationwide. However, we determined that these data are inconsistent and inaccurate and do not provide necessary information on the characteristics of these CAFOs. Without a systematic and coordinated process for collecting and maintaining accurate and complete information on the number, size, and location of permitted CAFOs, EPA does not have the information that it needs to effectively regulate these operations. EPA has indicated that it is working with the states to develop and implement a new national system to collect and maintain these data.

p.17 EPA does not have its own data collection process to determine the number, size, and location of CAFOs that have been issued permits nationwide. Since 2003, the agency has compiled quarterly estimates from its regions on the number of permits that have been issued to CAFOs. These data are developed by EPA's regional offices or originates with the state permitting authority. However, we determined that these data are inconsistent and inaccurate and do not provide EPA with the reliable data that it needs to identify and inspect permitted CAFOs nationwide. For example, according to EPA some uncertainty in the data exists because some states may be using general permits to cover more than one operation. In addition, EPA has not established adequate internal controls to ensure that the data are correctly reported. For example, officials from 17 states told us that data reported by EPA for their states were inaccurate. In one case, when we asked a state official for the number of CAFOs in his state, the official realized that the CAFO numbers reported by EPA's regional office were incorrect because of a clerical error, which resulted in some CAFO statistics for the state being doubled. After the state official discovered this error the state's data were corrected and resubmitted to EPA. Without a systematic and coordinated process for

collecting and maintaining accurate and complete information on the number, size, and location of permitted CAFOs nationwide, EPA does not have the information it needs to effectively regulate these operations. [emphasis added]

p.23 Since 2002, at least 68 government-sponsored or peer-reviewed studies have been completed on air and water pollutants from animal feeding operations. Of these 68 studies, 15 have directly linked pollutants from animal waste generated by these operations to specific health or environmental impacts, 7 have found no impacts, and 12 have made indirect linkages between these pollutants and health and environmental impacts. In addition, 34 of the studies have focused on measuring the amount of certain pollutants emitted by animal feeding operations that are known to cause human health or environmental impacts at certain concentrations... Although EPA is aware of the potential impacts of air and water pollutants from animal feeding operations, it lacks data on the number of animal feeding operations and the amount of discharges actually occurring. Without such data, according to EPA officials, the agency is unable to assess the extent to which these pollutants are harming human health and the environment. [emphasis added]

p. 30 While EPA recognizes the potential impacts that water and air pollutants from animal feeding operations can have on human health and the environment, it lacks the data necessary to assess how widespread these impacts are and has limited plans to collect the data it needs.

p.31 EPA officials we spoke with acknowledged that the potential human health and environmental impacts of some CAFO water pollutants, such as nitrogen, phosphorus, and pathogens, are well known... However, these officials also stated that EPA does not have data on the number and location of CAFOs nationwide and the amount of discharges from these operations. Without this information and data on how pollutant concentrations vary by type of operation, it is difficult to estimate the actual discharges occurring and to assess the extent to which CAFOs may be contributing to water pollution. According to agency officials, because of a lack of resources, the agency currently has no plans for a national study to collect information on CAFO water discharges. [emphasis added]

#### p.48 Recommendation

In order to more effectively monitor and regulate CAFOs, we recommend that the Administrator of the Environmental Protection Agency should complete the agency's effort to develop a national inventory of permitted CAFOs and incorporate appropriate internal controls to ensure the quality of the data.

Ed Hopkins  
Sierra Club  
408 C Street, NE  
Washington DC 20002  
202-675-7908 phone  
202-547-6009 fax  
ed.hopkins@sierraclub.org

**Nancy Stoner/DC/USEPA/US**  
12/04/2012 07:05 PM

To "Richard Windsor", Bob Perciasepe, "Bob Sussman", "Arvin Ganesan"  
cc  
bcc  
Subject Fw: fyi, environmental CEO letter on WOTUS guidance/rules

Nancy K. Stoner

---

**From:** Ed Hopkins [ed hopkins@sierraclub.org]  
**Sent:** 12/04/2012 09:54 AM EST  
**To:** Nancy Stoner  
**Subject:** fyi, letter on WOTUS guidance/rules

--

Ed Hopkins  
Sierra Club  
50 F Street, NW  
8th floor  
Washington DC 20001  
202-675-7908 phone  
202-547-6009 fax

[ed.hopkins@sierraclub.org](mailto:ed.hopkins@sierraclub.org)



Lew WOTUS guidance Dec 3 2012.pdf

Nate  
McMichael/DC/USEPA/US  
03/23/2012 02:56 PM

To John Millett  
cc Allison Dennis  
bcc

Subject Re: ACTION: WashPost Re: Energy Star Article DEADLINE:  
3/23

So that we all have it, here is the clean version along with the cover sheet summary.



Cover Sheet -Washington Post E Star.docxwashpostarticle OAR Edits clean.docx

---

Nate McMichael  
U.S. Environmental Protection Agency  
Office of Air and Radiation  
Office: (202) 564-0382  
Cell: (202) 236-4176

John Millett

great -- thanks -- could you please pack...

03/23/2012 01:48:49 PM

---

From: John Millett/DC/USEPA/US  
To: Nate McMichael/DC/USEPA/US@EPA  
Cc: Allison Dennis/DC/USEPA/US@EPA  
Date: 03/23/2012 01:48 PM  
Subject: Re: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/23

---

great -- thanks -- could you please package it for Gina's book with this explainer from Molly? Gina's outta here at 4 pm.

**SUMMARY:** Freelance editor hired by The Washington Post's advertising department is putting together this year's Environmental Leadership special section. They would like to include an article on the accomplishments of the Energy Star program. It would be a bylined article between 500-600 words. Here is an example of last year's:[attachment "Environmental Leadership April 20 2011.pdf" deleted by Nate McMichael/DC/USEPA/US]

**DEADLINE:** March 26

**Contributors for this year's edition:**

Sierra Club - Sierra Magazine's Lifestyle Editor, Avital Binshtock  
Terry McGowen of the American Lighting Association  
Sec. of the Navy's office (hoping to get the secretary's byline)  
Walter McManus, director of the Automotive Analysis Division at the University of Michigan  
Transportation Research Institute  
William Ruckelshaus, first EPA administrator  
a professor from the Yale Center for Business and the Environment  
Kathryn Potter, senior VP of American Hotel & Lodging Assn.  
Washington Gas  
Roger Berliner, pres. of Montgomery County Council  
DC Councilmember Tommy Wells  
City of Los Angeles  
Don Knapp from ICLEI/Cities for Sustainability  
Gov. Gregoire of Washington state  
Carbon Disclosure Project

~~~~~  
John Millett
Office of Air and Radiation Communications
U.S. Environmental Protection Agency
5411 Ariel Rios Building North
Washington, DC 20460
Phone: 202/564-2903
Cell: 202/██████████

Nate McMichael [Hi John, Here are the changes that you...](#) 03/23/2012 12:57:48 PM

From: Nate McMichael/DC/USEPA/US
To: John Millett/DC/USEPA/US@EPA
Cc: Allison Dennis/DC/USEPA/US@EPA
Date: 03/23/2012 12:57 PM
Subject: Re: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/23

Hi John,

Here are the changes that you suggested along with one or two minor tweaks of my own.

Thanks,
-Nate

[attachment "washpostarticle OAR Edits.docx" deleted by Nate McMichael/DC/USEPA/US]

Nate McMichael
U.S. Environmental Protection Agency
Office of Air and Radiation
Office: (202) 564-0382
Cell: (202) ██████████

John Millett [actually, Molly -- could you buy us anot...](#) 03/23/2012 12:53:14 PM

From: John Millett/DC/USEPA/US
To: Molly Hooven/DC/USEPA/US@EPA
Cc: Nate McMichael/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA
Date: 03/23/2012 12:53 PM
Subject: Re: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/23

actually, Molly -- could you buy us another day on this, till Monday?

Gina's crammed today and headed out of town -- no time for her review -- so I want to send her home with it.

~~~~~  
John Millett  
Office of Air and Radiation Communications  
U.S. Environmental Protection Agency  
5411 Ariel Rios Building North  
Washington, DC 20460  
Phone: 202/564-2903  
Cell: ██████████

Molly Hooven Ok--Standing by. Thanks. Molly Hooven 03/23/2012 12:18:33 PM

From: Molly Hooven/DC/USEPA/US  
To: John Millett/DC/USEPA/US@EPA  
Cc: Nate McMichael/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA  
Date: 03/23/2012 12:18 PM  
Subject: Re: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/23

Ok--Standing by. Thanks.

Molly Hooven  
Press Office  
U.S. Environmental Protection Agency  
202-564-2313  
hooven.molly@epa.gov

John Millett Thanks -- it still needs a couple tweaks.... 03/23/2012 10:17:58 AM

From: John Millett/DC/USEPA/US  
To: Molly Hooven/DC/USEPA/US@EPA  
Cc: Nate McMichael/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA  
Date: 03/23/2012 10:17 AM  
Subject: Re: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/23

Thanks -- it still needs a couple tweaks.

~~~~~  
John Millett
Office of Air and Radiation Communications
U.S. Environmental Protection Agency
5411 Ariel Rios Building North
Washington, DC 20460
Phone: 202/564-2903
Cell: 202/

Molly Hooven Good Morning, Sorry this has taken to l... 03/23/2012 09:07:06 AM

From: Molly Hooven/DC/USEPA/US
To: Nate McMichael/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA
Date: 03/23/2012 09:07 AM
Subject: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/23

Good Morning,

Sorry this has taken to long (right up until the deadline). Andra had the speechwriter take a look. The following can be attributed to Gina and sent to the reporter today. Since there were some changes, please let me know if you & Gina are ok with this copy as soon as you can. Deadline is today for the reporter.

Clean Version: [attachment "washpostarticle clean.docx" deleted by Molly Hooven/DC/USEPA/US]
Track Changes: [attachment "washpostarticle 3.19.12 mh_SE.docx" deleted by Molly Hooven/DC/USEPA/US]

Photos to be sent: [attachment "Energy Star Logo.JPG" deleted by Molly Hooven/DC/USEPA/US]
[attachment "GinaMcCarthy.jpg" deleted by Molly Hooven/DC/USEPA/US]

Thank you,
Molly

Molly Hooven
Press Office
U.S. Environmental Protection Agency
202-564-2313
hooven.molly@epa.gov

Allison Dennis [Here you go! Ideally, we would LOVE a...](#) 03/13/2012 04:14:45 PM

From: Allison Dennis/DC/USEPA/US
To: Andra Belknap/DC/USEPA/US@EPA, Molly Hooven/DC/USEPA/US@EPA
Cc: Denise Durrett/DC/USEPA/US@EPA, Brittney Gordon/DC/USEPA/US@EPA, Maura Beard/DC/USEPA/US@EPA, Dru Ealons/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA
Date: 03/13/2012 04:14 PM
Subject: Fw: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/19

Here you go!

Ideally, we would LOVE a LPJ byline. If that doesn't work, we are happy with a Gina byline (Gina has given her OK)

We'd also like to use this text as a basis for Thursday's *Greenversations* blog (which *could* be cross posted on LPJ's blog)

Also, Dru mentioned this afternoon that she was pondering the idea of having a roundtable participant provide a guest blog about the roundtable/ES anniversary to post on EPA's blog sites and/or a WH blog? I think this is a GREAT idea.

/Allison

[attachment "washpostarticle3_12_12AD.docx" deleted by Molly Hooven/DC/USEPA/US]

Allison Dennis
U.S. Environmental Protection Agency
Office of Air and Radiation Communications

Phone: 202-564-1985

Send mail to:

U.S. Environmental Protection Agency

MC: 6101A

1200 Pennsylvania Ave., NW

Washington, DC 20460

----- Forwarded by Allison Dennis/DC/USEPA/US on 03/13/2012 04:12 PM -----

From: Allison Dennis/DC/USEPA/US
To: John Millett/DC/USEPA/US@EPA
Date: 03/07/2012 12:48 PM
Subject: Fw: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/19

Hi John,

This would be a fantastic opportunity for Energy Star to talk about their 20th anniversary. If you think this is do-able, would it be possible to have the byline from Gina? We would be able to provide her with the draft article next Tuesday morning for review.

Thanks!

/Allison

Allison Dennis
U.S. Environmental Protection Agency
Office of Air and Radiation Communications

Phone: 202-564-1985

Send mail to:

U.S. Environmental Protection Agency

MC: 6101A

1200 Pennsylvania Ave., NW

Washington, DC 20460

----- Forwarded by Allison Dennis/DC/USEPA/US on 03/07/2012 12:28 PM -----

From: Molly Hooven/DC/USEPA/US
To: Karen Schneider/DC/USEPA/US@EPA, Gwendolyn Taylor/DC/USEPA/US@EPA, Maura Beard/DC/USEPA/US@EPA
Cc: Allison Dennis/DC/USEPA/US@EPA
Date: 03/05/2012 09:12 AM
Subject: ACTION: WashPost Re: Energy Star Article DEADLINE: 3/19

Hi,

SUMMARY: Freelance editor hired by The Washington Post's advertising department is putting together this year's Environmental Leadership special section. They would like to include an article on the accomplishments of the Energy Star program. It would be a bylined article between 500-600 words. I was thinking we could talk about Energy Star's 20th anniversary. Ethics said it is ok to proceed with this request. Please let me know if it's possible and who you think you might have bylined? Thanks.

Here is an example of last year's: [attachment "Environmental Leadership April 20 2011.pdf" deleted by Molly Hooven/DC/USEPA/US]

DEADLINE: March 19 in AM

Contributors for this year's edition:

Sierra Club - Sierra Magazine's Lifestyle Editor, Avital Binshtock

Terry McGowen of the American Lighting Association

Sec. of the Navy's office (hoping to get the secretary's byline)

Walter McManus, director of the Automotive Analysis Division at the University of Michigan

Transportation Research Institute

William Ruckelshaus, first EPA administrator

a professor from the Yale Center for Business and the Environment

Kathryn Potter, senior VP of American Hotel & Lodging Assn.

Washington Gas

Roger Berliner, pres. of Montgomery County Council

DC Councilmember Tommy Wells

City of Los Angeles

Don Knapp from ICLEI/Cities for Sustainability
Gov. Gregoire of Washington state
Carbon Disclosure Project

Molly Hooven
Press Office
U.S. Environmental Protection Agency
202-564-2313
hooven.molly@epa.gov

**Bob
Perciasepe/DC/USEPA/US**
Sent by: Nena Shaw

10/25/2011 04:19 PM

To Bob Sussman, Debbie Dietrich, Gina McCarthy, Jonathan
Edwards, Lisa Feldt, Mathy Stanislaus, Mike Flynn, Nancy
Stoner, Scott Fulton

cc

bcc

Subject Rescheduled: Environmental Groups re Radiation Issues -
Nena scheduled this meeting. (Oct 31 12:00 PM EDT in
3530 (need a projector for a powerpoint presentation))

Attached please find a letter from environmental and public health groups on a number of radiation issues and requesting a meeting, plus an attachment thereto.

The letter is from Center for Health, Environment & Justice □ Clean Water Action □ Committee to Bridge the Gap □ Environment America □ Food and Water Watch □ Friends of the Earth □ Greenpeace □ Massachusetts Citizens for Safe Energy □ Natural Resources Defense Council □ Nuclear Information and Resource Service □ Physicians for Social Responsibility □ Professor Richard Clapp □ Public Citizen □ Sierra Club

The point of contact is Dan Hirsch 831 336 8003, cell (b) (6).

Thank you.

2 attachments



Grp Ltr to EPA on Rad Issues 8-15-11.pdf 080509LetterToEPAr4.pdf

POC - Nena Shaw

All - Please let me know if this time will work for you. This is regarding the August 15, 2011 letter from several environmental groups regarding radiation protection matters including the PAGs. I have listed the environmental groups below.

Center for Health, Environment, and Justice
Clean Water Action
Committee to Bridge the Gap
Environment America
Food and Water Watch
Friends of the Earth
Greenpeace
Massachusetts Citizens for Safe Energy
Natural Resources Defense Council
Nuclear Information and Resource Service
Physicians for Social Responsibility
Boston university School of Public Health
Public Citizen
Sierra Club

Thanks. Nena

**Bob
Perciasepe/DC/USEPA/US**
Sent by: Nena Shaw

10/03/2011 03:04 PM

To Gina McCarthy, Mathy Stanislaus, Nancy Stoner, Scott
Fulton

cc

bcc

Subject Environmental Groups re Radiation Issues - Nena scheduled
this meeting.

Meeting

Date 10/31/2011

Time 12:00:00 PM to 01:00:00 PM

Chair Bob Perciasepe

Invitees

Required Bob Sussman; Debbie Dietrich; Gina McCarthy; Jonathan Edwards; Lisa
Feldt; Mathy Stanislaus; Mike Flynn; Nancy Stoner; Scott Fulton

Optional

FYI

Location 3530 (need a projector for a
powerpoint presentation)

Attached please find a letter from environmental and public health
groups on a number of radiation issues and requesting a meeting, plus
an attachment thereto.

The letter is from Center for Health, Environment & Justice □ Clean
Water Action □ Committee to Bridge the Gap □ Environment America
□ Food and Water Watch □ Friends of the Earth □ Greenpeace □
Massachusetts Citizens for Safe Energy □ Natural Resources Defense
Council □ Nuclear Information and Resource Service □ Physicians for
Social Responsibility □ Professor Richard Clapp □ Public Citizen
□ Sierra Club

The point of contact is Dan Hirsch 831 336 8003, cell (b) (6)

Thank you.

2 attachments



Grp Ltr to EPA on Rad Issues 8-15-11.pdf 080509LetterToEPA4.pdf

POC - Nena Shaw

All - Please let me know if this time will work for you. This is regarding the August 15, 2011 letter from several environmental groups regarding radiation protection matters including the PAGs. I have listed the environmental groups below.

Center for Health, Environment, and Justice
Clean Water Action
Committee to Bridge the Gap
Environment America
Food and Water Watch
Friends of the Earth
Greenpeace
Massachusetts Citizens for Safe Energy
Natural Resources Defense Council
Nuclear Information and Resource Service
Physicians for Social Responsibility
Boston university School of Public Health
Public Citizen
Sierra Club

Thanks. Nena

Nickom Sukachevin
<Nickom.Sukachevin@lung.org>

09/27/2012 01:58 PM

To "ray.lahood@dot.gov"

cc Gina McCarthy, "beth.osborne@dot.gov",
"victor.mendez@dot.gov", "peter.rogoff@dot.gov",
"therese.mcmillan@dot.gov", "bbecker@4cleanair.org", Paul
Billings, Janice Nolen

bcc

Subject American Lung Association letter to the U.S. Department of
Transportation on CMAQ

On behalf of Paul Billings of the American Lung Association, please find attached our letter to the U.S. Department of Transportation in regards to revisions to the Congestion Mitigation and Air Quality (CMAQ) program, according to the recently passed Moving Ahead for Progress in the 21st Century (MAP-21) Act.

Thank you,

Nick Sukachevin
Associate, National Policy
American Lung Association National Headquarters
1301 Pennsylvania Ave., NW, Suite 800
Washington, DC 20004
Phone: (202)785-3355 x3456
Fax: (202)452-1805
E-mail: nickom.sukachevin@lung.org



www.lung.org

American Lung Association Letter to USDOT on CMAQ.pdf

scheduling

Sent by: Noah Dubin

11/15/2012 09:22 AM

To Bob Perciasepe, Gina McCarthy, Janet McCabe, Joseph Goffman, Scott Fulton

cc Avi Garbow

bcc

Subject Declined: Deputy Administrator's Meeting with American Lung Assoc. and Other Stakeholder Groups

**The Administrator will drop by 15 - 20 minutes

Noah Dubin/DC/USEPA/US
03/05/2012 11:08 AM

To Bob Sussman, Gina McCarthy, Justina Fugh, Jennie Keith,
Mike Shapiro
cc Donald Maddox, Ann Campbell, Don Zinger, Cindy Huang,
Linda Chappell, Daniel Fort, Gregory Peck, Martha Workman,
MichaelE Scozzafava
bcc
Subject Mtg request from Sierra Club et al. re: environmental impacts
of liquefied natural gas export proposals

RE: Mtg request from Sierra Club et al. re: environmental impacts of liquefied natural gas export proposals

Please see the attached invitation request for the Administrator and give your recommendation.

Thank you,

The Scheduling Office
Office of the Administrator

Please include this link in your response

<NOTES://DCOGCLN1/MHANSON\AO\IO\InvitationRequests.nsf/Processing/BA476490E6190504852579B500072577>

Description/Purpose
no date

Tentative Date	from	to	EPA Org:
03/30/2012			

Original Request (use Notes Viewer and set magnification (View, Magnification) to Fit Width)

**Columbia Riverkeeper * Delaware Riverkeeper * Earthjustice
Friends of Living Oregon Waters (FLOW) * Klamath-Siskiyou Wildlands Center
Lower Susquehanna Riverkeeper * Rogue Riverkeeper * Sierra Club**

February 29, 2012

The Honorable Nancy Sutley, Chair
Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable Lisa Jackson, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460

Dear Chairwoman Sutley and Administrator Jackson:

The Department of Energy's Office of Fossil Energy (DOE/FE) and the Federal Energy Regulatory Commission (FERC) are considering proposals to export approximately a fifth of the U.S. domestic gas supply as liquefied natural gas (LNG). Although these export applications are explicitly premised on exports' ability to increase production of unconventional natural gas, DOE/FE and FERC have, thus far, failed to consider the environmental impacts of this increased gas production under the National Environmental Policy Act (NEPA). We are therefore writing to ask you, pursuant to your obligations under NEPA and Section 309 of the Clean Air Act, to make clear that DOE/FE and FERC must consider these impacts, and alternatives which would avoid them, in an environmental impact statement (EIS) before moving forward.

As you know, NEPA provides that "all agencies of the Federal government" must prepare an EIS for every "major Federal action[] significantly affecting the quality of the human environment." 42 U.S.C. § 4332(C). The major federal action at issue here is DOE/FE and FERC's historic decision whether to permit massive amounts of LNG to be exported, largely deriving from unconventional gas plays.

DOE/FE and FERC share this authority under the Natural Gas Act. 15 U.S.C. § 717b(a). DOE/FE has authority to determine whether gas exports to nations with which the United States has not signed a free-trade agreement are in the "public interest," which includes "the authority to consider conservation, environmental, and antitrust questions." *Nat'l Ass'n for the Advancement of Colored People v. Federal Power Commission*, 425 U.S. 662, 670 n.4 & n.6 (1976); see also DOE Redesignation Order 00-002.04E (providing this authority to DOE/FE). FERC, in turn, considers where to site such facilities. See DOE Delegation Order 00-004.00A.



AX-12-000-4096.pdf

Noah Dubin/DC/USEPA/US
10/25/2012 10:28 AM

To Gina McCarthy, Justina Fugh, Jennie Keith, Stephanie
Owens, Dru Ealons
cc Don Zinger, Cindy Huang, Linda Chappell, Daniel Fort,
Sherry Stewart
bcc

Subject Meeting with American Lung Association to Discuss NAAQS

RE: Meeting with American Lung Association to Discuss NAAQS

Please see the attached invitation request for the Administrator and give your recommendation.

Thank you,

The Scheduling Office
Office of the Administrator

Please include this link in your response

<NOTES://DCOGCLN1/MHANSON\AO\IO\InvitationRequests.nsf/Processing/A2D43C1ED886EE6885257AA1006F5744>

Description/Purpose

early november

Tentative Date	from	to	EPA Org:
11/05/2012			

Original Request (use Notes Viewer and set magnification (View, Magnification) to Fit Width)

----- Forwarded by Noah Dubin/DC/USEPA/US on 10/18/2012 11:29 AM -----

From: Janice Nolen <Janice.Nolen@lung.org>
To: Noah Dubin/DC/USEPA/US@EPA
Cc: Cynthia Browne/DC/USEPA/US@EPA
Date: 10/18/2012 11:24 AM
Subject: Request to schedule a meeting with Administrator Jackson

Hello, Mr. Dubin:

The American Lung Association and other health and medical groups would like the opportunity to meet with Administrator Jackson in early November on the particulate matter national ambient air quality standards. We would appreciate time to share with her our thoughts on the need for strong, protective particulate matter standards before she makes her final decisions on this.

I'm taking the liberty to copy Cynthia Browne in Asst. Administrator McCarthy's office in case my information on the person to contact to schedule this meeting is in error. If so, would one of you please forward this request to the correct person.

Thank you,

Janice E. Nolen | Assistant Vice President, National Policy

American Lung Association

National Headquarters

1301 Pennsylvania Avenue, NW, Suite 800

Washington, DC 20004-1725

P 202.785.3355 | C 202.486.0285 | F 202.452.1805

Janice.Nolen@Lung.org | www.Lung.org



AX-12-001-7723.pdf

Noah Dubin/DC/USEPA/US
03/04/2011 12:01 PM

To Gina McCarthy, Seth Oster, Adora Andy, Catherine McCabe, Cynthia Giles-AA, Justina Fugh, Jennie Keith, Paul Anastas, David McIntosh
cc Don Zinger, Cindy Huang, Venu Ghanta, Candace White, Shakeba Carter-Jenkins, Linda Huffman, Daniel Fort, Nathan Gentry, Maryellen Radzikowski, Becky Fried
bcc
Subject Scheduling Office Requests Input: SCH002-Scheduling Request - Invitation- Keynote Speaker/ Sierra Club Climate Recovery Partnership Symposium

RE: SCH002-Scheduling Request - Invitation- Keynote Speaker/ Sierra Club Climate Recovery Partnership Symposium

Please see the attached invitation request for the Administrator and give your recommendation.

Thank you,

The Scheduling Office
Office of the Administrator

Please include this link in your response

<NOTES://DCOGLN1/MHANSON/AO\IO\InvitationRequests.nsf/Processing/9CE655585315505A85257842007A8EFE>

Description/Purpose

Date is flexible

Tentative Date	from	to	EPA Org:
04/05/2011			

Original Request (use Notes Viewer and set magnification (View, Magnification) to Fit Width)

Message Information

Date 02/23/2011 08:57 AM
From Noah Dubin/DC/USEPA/US
To Invitations@EPA
cc
Subject INVITATION? Fw: Scheduling Request Sierra Club Event April 5, 2011

Message Body

----- Forwarded by Noah Dubin/DC/USEPA/US on 02/23/2011 08:57 AM -----

From: Brian Caughell <brian.caughell@sierraclub.org>
To: scheduling@EPA, Heidi Ellis/DC/USEPA/US@EPA
Cc: Sarah Dale/DC/USEPA/US@EPA
Date: 02/22/2011 07:54 PM
Subject: Scheduling Request Sierra Club Event April 5, 2011

Hi Heidi -

I received your contact info from one of you colleagues, Sarah Dale. In 2009, she helped orchestrate the process for scheduling the Administrator to speak at one of our events we had in D.C.

I am writing to formally request Lisa Jackson for our upcoming event this April. Ideally, we would love to have the Administrator speak on April 5th as a keynote speaker, but also realize the demanding schedule she keeps and we are flexible.

Attached is a program from the event we had in 2009, the 2011 save the date invite, and a formal written request on letterhead.

Please contact me if you have any further questions. To learn more about the event please also visit sierraclub.org/crpsymposium

Look forward to hearing from you.

-Brian

Brian Caughell
415-977-5548



Date: February 22, 2011

To: Office of Lisa Jackson, EPA, Washington, D.C.

From: Office of Advancement, The Sierra Club, San Francisco, CA

Re: Invitation Request to Speak

We invite Administrator Jackson to help us shape the agenda for a clean energy future at our Climate Recovery Symposium, by requesting her to speak at our morning kick-off meeting **Tuesday, April 5th 9:00 AM at the DuPont Hotel in Washington, D.C.** This speech will serve as our key note address for the day and also set the tone for many of our symposium discussions. We understand the busy schedule this office keeps and would be honored to have her attend in any capacity, and of course, in a way that accommodates her calendar.

Our Tuesday agenda tentatively revolves around *Transitioning to a Clean Energy Economy* and also the current political landscape surrounding climate and energy legislation. We also have some key topics that are mentioned below which we hope will serve as the main discussion topics for our speakers. We feel Ms. Jackson's expertise on these topics and views on the current state of the environment would be extremely beneficial to our attendees. We are familiar with Ms. Jackson's speeches, and feel that her presence would be very influential with this dynamic group.

Overview

The Sierra Club is planning a three-day Climate Recovery Symposium April 4 -6, 2011, in Washington, DC. Key leaders from government, labor, finance, industry, philanthropy, and science will gather with leading advocates and supporters of the Club in order to discuss how we can work together to advance a clean energy future.

We are in the process of assembling a stellar array of thought leaders, activists, and innovators who will complete the spectrum of panelists and presenters, addressing the challenge of climate change from multiple perspectives. This invitation-only event will bring together a group of the best and the brightest among energy thought leaders. Targeted attendance is projected at about 100 individuals.

CRP Symposium Topics:

- Strategies for Success in a Congress Controlled by both Democrats and Republicans
- Protecting EPA's Authority

CLIMATE
RECOVERY
PARTNERSHIP



You're Invited

2011 Climate Recovery Partnership Symposium April 4-6 • Washington, D.C. • The Dupont Hotel

With Obama rounding the corner for the second half of his first term, the political landscape is shifting. Good news from the EPA and terrible news out of Congress shapes how we'll most effectively transition America off of a fossil fuel dependent economy that destroys our iconic wilderness and contributes to climate change. Together we must create a better way to manage our energy needs and treasured lands.

On April 4, 5, and 6, we'd like you to join us as we gather together thought leaders from Congress, the Obama administration, clean technology entrepreneurs, and leaders from Sierra Club's Scientific Advisory Panel - as well as our own volunteer and staff leadership to wrestle through the strategies we'll use to win our fight for American jobs, wilderness, and reduced contribution to climate change. We welcome your good ideas and participation in this event.

To register and for more information, please visit sierraclub.org/CRPSymposium



APRIL 5TH: TRANSITIONING TO A CLEAN ENERGY ECONOMY

- **Morning:** Strategies for Success in a Congress Set Up to Fail
- **Afternoon:** Protecting EPA's Authority and Making Sure They Use It
- **Afternoon:** Beyond Dirty Talk: Clean Energy Messaging



APRIL 6TH: PROTECTING AMERICA'S WILDERNESS & WATERWAYS

- **Morning:** Fossil Fuels and Favorite Landscapes
- **Afternoon:** What's Next for America's Wilderness and Waterways?



AX-11-000-2842.pdf

Noah Dubin/DC/USEPA/US

11/07/2012 03:16 PM

To Janice Nolen

cc Cindy Huang, Cynthia Browne, Don Zinger

bcc

Subject RE: Request to schedule a meeting with Administrator Jackson

Janice,

If the Administrator will be able to participate in this meeting, it won't be until a few weeks from now. She has an incredibly hectic couple of weeks coming up, and I can't foresee her being available until late Nov./early Dec. If you're willing to be patient and continue checking in w/ me, that would be great. But I completely understand if need an answer right now - if that's the case, we can look for alternate members of EPA's senior staff w/ whom your group can meet.

Let me know.

Janice Nolen

Hello Mr. Dubin: Following up to see if y...

11/06/2012 12:47:20 PM

From: Janice Nolen <Janice.Nolen@lung.org>
To: scheduling@EPA
Cc: Cynthia Browne/DC/USEPA/US@EPA, Cindy Huang/DC/USEPA/US@EPA, Noah Dubin/DC/USEPA/US@EPA
Date: 11/06/2012 12:47 PM
Subject: RE: Request to schedule a meeting with Administrator Jackson

Hello Mr. Dubin:

Following up to see if you've been able to schedule a time for our health groups to meet with the Administrator on the particulate matter national ambient air quality standards. We would like to meet with her prior to her making her final decision and sending that for review the Office of Management and Budget.

Thank you,
Janice Nolen

Janice E. Nolen

American Lung Association

Janice.Nolen@Lung.org

From: Janice Nolen

Sent: Tuesday, October 23, 2012 4:22 PM

To: 'scheduling@epa.gov'

Cc: Cynthia Browne (Browne.Cynthia@epamail.epa.gov); Cindy Huang (Huang.Cindy@epamail.epa.gov); 'dubin.noah@epa.gov'

Subject: Request to schedule a meeting with Administrator Jackson

Hello, Mr. Dubin:

As I mentioned to you on the phone, the American Lung Association and other health and medical groups would like the opportunity to meet with Administrator Jackson in early November on the particulate matter national ambient air quality standards. We would appreciate time to share with her our thoughts on the need for strong, protective particulate matter standards before she makes her final

decisions on this.

She has kindly met with us in the past, and we look forward to this opportunity to speak with her again.

Thank you,

Janice E. Nolen | Assistant Vice President, National Policy

American Lung Association

National Headquarters

1301 Pennsylvania Avenue, NW, Suite 800

Washington, DC 20004-1725

P 202.785.3355 | C 202.486.0285 | F 202.452.1805

Janice.Nolen@Lung.org | www.Lung.org



***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named image001.jpg which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED

Pat Childers/DC/USEPA/US

12/04/2009 02:48 PM

To John Millett

cc Don Zinger, Gina McCarthy, Janet McCabe, Joseph Goffman, rob brenner

bcc

Subject Re: Greenwire: New policy on lobbyists could spur shake-up for advisory panel (12/04/2009)

Thanks John,

I a scheduled to talk to Gina on membership issues next tuesday. This is a followup to the post article and the whitehouse blog entry.

Pat Childers
U.S. EPA
(202) 564-1082

John Millett

1. EPA: New policy on lobbyists could s...

12/04/2009 02:36:36 PM

From: John Millett/DC/USEPA/US
To: Gina McCarthy/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, rob brenner@EPA, Janet McCabe/DC/USEPA/US@EPA, Pat Childers/DC/USEPA/US@EPA
Date: 12/04/2009 02:36 PM
Subject: Greenwire: New policy on lobbyists could spur shake-up for advisory panel (12/04/2009)

1. EPA: New policy on lobbyists could spur shake-up for advisory panel (12/04/2009)

Robin Bravender, Sara Goodman and Taryn Luntz, E&E reporters

This story was updated at 1:15 p.m. EST.

A sweeping new White House policy aimed at ousting special interests from federal advisory panels might sweep registered lobbyists off some U.S. EPA advisory panels.

The policy could affect more than 20 EPA committees, which include representatives of environmental groups, industry and trade associations, and public health and academic institutions. The committees offer advice on issues ranging from air pollution and drinking water to children's health and environmental justice.

It remains unclear exactly how the White House directive will apply to EPA and which committees will be affected, but many of the registered lobbyists on agency boards may see their memberships terminated once their current appointments end.

"EPA of course intends to implement President Obama's Executive Order 13490 to limit the influence of federally registered lobbyists in his administration," an agency spokesman said. "We are updating our current policy and we anticipate releasing this new guidance in the coming weeks."

The agency failed to respond to inquiries about which committees would be affected.

The initiative is not expected to immediately require lobbyists to step down from their posts. The White House advised agencies to not reappoint anyone who is registered as a lobbyist when their current appointments expire.

Senate rules define a lobbyist as anyone paid to advocate on behalf of a client to lawmakers, certain administration officials or their aides if the person makes more than one total lobbying contact and the efforts make up 20 percent or more of his or her work time during any three-month period. Lobbying reports are filed four times a year and cover three-month periods.

While the vast majority of EPA's advisers are not registered lobbyists and many panels are not likely to be affected, EPA's clean air and pesticide programs are among those that could see the effects of the new policy.

On EPA's Clean Air Act Advisory Committee, seven of 41 members were registered lobbyists, according to the most recent lobbying reports. Others, who were registered lobbyists within the past several years, may also be affected by the new policy. The committee offers advice and counsel to EPA on a variety of air quality issues.

"I would think it would cause quite a shake-up on the Clean Air Act Advisory Committee," said Frank O'Donnell, president of the advocacy group Clean Air Watch, because several of the committee's members are registered lobbyists.

"This seems to be an unprecedented attempt to put some restrictions on the influence of lobbyists in D.C., and it's long overdue," O'Donnell said.

Some members of the committee criticized the policy, which they say will remove some air experts from both environmental and industry organizations.

"I generally find that the air pollution experts with the most knowledge and arguably the most expertise have lobbied Congress, and it doesn't seem to have interfered, at least that we can tell, with their participation," said Bill Becker, a member of the committee and executive director of the National Association of Clean Air Agencies. He is not a registered lobbyist.

"This was probably a broader policy guidance that was directed at many other agencies," Becker said. "I don't think they've had terrible problems at EPA."

Jeff Holmstead, a member of the committee and a registered lobbyist, agreed. "You're going to be completely undermining the process of advisory boards in many cases because, even though I think the administration has tried to make some political hay out of attacking lobbyists, most lobbyists are people who are just experts in a certain field." Holmstead, who served as EPA's clean air chief during the George W. Bush administration, is now an industry attorney at Bracewell & Giuliani. But Susan Kegley, a senior scientist at the Pesticide Action Network, who is a member of EPA's Pesticide Program Dialogue Committee, applauded the new initiative.

"Lobbyists bring with them the advantage of being able to do behind-closed-door discussions, and many times, they don't have much to say in public meetings," said Kegley, who is not a registered lobbyist. "You have to wonder, have they already worked this out behind closed doors?"

The agency's Pesticide Program Dialogue Committee has 45 members; up to seven people in the group could be affected by the new recommendations, mostly from industry groups but also including environmentalists. They meet up to three times a year to discuss pesticide regulatory, policy and program implementation issues such as registration review, spray drift, non-animal testing, antimicrobial pesticides and endangered species.

Kegley said in theory the policy is a good idea, but she does not believe the guidelines are likely to have a significant impact on the committee's work, because "lobbyists would still be meeting with representatives."

Mixed reviews

Keeping advisory boards free of lobbyists builds off the administration's expressed commitment to limiting the influence of special interests in Washington, White House special counsel Norm Eisen wrote when releasing the policy in September. Shortly after his inauguration, President Obama issued an executive order prohibiting federal appointees from handling any issues that they lobbied on within the past two years.

Mary Boyle, a spokeswoman for Washington-based nonprofit Common Cause, welcomed the new initiative. "In many cases, lobbyists who are on these boards have basically a paid point of view, and we see this as an opportunity to bring in new opportunities, new points of view, new expertise," she said.

Other observers say this latest effort will do little to curb K Street's influence and could expel some of the government's most knowledgeable experts.

"I think that it's done for rhetorical flourish and electoral politics, not for substantive participation because the monied interests can always afford to bring power to participate," said Paul Billings, vice president of national policy and advocacy at the American Lung Association and a registered lobbyist.

Norm Ornstein, an expert on Congress with the American Enterprise Institute said there is good reason to try to change the ways of business and the tone in Washington. "There has been a lot of logrolling and back-scratching that's gone on, and there's so much money floating around," he said.

Still, Ornstein said he expects the overhaul will ultimately have little effect on how lobbyists influence agencies. "You're probably going to end up with other people who have a similar set of interests being appointed to the panels," he said.

Rena Steinzor, president of the Center for Progressive Reform, said the policy will have a disproportionate impact on environmental and public interest groups.

"It is in theory a good idea, but as a practical matter, it's going to have a very bad impact on public-interest groups, because the number of industry people in this town who work on all these issues is so much larger than the number of public-interest representatives," Steinzor said.

Steinzor said industry groups have a wealth of non-lobbyist staff to send to advisory committees, whereas public-interest groups have fewer people and less flexibility.

"Industry groups can just take them off of the registration and send them to advisory groups without sacrificing anything," she said.

Having lobbyists on advisory committees is not problematic if there is a balanced set of interests represented among committee members, Georgetown University government professor Clyde Wilcox said.

"The people who lobby are not evil," Wilcox said. "They're often people who are lobbying for a cause. They care about an issue. They've worked on it for a long time." Advisory committees do not tend to draw "hired gun" lobbyists but those who have worked consistently with one company or interest group, he said.

Reporter Anne C. Mulkern contributed.

~~~~~  
John Millett  
Office of Air and Radiation Communications  
U.S. Environmental Protection Agency  
5411 Ariel Rios Building North  
Washington, DC 20460  
Phone: 202/564-2903  
Cell: (b) (6)

Patricia  
Embrey/DC/USEPA/US  
09/23/2010 03:17 PM

To Arvin Ganesan  
cc David McIntosh, "Joseph Goffman", Joseph Goffman, "David  
McIntosh"  
bcc  
Subject Re: Boiler mact

No. The old rule was vacated in 2007. The deadline case is also quite old.

Arvin Ganesan This took place in this administration right? 09/23/2010 03:12:25 PM

From: Arvin Ganesan/DC/USEPA/US  
To: David McIntosh/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA  
Cc: Patricia Embrey/DC/USEPA/US@EPA, "Joseph Goffman" <goffman.joseph@epa.gov>, "David  
McIntosh" <mcintosh.david@epa.gov>  
Date: 09/23/2010 03:12 PM  
Subject: Re: Boiler mact

This took place in this administration right?

Sent from my Blackberry Wireless Device

David McIntosh

----- Original Message -----

**From:** David McIntosh  
**Sent:** 09/23/2010 03:11 PM EDT  
**To:** Joseph Goffman  
**Cc:** Arvin Ganesan; Patricia Embrey; "Joseph Goffman"  
<goffman.joseph@epa.gov>; "David McIntosh" <mcintosh.david@epa.gov>  
**Subject:** Re: Boiler mact

Yes, it was the result of litigation. Sierra Club was one of the litigants. EPA issued the rulemaking proposal when it did in order to comply with an order that the court had issued in that litigation

Joseph Goffman ----- Original Message ----- From:... 09/23/2010 03:08:33 PM

From: Joseph Goffman/DC/USEPA/US  
To: Arvin Ganesan/DC/USEPA/US@EPA, "David McIntosh" <mcintosh.david@epa.gov>, "Joseph  
Goffman" <goffman.joseph@epa.gov>, "Patricia Embrey" <Embrey.Patricia@epamail.epa.gov>  
Date: 09/23/2010 03:08 PM  
Subject: Re: Boiler mact

Arvin Ganesan

----- Original Message -----

**From:** Arvin Ganesan  
**Sent:** 09/23/2010 03:01 PM EDT  
**To:** "David McIntosh" <mcintosh.david@epa.gov>; "Joseph Goffman"  
<goffman.joseph@epa.gov>  
**Subject:** Boiler mact

Was it the result of litigation? Who was the litigant?

For hearing.

Sent from my Blackberry Wireless Device

**Patricia  
Embrey/DC/USEPA/US**  
07/21/2011 08:58 AM

To Avi Garbow, Joseph Goffman  
cc Wendy Blake, Susmita Dubey, Peter Tsirigotis  
bcc  
Subject Boilers -- litigation update

I am not sure what to read into this, but Sierra Club apparently did not file any kind of motion in the Boilers District Court cases yesterday.

Patricia  
Embrey/DC/USEPA/US  
08/05/2009 09:09 AM

To: Beth Craig  
cc  
bcc  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

I think so.

Beth Craig Patricia, is it possible to do it today? Sh... 08/05/2009 09:02:56 AM

From: Beth Craig/DC/USEPA/US  
To: Patricia Embrey/DC/USEPA/US@EPA  
Date: 08/05/2009 09:02 AM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

Patricia, is it possible to do it today? She didn't give me a deadline which means she would like it relatively quickly. thanks, Beth

Patricia Embrey Sure. when does she need it? 08/05/2009 08:46:30 AM

From: Patricia Embrey/DC/USEPA/US  
To: Beth Craig/DC/USEPA/US@EPA  
Cc: Jeffrey Clark/RTP/USEPA/US@EPA  
Date: 08/05/2009 08:46 AM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

Sure. when does she need it?

Beth Craig Dear Patricia, Is it possible for you all to... 08/05/2009 08:39:09 AM

From: Beth Craig/DC/USEPA/US  
To: Patricia Embrey/DC/USEPA/US@EPA  
Cc: Jeffrey Clark/RTP/USEPA/US@EPA  
Date: 08/05/2009 08:39 AM  
Subject: Fw: Clean Air Act Title V Petition - Big Stone

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Thanks, Beth

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To: Steve Tuber/P2/R8/USEPA/US@EPA, Debrah Thomas/P2/R8/USEPA/US@EPA, videtich.callie@epa.gov, Robert Ward/RC/R8/USEPA/US@EPA, ornstein.peter@epa.gov  
Cc: Beth Craig, gaydosh.mike@epa.gov  
Date: 08/04/2009 08:41 AM  
Subject: Fw: Clean Air Act Title V Petition - Big Stone

Carol Rushin  
Acting Regional Administrator  
USEPA Region 8

1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Phone: 303.312.6308  
FAX: 303.312.6882

----- Forwarded by Carol Rushin/R8/USEPA/US on 08/04/2009 06:40 AM -----

**George Hays**  
<[georgehays@mindspring.com](mailto:georgehays@mindspring.com)>  
m>

08/03/2009 08:37 PM

To LisaP Jackson/DC/USEPA/US@EPA, Carol  
Rushin/R8/USEPA/US@EPA,  
DENRINTERNET@state.sd.us, TGraumann@otpc.com,  
cwmadsen@bgpw.com  
cc "Thomas Welk" <[tjwelk@bgpw.com](mailto:tjwelk@bgpw.com)>, Callie  
Videtich/P2/R8/USEPA/US@EPA, Christopher  
Ajayi/R8/USEPA/US@EPA, Sara  
Laumann/RC/R8/USEPA/US@EPA,  
Brian.Gustafson@state.sd.us, Roxanne.Giedd@state.sd.us,  
Carl Daly/R8/USEPA/US@EPA  
Subject Clean Air Act Title V Petition - Big Stone

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<http://www.sendspace.com/file/t8p2om>

George E. Hays  
Attorney at Law  
236 West Portal Avenue #110  
San Francisco, CA 94127  
Office: 415/566-5414 Fax: 415/731-1609  
e-mail: [georgehays@mindspring.com](mailto:georgehays@mindspring.com)[attachment "2009 8-3 Big Stone T5 Petition Final.pdf" deleted by  
[Patricia Embrey/DC/USEPA/US](mailto:Patricia_Embrey@DC/USEPA/US)]

Patricia  
Embrey/DC/USEPA/US  
08/05/2009 10:13 AM

To: Beth Craig  
cc  
bcc

Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

OK.

Beth Craig      Dear Patricia, One of the issues that Gi...      08/05/2009 10:12:48 AM

From: Beth Craig/DC/USEPA/US  
To: Patricia Embrey/DC/USEPA/US@EPA  
Date: 08/05/2009 10:12 AM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

Dear Patricia,

One of the issues that Gina has is whether anything in the Title V petition changes our approach/arguments/justification for the Johnson memo notice.

thanks, Beth

Patricia Embrey      I think so.      08/05/2009 09:09:26 AM

From: Patricia Embrey/DC/USEPA/US  
To: Beth Craig/DC/USEPA/US@EPA  
Date: 08/05/2009 09:09 AM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

I think so.

Beth Craig      Patricia, is it possible to do it today? Sh...      08/05/2009 09:02:56 AM

From: Beth Craig/DC/USEPA/US  
To: Patricia Embrey/DC/USEPA/US@EPA  
Date: 08/05/2009 09:02 AM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

Patricia, is it possible to do it today? She didn't give me a deadline which means she would like it relatively quickly. thanks, Beth

Patricia Embrey      Sure. when does she need it?      08/05/2009 08:46:30 AM

From: Patricia Embrey/DC/USEPA/US  
To: Beth Craig/DC/USEPA/US@EPA  
Cc: Jeffrey Clark/RTP/USEPA/US@EPA  
Date: 08/05/2009 08:46 AM  
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Subject: Fw: Clean Air Act Title V Petition - Big Stone

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Is it possible for you all to put together a short summary of the arguments that the Sierra Club made on why GHG are currently regulated under the CAA? Gina would like to get a copy. It is the Issue#3 section of the attached.

Thanks, Beth

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Cc: Beth Craig, gaydosh.mike@epa.gov  
Date: 08/04/2009 08:41 AM  
Subject: Fw: Clean Air Act Title V Petition - Big Stone

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Carol Rushin  
Acting Regional Administrator  
USEPA Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Phone: 303.312.6308  
FAX: 303.312.6882

----- Forwarded by Carol Rushin/R8/USEPA/US on 08/04/2009 06:40 AM -----

**George Hays**  
<[georgehays@mindspring.com](mailto:georgehays@mindspring.com)>  
m>

08/03/2009 08:37 PM

To: LisaP Jackson/DC/USEPA/US@EPA, Carol Rushin/R8/USEPA/US@EPA, DENRINTERNET@state.sd.us, TGraumann@otpc.com, cwmadsen@bgpw.com  
cc: "Thomas Welk" <[tjwelk@bgpw.com](mailto:tjwelk@bgpw.com)>, Callie Videtich/P2/R8/USEPA/US@EPA, Christopher Ajayi/R8/USEPA/US@EPA, Sara Laumann/RC/R8/USEPA/US@EPA, Brian.Gustafson@state.sd.us, Roxanne.Giedd@state.sd.us, Carl Daly/R8/USEPA/US@EPA  
Subject: Clean Air Act Title V Petition - Big Stone

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George E. Hays  
Attorney at Law  
236 West Portal Avenue #110  
San Francisco, CA 94127

Office: 415/566-5414 Fax: 415/731-1609

e-mail: [georgehays@mindspring.com](mailto:georgehays@mindspring.com)[attachment "2009 8-3 Big Stone T5 Petition Final.pdf" deleted by [Patricia Embrey/DC/USEPA/US](#)]

Patricia  
Embrey/DC/USEPA/US  
08/05/2009 05:36 PM

To Beth Craig  
cc  
bcc

Subject Re: Fw: Clean Air Act Title V Petition - Big Stone

Kristi Smith did all the work. I am just the messenger.

Beth Craig Dear Patricia, Thank you so much. Thi... 08/05/2009 05:34:08 PM

From: Beth Craig/DC/USEPA/US  
To: Patricia Embrey/DC/USEPA/US@EPA  
Cc: Jeffrey Clark/RTP/USEPA/US@EPA, zinger.don@epa.gov  
Date: 08/05/2009 05:34 PM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

Dear Patricia,

Thank you so much. This is extremely helpful, Beth

Patricia Embrey Beth -- Attached is the summary you re... 08/05/2009 04:04:36 PM

From: Patricia Embrey/DC/USEPA/US  
To: Beth Craig/DC/USEPA/US@EPA  
Cc: Jeffrey Clark/RTP/USEPA/US@EPA  
Date: 08/05/2009 04:04 PM  
Subject: Re: Fw: Clean Air Act Title V Petition - Big Stone

Beth --

Attached is the summary you requested. I hope this is helpful to Gina. Please let us know if you need anything further.

Patricia

[attachment "GHG issues in Big Stone.doc" deleted by Patricia Embrey/DC/USEPA/US]

Beth Craig Dear Patricia, Is it possible for you all to... 08/05/2009 08:39:09 AM

From: Beth Craig/DC/USEPA/US  
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Date: 08/05/2009 08:39 AM  
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<[georgehays@mindspring.com](mailto:georgehays@mindspring.com)>  
m>

08/03/2009 08:37 PM

To LisaP Jackson/DC/USEPA/US@EPA, Carol  
Rushin/R8/USEPA/US@EPA,  
DENRINTERNET@state.sd.us, TGraumann@otpc.com,  
cwmadsen@bgpw.com  
cc "Thomas Welk" <[tjwelk@bgpw.com](mailto:tjwelk@bgpw.com)>, Callie  
Videtich/P2/R8/USEPA/US@EPA, Christopher  
Ajayi/R8/USEPA/US@EPA, Sara  
Laumann/RC/R8/USEPA/US@EPA,  
Brian.Gustafson@state.sd.us, Roxanne.Giedd@state.sd.us,  
Carl Daly/R8/USEPA/US@EPA  
Subject Clean Air Act Title V Petition - Big Stone

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e-mail: [georgehays@mindspring.com](mailto:georgehays@mindspring.com)[attachment "2009 8-3 Big Stone T5 Petition Final.pdf" deleted by [Patricia Embrey/DC/USEPA/US](mailto:Patricia_Embrey@DC/USEPA/US)]



**Patricia Embrey/DC/USEPA/US**  
08/05/2009 08:46 AM

To Beth Craig  
cc Jeffrey Clark  
bcc  
Subject Re: Fw: Clean Air Act Title V Petition - Big Stone

Sure. when does she need it?

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From: Beth Craig/DC/USEPA/US  
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cc "Thomas Welk" <[tjwelk@bgpw.com](mailto:tjwelk@bgpw.com)>, Callie Videtich/P2/R8/USEPA/US@EPA, Christopher Ajayi/R8/USEPA/US@EPA, Sara Laumann/RC/R8/USEPA/US@EPA, Brian.Gustafson@state.sd.us, Roxanne.Giedd@state.sd.us, Carl Daly/R8/USEPA/US@EPA  
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e-mail: [georgehays@mindspring.com](mailto:georgehays@mindspring.com)[attachment "2009 8-3 Big Stone T5 Petition Final.pdf" deleted by [Patricia Embrey/DC/USEPA/US](#)]

Patricia  
Embrey/DC/USEPA/US  
09/23/2010 03:14 PM

To David McIntosh  
cc Arvin Ganesan, "Joseph Goffman", Joseph Goffman, "David  
McIntosh"  
bcc  
Subject Re: Boiler mact

Agreed -- We had previously issued a Boiler MACT that the court vacated after litigation. We are now under a consent order from a deadline suit to complete the rule. Sierra Club is the litigant.

David McIntosh Yes, it was the result of litigation. Sierra... 09/23/2010 03:10:34 PM

From: David McIntosh/DC/USEPA/US  
To: Joseph Goffman/DC/USEPA/US@EPA  
Cc: Arvin Ganesan/DC/USEPA/US@EPA, "Patricia Embrey" <Embrey.Patricia@epamail.epa.gov>, "Joseph Goffman" <goffman.joseph@epa.gov>, "David McIntosh" <mcintosh.david@epa.gov>  
Date: 09/23/2010 03:10 PM  
Subject: Re: Boiler mact

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From: Joseph Goffman/DC/USEPA/US  
To: Arvin Ganesan/DC/USEPA/US@EPA, "David McIntosh" <mcintosh.david@epa.gov>, "Joseph Goffman" <goffman.joseph@epa.gov>, "Patricia Embrey" <Embrey.Patricia@epamail.epa.gov>  
Date: 09/23/2010 03:08 PM  
Subject: Re: Boiler mact

Arvin Ganesan

----- Original Message -----

**From:** Arvin Ganesan  
**Sent:** 09/23/2010 03:01 PM EDT  
**To:** "David McIntosh" <mcintosh.david@epa.gov>; "Joseph Goffman" <goffman.joseph@epa.gov>  
**Subject:** Boiler mact

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For hearing.

Sent from my Blackberry Wireless Device

**Patricia  
Embrey/DC/USEPA/US**  
09/14/2010 06:34 PM

To Eric Ginsburg, Joseph Goffman, Peter Tsirigotis, zenick.elliott  
cc Avi Garbow, David McIntosh, ossias.richard, Steve Page  
bcc

Subject Pre-brief for meeting with Doniger/Spalding/Patton/Meyers

Attached is a list of questions that Elliott and I think we need to understand the answers to before we go into the Thursday meeting with NRDC, Sierra Club and EDF. If you have a chance please read this over before we meet tomorrow morning so that we can discuss them (and any other questions you think are missing from our list). Thanks.



Questions needing resolution before September 16.doc

**Patricia  
Embrey/DC/USEPA/US**

02/23/2010 03:19 PM

To Gina McCarthy, Janet McCabe

cc Peter Tsirigotis, Wendy Blake, Amy Branning

bcc

Subject Thank you

Thanks to both of you for taking the time to meet with Sierra Club and Earth Justice this afternoon. I think it went very well, and hopefully will result in us being able to wrap this case up. We will let you know when we hear more from Jim Pew.

**Patricia  
Embrey/DC/USEPA/US**

02/01/2010 04:29 PM

To Janet McCabe

cc

bcc

Subject Pre-meet for the 11 a.m. Sierra Club meeting

I am sure your schedule is full, but I just wanted to let you know we are having a short pre-meet with Peter T at 9:30 tomorrow. You are welcome to join us (in which case we would come to you). If not, and you want to talk for a few minutes at another time, let me know.

Thanks,

Patricia

Patricia  
Embrey/DC/USEPA/US  
07/18/2011 08:44 PM

To Joseph Goffman  
cc  
bcc

Subject Re: next order of business on Sierra Club and Boiler MACT

Now is probably a safer bet. Feel free to call.  
Joseph Goffman

----- Original Message -----

**From:** Joseph Goffman  
**Sent:** 07/18/2011 08:40 PM EDT  
**To:** Patricia Embrey  
**Subject:** Re: next order of business on Sierra Club and Boiler MACT

Not a big deal, but a Gina request. Can do in a 5-7 minute call this evening at your convenience or first thing tomorrow. Thanks.

Patricia Embrey

----- Original Message -----

**From:** Patricia Embrey  
**Sent:** 07/18/2011 08:37 PM EDT  
**To:** Joseph Goffman  
**Subject:** Re: next order of business on Sierra Club and Boiler MACT

Now what?

Joseph Goffman

----- Original Message -----

**From:** Joseph Goffman  
**Sent:** 07/18/2011 07:52 PM EDT  
**To:** Patricia Embrey  
**Subject:** next order of business on Sierra Club and Boiler MACT

around for a quick call? thanks.

Joseph Goffman  
Senior Counsel to the Assistant Administrator  
Office of Air and Radiation  
US Environmental Protection Agency  
202 564 3201

Patricia  
Embrey/DC/USEPA/US  
07/13/2011 10:11 AM

To Joseph Goffman, Peter Tsirigotis  
cc  
bcc  
Subject Fw: Impending contempt motion from Sierra Club in Boiler  
MACT case

fyi . . . .

----- Forwarded by Patricia Embrey/DC/USEPA/US on 07/13/2011 10:10 AM -----

From: Patricia Embrey/DC/USEPA/US  
To: Scott Fulton/DC/USEPA/US@EPA, Avi Garbow/DC/USEPA/US@EPA, Joel  
Beauvais/DC/USEPA/US@EPA  
Cc: Richard Ossias/DC/USEPA/US@EPA  
Date: 07/13/2011 10:10 AM  
Subject: Impending contempt motion from Sierra Club in Boiler MACT case

---

Earth Justice (representing Sierra Club) has told DOJ that they are going to file the following tomorrow:

1. In the District Court deadline suit (where we have a court order that we were complying with by signing the final Boiler MACT rule in February), they are going to move for contempt and for an order to expedite consideration. Presumably their argument is that by staying the rule we have failed to satisfy the court order.
2. They are going to file a new case seeking review under the APA of EPA's action staying the Boiler MACT rule. They say they will also file a motion for summary judgment, a motion to expedite and a motion to consolidate with the old case.

**Paula  
Ballentine/R1/USEPA/US**  
03/19/2012 10:52 AM

To: Brendan Gilfillan  
cc: John Millett, Nancy Grantham  
bcc:  
Subject: Re: MATS op-ed with American Lung Association

Great. Thanks for the update!

Brendan Gilfillan We're still developing our strategy on t... 03/19/2012 10:50:27 AM

From: Brendan Gilfillan/DC/USEPA/US  
To: Paula Ballentine/R1/USEPA/US@EPA  
Cc: John Millett/DC/USEPA/US@EPA, Nancy Grantham/R1/USEPA/US@EPA  
Date: 03/19/2012 10:50 AM  
Subject: Re: MATS op-ed with American Lung Association

We're still developing our strategy on this - let us get a little further down the road and we'll circle back. Thanks.

Paula Ballentine Hey guys - just wanted to check in and... 03/19/2012 10:48:13 AM

From: Paula Ballentine/R1/USEPA/US  
To: Brendan Gilfillan/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA  
Cc: Nancy Grantham/R1/USEPA/US@EPA  
Date: 03/19/2012 10:48 AM  
Subject: MATS op-ed with American Lung Association

Hey guys - just wanted to check in and see if this is something we are cleared to proceed with. Give me a shout if you have any questions.

Paula  
617-918-1027

see below -- from our ALA colleagues --presume this would be a national issue .. so want to check in before responding to them. thanks ng

----- Forwarded by Nancy Grantham/R1/USEPA/US on 03/15/2012 12:00 PM -----

From: Paula Ballentine/R1/USEPA/US  
To: Dave Deegan/R1/USEPA/US@EPA, Nancy Grantham/R1/USEPA/US@EPA  
Date: 03/15/2012 10:55 AM  
Subject: MATS op-ed

thoughts?

----- Forwarded by Paula Ballentine/R1/USEPA/US on 03/15/2012 10:54 AM -----

From: "Candace Lavin" <cplavin@verizon.net>  
To: Paula Ballentine/R1/USEPA/US@EPA  
Cc: "Geoff Esposito" <gesposito@lungne.org>, "Katie King" <kking@lungne.org>  
Date: 03/15/2012 10:53 AM  
Subject: FW: op-ed

Speaking of the Devil, I got this update just a minute ago:

Sen. Jim Inhofe grabbed his 30th co-sponsor today — the required minimum — for his Congressional Review Act vote to halt EPA's Mercury and Air Toxics Standards rule. It would require a simple majority to pass, but the president can veto it. Inhofe was mum when asked who tipped the scales and when the vote would be.

Candace

**From:** Candace Lavin [mailto:cplavin@verizon.net]  
**Sent:** Thursday, March 15, 2012 9:34 AM  
**To:** 'Paula Ballentine'  
**Cc:** 'Geoff Esposito'; 'Katie King'  
**Subject:** op-ed

Hi Paula,

As you probably know, Sen. Inhofe has introduced the CRA resolution, S.J. Res 37, to overturn MATS. This could be an opportunity for EPA and ALA to submit some op-eds. Thoughts?

Best,

Candace

Candace Lavin

Field Organizer

Massachusetts Healthy Air Campaign

[cplavin@verizon.net](mailto:cplavin@verizon.net)

508-520-1098 (Home/Work)

774-571-9299 (Cell)

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\*\*\*\*\*

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(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED  
\*\*\*\*\*

Peter South/RTP/USEPA/US  
11/19/2012 03:50 PM

To Don Zinger, Daniel Hopkins  
cc Mike Koerber, Lala Alston  
bcc

Subject Fw: Deputy Administrator's Meeting with American Lung  
Assoc. and Other Stakeholder Groups

As requested, I've attached a one page backgrounder in prep for tomorrow's PM meeting with enviros.

Please call me with any questions or if you need additional information. Thanks



ALA PM background with DA 11\_20\_12.docx

Pete South  
Office of Air Quality Planning and Standards/IO  
Office of Air and Radiation  
U.S. EPA  
Phone: 919 541-5359  
Cell: (b) (6)

----- Forwarded by Peter South/RTP/USEPA/US on 11/19/2012 03:45 PM -----

### Deputy Administrator's Meeting with American Lung Assoc. and Other Stakeholder Groups

Tue 11/20/2012 10:00 AM - 11:00  
AM

Attendance is for Janet McCabe

Chair: **scheduling**  
Sent By: **Noah Dubin/DC/USEPA/US**  
Location: **Bullet Room**

|           |                                                                                                                                                           |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Required: | Bob Perciasepe/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA |
| Optional: | Avi Garbow/DC/USEPA/US@EPA                                                                                                                                |

#### Description

\*\*The Administrator will drop by 15 - 20 minutes

---

**Personal Notes**

---

---

**Peter South/RTP/USEPA/US**

10/02/2012 02:15 PM

To Gina McCarthy

cc

bcc

Subject Accepted: Meeting with Sierra Club, EDF, and NRDC

**Peter  
Tsirigotis/RTP/USEPA/US**  
11/11/2010 02:16 PM

To Gina McCarthy, Janet McCabe  
cc Steve Page, Peter Tsirigotis  
bcc  
Subject PVC one-pager for Friday 1:30 mtg with Sierra Club, LEAN,  
MEAN

See attached. Also, we are scheduled to brief you at 9:45 am Friday on the PVC MACT.



PVC One pager 11-12-10.doc

**Peter  
Tsirigotis/RTP/USEPA/US**  
05/20/2011 05:25 PM

To Gina McCarthy, Janet McCabe  
cc Steve Page, tsirigotis.peter  
bcc

Subject chrome electroplating and steel pickling RTR

Gina/Janet, please see the attached one-pager. Sierra club has agreed to a 6 month extension of the pulp and paper RTR but has also put on the table an extension to the chr.electroplating and steel pickling RTR. The attached one pager explains the issue. Any reactions this weekend would be appreciated because, if you agree, OGC wants to include this RTR along with P&P in the adjustment to the court order.



Chromium Electroplating and pickling-one-pager-5-20-2011.docx

**Peter  
Tsirigotis/RTP/USEPA/US**  
01/09/2013 07:00 PM

To John Millett, Jenny Noonan  
cc  
bcc

Subject Re: Georgia Power Article

Thx john. I mentioned it to kevin and he had something jeb stenhouse put together for joe that shows that these units really weren't very competitive and recently were barely used. You might want to get a copy and share with laura.

---

John Millett      fyi -- the GA power announcement tha...      01/09/2013 05:51 PM EST

From: John Millett  
To: Peter Tsirigotis; Jenny Noonan  
Cc:  
Date: 01/09/2013 05:51 PM EST  
Subject: Fw: Georgia Power Article

---

fyi -- the GA power announcement that Laura mentioned today

~~~~~  
John Millett
Office of Air and Radiation Communications
U.S. Environmental Protection Agency
5411 Ariel Rios Building North
Washington, DC 20460
Phone: 202/564-2903
Cell: 202/510-1822

----- Forwarded by John Millett/DC/USEPA/US on 01/09/2013 05:46 PM -----

From: Nate McMichael/DC/USEPA/US
To: Ken Mitchell/R4/USEPA/US@EPA
Cc: John Millett/DC/USEPA/US@EPA
Date: 01/08/2013 09:47 AM
Subject: Georgia Power Article

Hi Ken,

In case you haven't seen it, John asked me to flag the following article for you.

<http://www.eenews.net/eenewspm/2013/01/07/1>

Georgia Power to shutter 15 coal- and oil-fired power plants

Georgia's largest power provider announced today that it will retire 15 coal- and oil-fired generating units by April 2016.

Georgia Power, Southern Co.'s largest division, said it will ask the Georgia Public Service Commission to decertify units at four of its power plants as it reformulates its generating strategy.

"We recognize the significant impact that these retirements will have on the local communities and we took that into account when making these decisions," Georgia Power

President Paul Bowers said in a statement. "We are in the midst of a significant transition in our fleet that will result in a more diverse fuel portfolio -- including nuclear, 21st century coal, natural gas, renewables and energy efficiency -- to ensure we maintain our commitment for generations to come."

In sum, the company is retiring 2,061 megawatts of coal- and oil-fired capacity.

The first retirements will occur at the Branch power plant in Putnam County, the Yates plant in Coweta County and the McManus plant in Glynn County. Those should occur by April 2015 when U.S. EPA's new Mercury and Air Toxics Standards (MATS) air regulations go into effect.

The Georgia Public Service Commission had approved the utility's request to retire two units at the Branch plant last March, but today's announcement indicates the company plans to shut down the remaining units at the facility altogether.

Georgia Power said it will seek a one-year extension of the MATS deadline for four units at its Kraft plant in Chatham County, then will retire those by April 2016.

The utility said several factors went into the retirement decisions, including EPA regulations, economic conditions and low natural gas prices. Georgia Power is also asking the commission to switch two units at the Yates facility from coal generation to natural gas.

Coal-fired units at other facilities, the company said, are installing additional emissions controls to comply with MATS.

The Sierra Club welcomed the news, noting that Georgia Power is retiring nearly a quarter of its coal-fired plants.

"Georgia families will be breathing easier now that some of the state's oldest and largest polluters will be phased out," said Seth Gunning of Sierra Club's Georgia chapter. "If the company chooses to replace this capacity with home-grown, 21st century energy technology like solar and wind, their decision will also be good for Georgia jobs."

Despite planned retirements, Southern has committed to coal's future through its Kemper County, Miss., carbon capture and sequestration (CCS) project. The company hopes it becomes the nation's first coal-fired power plant capturing and storing the greenhouse gas at large scale (ClimateWire, Dec. 19, 2012).

Last week the International Energy Agency renewed its call for governments and utilities to invest in CCS, which the Paris-based group says is the only long-term way to control climate change while burning fossil fuels at expected levels. The IEA plans to release an updated version of its CCS technology road map this spring.

Nate McMichael
U.S. Environmental Protection Agency
Office of Air and Radiation
Office: (202) 564-0382
Cell: (202) (b) (6)

**Peter
Tsirigotis/RTP/USEPA/US**
01/04/2011 12:51 PM

To Joseph Goffman
cc
bcc

Subject Re: Fw: finals for circulation

I asked wendy. if she can't, eric ginsburg is working on it. i assume cob today?

Joseph Goffman [Peter -- Can you please have somebo...](#) 01/04/2011 12:17:55 PM

From: Joseph Goffman/DC/USEPA/US
To: Peter Tsirigotis/RTP/USEPA/US@EPA
Cc: Jeffrey Clark/RTP/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA, Wendy Blake/DC/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA
Date: 01/04/2011 12:17 PM
Subject: Fw: finals for circulation

Peter -- Can you please have somebody put together a few bullets on the our motion, the issues, Sierra Club's response and our surreply for distribution to the Regions? Thanks.

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

----- Forwarded by Joseph Goffman/DC/USEPA/US on 01/04/2011 12:16 PM -----

From: Wendy Blake/DC/USEPA/US
To: Joseph Goffman/DC/USEPA/US@EPA, Avi Garbow/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Patricia Embrey/DC/USEPA/US@EPA
Cc: Susmita Dubey/DC/USEPA/US@EPA, Jonathan Averbach/DC/USEPA/US@EPA, Paul Versace/DC/USEPA/US@EPA, RobertJ Wayland/RTP/USEPA/US@EPA, Robin Dunkins/RTP/USEPA/US@EPA, Amy Branning/DC/USEPA/US@EPA, Toni Jones/RTP/USEPA/US@EPA, Brian Shrager/RTP/USEPA/US@EPA, Jim Eddinger/RTP/USEPA/US@EPA
Date: 01/04/2011 12:05 PM
Subject: Fw: finals for circulation

Attached are the final brief and declaration filed last night in support of our extension of the Boilers/CISWI and SSI January 16, 2011 deadline.

Thanks to all for your contributions to the attached.

----- Forwarded by Wendy Blake/DC/USEPA/US on 01/04/2011 11:47 AM -----

finals for circulation

McDonough, Eileen (ENRD) to: Wendy Blake

01/03/2011 11:56 PM

Eileen T. McDonough
Environmental Defense Section
U.S. Dept. of Justice
202-514-3126

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[attachment "144-1.pdf" deleted by Peter Tsirigotis/RTP/USEPA/US] [attachment "144-2.pdf" deleted by Peter Tsirigotis/RTP/USEPA/US] [attachment "144-main.pdf" deleted by Peter Tsirigotis/RTP/USEPA/US]

**Peter
Tsirigotis/RTP/USEPA/US**
11/23/2010 02:42 PM

To Joseph Goffman, Jeffrey Clark
cc
bcc

Subject Re: Who is the right higher-up at Sierra Club for Gina to call
re Boiler MACT?

I know that the new executive director of sierra club is michael brune. I know nothing about him. I'll keep looking...

Joseph Goffman

----- Original Message -----

From: Joseph Goffman

Sent: 11/23/2010 02:38 PM EST

To: Peter Tsirigotis; Jeffrey Clark

Subject: Who is the right higher-up at Sierra Club for Gina to call re
Boiler MACT?

not Jane Williams

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

**Peter
Tsirigotis/RTP/USEPA/US**
11/23/2010 03:48 PM

To Joseph Goffman, Jeffrey Clark
cc
bcc

Subject Re: Who is the right higher-up at Sierra Club for Gina to call re Boiler MACT?

Here's all the possible names I came up with:

Michael Brune, Executive Director

Pat Gallagher, Director, Environmental Law Program

Marti Sinclair, Chair, National Air Committee
Joseph Goffman

----- Original Message -----

From: Joseph Goffman

Sent: 11/23/2010 02:38 PM EST

To: Peter Tsirigotis; Jeffrey Clark

Subject: Who is the right higher-up at Sierra Club for Gina to call re Boiler MACT?
not Jane Williams

Joseph Goffman
Senior Counsel to the Assistant Administrator
Office of Air and Radiation
US Environmental Protection Agency
202 564 3201

**Peter
Tsirigotis/RTP/USEPA/US**
09/11/2012 02:03 PM

To Sarah Dunham
cc Gina McCarthy
bcc
Subject Fw: Requesting a meeting

fyi

----- Forwarded by Peter Tsirigotis/RTP/USEPA/US on 09/11/2012 02:02 PM -----

From: Janice Nolen <Janice.Nolen@lung.org>
To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Cindy Huang/DC/USEPA/US@EPA
Cc: Paul Billings <Paul.Billings@lung.org>, Peter Iwanowicz <Peter.Iwanowicz@lung.org>
Date: 09/11/2012 12:58 PM
Subject: Requesting a meeting

Hello, Gina, Janet and Peter:

Hope this finds you all well. Could we schedule a meeting to discuss CSAPR/CAIR with you? We're looking for more information about assessing the possible impact of any final court decision to leave CAIR in place. We also would like to share some concerns we have about the RICE/BUGs rule.

Thank you,
Janice

Janice E. Nolen | Assistant Vice President, National Policy and Advocacy

American Lung Association

National Headquarters
1301 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20004-1725
P 202.785.3355 | C 202.486.0285 | F 202.452.1805
Janice.Nolen@Lung.org | www.Lung.org



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***** ATTACHMENT NOT DELIVERED *****

**Peter
Tsirigotis/RTP/USEPA/US**
05/25/2011 10:19 AM

To "Gina McCarthy", "Janet McCabe"
cc
bcc

Subject Chrome electroplating and steel pickling RTR

OGC is hounding me for an answer to sierra club's offer of extending the deadline. are you okay with us extending along the lines we explained in the one-pager?

**Peter
Tsirigotis/RTP/USEPA/US**
05/19/2010 03:41 PM

To "Janet McCabe", "Beth Craig"
cc "Steve Page"
bcc
Subject Fw: From Today's Inside EPA

Steve asked me to forward you this article in case you hadn't seen it yet.
Keith Barnett

----- Original Message -----

From: Keith Barnett
Sent: 05/19/2010 08:29 AM EDT
To: Steve Fruh; Penny Lassiter; Peter Tsirigotis; Susan Fairchild; Eric
Ginsburg
Cc: Alison Davis
Subject: From Today's Inside EPA

Activists Oppose Asbestos Demolition

Environmentalists are reviving past concerns over a controversial method for demolishing asbestos-contaminated buildings, claiming EPA's research office is pushing a Bush-era plan to approve the "wet" method that critics say increases asbestos exposure risks and may violate the Clean Air Act.

In a [May 17 letter](#) to EPA Administrator Lisa Jackson, a coalition of eight public interest groups say they expected the Obama administration to scrap what they say was a "misguided" attempt by several Bush EPA officials to allow use of a the quicker "wet" demolition method, known as the Alternative Asbestos Control Method (AACM).

The groups say that AACM "does not work, and can potentially expose workers and nearby residents to asbestos," which is a known carcinogen.

"For these reasons, we are deeply dismayed to learn that the AACM is still being actively pursued as a research and regulatory priority, and that EPA may soon release two final test reports that mislead decision-makers and endorse the method," according to the letter. The groups say EPA staff are apparently reviewing the reports, and have discovered factual errors and other inconsistencies.

The groups claim that EPA's Office of Research & Development is "still pushing" AACM. "We urge you to reevaluate the accuracy of the draft AACM test reports and stop diverting agency resources to the consideration and development of this dangerous technique," the groups write.

They also ask that as a first step, EPA release for public review and comment all internal EPA and external peer review comments about the AACM and its various tests and reports.

The Bush EPA pursued the method because it is much faster than the agency's current practice under the Clean Air Act's national emission standards for hazardous air pollutants (NESHAP) for asbestos demolition, which requires workers to remove and dispose of asbestos before demolition. The wet method leaves asbestos in place during demolition and uses water sprays to try to suppress asbestos contamination. It can cut demolition time by one-third to one-half, EPA has said.

But the activist group Public Justice in [August 2008](#) warned that any method allowing more emissions than the existing NESHAP would be unlawful. "Since the Clean Air Act prohibits EPA from promulgating a revised NESHAP that is less stringent than the existing one, EPA cannot adopt the AACM without violating this provision," the group said.

Public Justice is one of the eight groups that sent the May 17 letter to Jackson, also signed by the Natural Resources Defense Council, Sierra Club, AFL-CIO, Building & Construction Trades Department of AFL-CIO, International Association of Heat & Frost Insulators and Allied Workers, Physicians for Social Responsibility, and Asbestos Disease Awareness Organization.

5182010_blogasbestos

Keith W. Barnett
USEPA/OAQPS/SPPD/MMG
Mail Code D243-02
Research Triangle Park, NC 27711
919-541-5605
barnett.keith@epa.gov

Peter
Tsirigotis/RTP/USEPA/US
08/27/2012 08:27 PM

To "McCarthy, Gina"
cc
bcc
Subject Primary aluminum

Fyi, Sierra club gave us an 18 month extension (extending the sept 14 deadline to march 2014, I believe) so that we can get some further test data. I think this is a good outcome.

Peter
Tsirigotis/RTP/USEPA/US
02/22/2012 01:24 PM

To "McCarthy, Gina", "McCabe, Janet", "Page, Steve"
cc
bcc
Subject Cement

More good news. Ogc just heard from sierra club that they will file papers with the court NOT opposing our 30 day extension motion.

**Peter
Tsirigotis/RTP/USEPA/US**
03/03/2011 11:57 AM

To "Paul Billings"
cc Rob Brenner, Lorie Schmidt, Michael Goo, David McIntosh
bcc
Subject Re: Acid Gases from Power Plants

Thank you very much Paul. We look forward to reviewing this and any future material you send. We may be reaching out to you for clarification or discussion of some aspects of the material over the next week.

From: Paul Billings [PBillings@lungusa.org]
Sent: 03/03/2011 11:41 AM EST
To: Peter Tsirigotis
Cc: Rob Brenner; Lorie Schmidt; Michael Goo; David McIntosh
Subject: Acid Gases from Power Plants

Hi Peter et al

Attached please find a memo on Acid Gas Emissions and Coal-Fired Power Plants prepared for the American Lung Association by David L MacIntosh, ScD, CIH of Environmental Health and Engineering, Inc. The memo documents the significant health impacts of acid gases including hydrogen chloride and hydrogen fluoride, and provides the strong evidence for why the power plant air toxics rule must require the cleanup of acid gases. The memo also discusses the technologies available to cleanup this pollution that are in place in power plants today. Dr. MacIntosh is one of their team of scientists (a team that includes John Spengler, PhD from the Harvard School of Public Health) who are helping the Lung Association to better understand and communicate the public health threat from these toxic gases and other hazardous pollutants from coal-fired power plants.

We will have some additional information to share on these topics next week.

Cheers
Paul

Paul G. Billings
Vice President National Policy & Advocacy
American Lung Association
1301 Pennsylvania Ave NW Suite 800
Washington, DC 20004-1725
Phone: 202-785-3355 x 3988
Fax: 202 -452-1805
pbillings@lungusa.org

Phil Lorang/RTP/USEPA/US
10/01/2012 05:17 PM

To "Janet McCabe", Kevin McLean, "Lea Anderson", "Lorie Schmidt"
cc
bcc
Subject Fw: Letter to Regional Administrator Curry re San Juan Generating Station

Just received.
Carl Edlund

----- Original Message -----

From: Carl Edlund
Sent: 10/01/2012 04:12 PM CDT
To: Agustin Carbo-Lugo; luthans.william@epa.gov; Brian Tomasovic; David Gray; Erik Snyder; Guy Donaldson; Joe Kordzi; Layla Mansuri; Michael Feldman; Suzanne Murray; Suzanne Smith; Thomas Diggs
Cc: Phil Lorang
Subject: Fw: Letter to Regional Administrator Curry re San Juan Generating Station
FYI

----- Forwarded by Carl Edlund/R6/USEPA/US on 10/01/2012 04:12 PM -----

From: Layla Mansuri/R6/USEPA/US
To: Sam Coleman/R6/USEPA/US@EPA
Cc: Carl Edlund/R6/USEPA/US@EPA
Date: 10/01/2012 02:21 PM
Subject: Fw: Letter to Regional Administrator Curry re San Juan Generating Station

From Friday.

----- Forwarded by Layla Mansuri/R6/USEPA/US on 10/01/2012 02:20 PM -----

From: Stephanie Kodish <skodish@npca.org>
To: Layla Mansuri/R6/USEPA/US@EPA
Date: 10/01/2012 02:18 PM
Subject: Fwd: Letter to Regional Administrator Curry re San Juan Generating Station

Begin forwarded message:

From: Suma Peesapati <speesapati@earthjustice.org>
Date: September 28, 2012 5:57:16 PM EDT
To: "'gray.david@epa.gov'" <gray.david@epa.gov>, "'curry.ron@epa.gov'" <curry.ron@epa.gov>
Cc: "'Perciasepe.bob@Epa.gov'" <Perciasepe.bob@Epa.gov>, "'McCabe.janet@Epa.gov'" <McCabe.janet@Epa.gov>, "'Murray.suzanne@Epa.gov'" <Murray.suzanne@Epa.gov>, "Flynn, Ryan, NMENV (Ryan.Flynn@state.nm.us)" <Ryan.Flynn@state.nm.us>, "Stephanie Kodish (skodish@npca.org)" <skodish@npca.org>
Subject: Letter to Regional Administrator Curry re San Juan Generating Station

All:

On behalf of Diné Citizens Against Ruining Our Environment, National Parks Conservation Association, New Energy Economy, San Juan Citizens Alliance and Sierra Club, please find the attached letter to Regional Administration Curry regarding San Juan Generating Station.

Thank you,
Suma Peesapati

Suma Peesapati
Staff Attorney
Earthjustice
50 California Street, Suite 500
San Francisco, CA 94111
T: 415-217-2000
F: 415-217-2040
www.earthjustice.org

Please note new address

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SJGS Letter to Region 6 Sept 28 2012. FINAL.pdf



ATT00001.htm



Modeling Scenarios 9-28-12.pdf



ATT00002.htm

**Richard
Wayland/RTP/USEPA/US**
07/01/2011 01:18 PM

To Janet McCabe
cc "Lala Alston", "Addie Johnson", "Scott Mathias", "Kevin
Mclean", "Steve Page", "Jean Walker"
bcc
Subject Re: Sierra Club SO 2 modelnig

That's ok, as long as we can get it in next week before we meet with the Sierra Club the following week.

Chet
Richard A. "Chet" Wayland
Director, Air Quality Assessment Division
U.S. EPA Office of Air Quality Planning & Standards
Mail Code C304-02, RTP, NC 27711
Phone: (919) 541-4603, Cell: (919) 606-0548

Janet McCabe [We may need to reschedule this, guys--...](#) 07/01/2011 01:01:01 PM

From: Janet McCabe/DC/USEPA/US
To: "Steve Page" <Page.Steve@epamail.epa.gov>, "Lala Alston" <Alston.Lala@epamail.epa.gov>, "Richard Wayland" <Wayland.Richard@epamail.epa.gov>, "Kevin Mclean" <Mclean.Kevin@epamail.epa.gov>, "Scott Mathias" <Mathias.Scott@epamail.epa.gov>, "Jean Walker" <Walker.Jean@epamail.epa.gov>, "Addie Johnson" <Johnson.Addie@epamail.epa.gov>
Date: 07/01/2011 01:01 PM
Subject: Sierra Club SO 2 modelnig

We may need to reschedule this, guys--the TR briefing for lpj keeps moving but is now set for 2:15.

Richard
Windsor/DC/USEPA/US
01/28/2010 05:11 PM

To Adora Andy, Seth Oster, Allyn Brooks-LaSure, Bob Sussman,
Bob Perciasepe, Diane Thompson, David McIntosh, Arvin
Ganesan, Gina McCarthy
cc Betsaida Alcantara, Brendan Gilfillan, Michael Moats,
Stephanie Owens
bcc
Subject Re: GREENWIRE (NYT): Final NO2 Rule Cuts Back on
Roadside Monitors

This really angers me. Becker's quotes are ill-informed. Gina - did you ever have a chance to reach out to NGOs?

Adora Andy

----- Original Message -----

From: Adora Andy
Sent: 01/28/2010 05:07 PM EST
To: Richard Windsor; Seth Oster; Allyn Brooks-LaSure; Bob Sussman; Bob Perciasepe; Diane Thompson; David McIntosh; Arvin Ganesan; Gina McCarthy
Cc: Betsaida Alcantara; Brendan Gilfillan; Michael Moats; Stephanie Owens
Subject: GREENWIRE (NYT): Final NO2 Rule Cuts Back on Roadside Monitors

January 28, 2010

Final NO2 Rule Cuts Back on Roadside Monitors

By ROBIN BRAVENDER of [Greenwire](#)

U.S. EPA's final air quality standard for nitrogen dioxide (NO2) entails new requirements for measuring peak exposures near roads, but it would monitor fewer roadside locations than the agency's original proposal.

The health-based NO2 [standard](#) (pdf) issued Monday introduces a new one-hour maximum standard for NO2 at 100 parts per billion (ppb), which EPA says will protect millions of Americans from peak short-term exposures. Because short-term exposures to NO2 occur primarily near major roads, the standard also requires new monitors to be placed along major roadways in some urban areas ([Greenwire](#), Jan. 25).

EPA's initial proposal required urban areas with more than 350,000 people to install at least one monitor near a major road, which would have mandated about 167 roadside monitors in about 142 urban areas. But the final rule raises that threshold to 500,000 people, requiring about 126 new monitors along roads in 102 urban areas.

Environmental and public health advocates are concerned about EPA's decision to monitor pollution along fewer roads, while state and local air regulators are urging the agency to start off with an even smaller roadside network until questions about costs and implementation have been answered.

Debbie Shprentz, a consultant to the American Lung Association, said the change means that "people in communities with less than half a million people may be left unprotected."

Monitoring pollution along congested roadways is particularly important, said Clean Air Watch President Frank O'Donnell, because that's often where the highest concentrations of pollutants are found.

"By itself, the standard is not going to create anything unless the new monitoring system triggers areas that are out of compliance," O'Donnell added.

Under EPA's latest monitoring data, Chicago is the only large metropolitan area in the United States to consistently violate the new NO₂ standard ([Greenwire](#) , Jan. 26).

State concerns

EPA changed the threshold after considering a range of public comments, including those from state groups concerned about funding, problems with state implementation plans that target major roadways and other issues, according to the rule.

Administrator Lisa Jackson concluded that using the 500,000 threshold provides a sufficient network of roadside monitors that supports the intent of the revised standard and continues to meet the monitoring objectives of the network, EPA said in the final rule.

Areas with populations of 350,000 or more contain about 71 percent of the total U.S. population, EPA said, while areas with 500,000 or more contain about 66 percent of the population.

EPA also stipulated in the final rule that regional agency chiefs have the authority to site 40 additional monitors in whatever areas they deem necessary to protect vulnerable communities, meaning that the total numbers of monitors in the proposed and final rules are generally equivalent.

Bill Becker, executive director of the National Association of Clean Air Agencies, said that while state and local air regulators support a robust monitoring network, "It will not be easy near roadways to administer a comprehensive monitoring network and obtain results that will be easily understood."

Air regulators are also concerned about whether they will have sufficient federal funding to purchase and run the monitors, Becker said, adding that the capital and maintenance costs "will be far more than what EPA suggests."

Becker said his group is advocating a small initial network of five to 10 near-road monitors to determine the best course of action, including defining the ultimate size and location of the network.

White House role?

Environmental and public health advocates are also concerned about possible White House influence over the thresholds. An e-mail dated Jan. 18 from an EPA air quality official to an

official in the White House Office of Management and Budget indicates that OMB was involved in discussions about the roadside monitoring requirements the week before the final rule was issued.

"There's a negotiation going on between EPA and OMB. We don't know what else was on the table, but we know that this change occurred," Shprentz said.

EPA spokeswoman Adora Andy declined to specify what role OMB played in the deliberations, saying, "The new one-hour standard for nitrogen dioxide resulted from a successful deliberative process and will yield a far greater level of monitoring and protection than ever before."

Becker said that White House officials did not discuss the matter with his group, but added, "OMB understands the funding implications of this, and by raising the threshold, they were able to require less monitors than they otherwise would."

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Adora Andy
Press Secretary
U.S. Environmental Protection Agency
Office of Public Affairs
202-564-2715
andy.adora@epa.gov

Richard
Windsor/DC/USEPA/US
09/18/2009 06:05 PM

To Allyn Brooks-LaSure, Scott Fulton, Bob Perciasepe, Bob Sussman, Diane Thompson, Gina McCarthy, Mathy Stanislaus, Steve Owens, Cynthia Giles, Peter Silva, Michelle DePass, Craig Hooks, Chuck Fox, Lawrence Elworth, Cameron Davis, David McIntosh, Lisa Heinzerling, Sarah Pallone, Arvin Ganesan
cc Seth Oster, Stephanie Owens, Adora Andy, "William Early", "Stan Meiburg"
bcc

Subject Re: Reactions to EPA's actions

And that's just a sampling. Folks - thanks to you and your respective staffs for the important and outstanding work you are doing for the American people. Have a gret weekend. Lisa
Allyn Brooks-LaSure

----- Original Message -----

From: Allyn Brooks-LaSure
Sent: 09/18/2009 05:55 PM EDT
To: Richard Windsor; Scott Fulton; Bob Perciasepe; Bob Sussman; Diane Thompson; Gina McCarthy; Mathy Stanislaus; Steve Owens; Cynthia Giles; Peter Silva; Michelle DePass; Craig Hooks; Chuck Fox; Lawrence Elworth; Cameron Davis; David McIntosh; Lisa Heinzerling; Sarah Pallone; Arvin Ganesan
Cc: Seth Oster; Stephanie Owens; Adora Andy
Subject: Reactions to EPA's actions

Below are assorted reactions to EPA actions during the past several days.

Environmental Community Commentary Round-up Office of Public Outreach Week Ending September 18, 2009

EPA Announces it Will Reconsider National Smog Standards Release date: 09/16/2009

Sept. 16: "EPA's commitment to protect human health from dangerous smog is a breath of fresh air," said Cal Baier-Anderson, Ph.D., a toxicologist with **Environmental Defense Fund**. "For millions of kids, smog can make it difficult to attend school, to play outside and to breathe on polluted day." ###

Sept. 16: Statement of Charles D. Connor, President and Chief Executive Officer, **American Lung Association**. "We at the American Lung Association applaud her decision to remedy a serious misjudgment that the EPA made in 2008. ###

Sept. 16: **Earthjustice** attorney David Baron: "This action gives hope to millions of people suffering from polluted air throughout the nation. It's crucial that there be no delay in this schedule." ###

Sept. 16: "Good news for clean air today" **John Walke, Senior Attorney and Clean Air Director for Natural Resources Defense Council**. "Today's announcement bodes

well for more good news for clean air in the future. ###

EPA Tightens Air Emissions for Hospital, Medical, and Infectious Waste

Release date: 09/16/09

Sept 16: "The actions taken by EPA today to reduce air pollution in communities hosting medical waste incinerators is long overdue and welcomed," said **Jane Williams, chair of the Sierra Club Air Toxics Task Force.** ###

Sept 16: "EPA's new Administrator, Lisa Jackson, has taken a big step toward reducing pollution from medical waste incinerators," said **Jim Pew, an Earthjustice attorney who handled the cases.** "It is a breath of fresh air, figuratively and literally, that EPA has taken action that will allow people to breath more easily in towns and cities across the country." ###

DOT Secretary Ray LaHood and EPA Administrator Lisa P. Jackson Propose National Program to Improve Fuel Economy and Reduce Greenhouse Gases/ New Interagency Program to Address Climate Change and Energy Security

Release date: 09/15/09

Sept 15: Statement by Roland Hwang, vehicles policy director for NRDC: "This historic proposal moves America further down the road to cleaner, more fuel-efficient vehicles. This unprecedented national program would reduce global warming pollution, break our dependence on oil, and save drivers money at the pump. Working together, the Obama administration, states, the auto industry, and environmental leaders have come to an agreement that will enable car makers to meet the challenges of the 21st century, while protecting our planet and our health. ###

Sept 15: You have to go back to the days of disco to see a fuel economy improvement like this," said **Jim Kliesch, a senior engineer in the Union of Concerned Scientists' Clean Vehicles Program.** "If finalized, these proposed standards will be the biggest increase in fuel economy in more than 30 years. That's good news for the environment, consumers' wallets, and our nation's energy security." ###

Sept 15: **Statement of Ann Mesnikoff, Sierra Club Green Transportation Campaign** "After decades of inaction, President Barack Obama directed the Environmental Protection Agency and the National Highway Traffic Safety to work together to speed up the pace for cleaning up the nation's new cars and trucks. We applaud President Obama for this move to curb global warming and our dependence on oil while giving Americans better vehicle choices. ###

Sept. 15: "This is a critical step to reduce our dependence on foreign oil and curb pollution that threatens our health," said **Environmental Defense Fund President Fred Krupp.** "It will deliver immediate benefits for the country as Congress crafts

comprehensive climate legislation." ###

Sept 15: **Joe Mendelson, the National Wildlife Federation's director of global warming policy**, said today: "The Environmental Protection Agency has taken an important and overdue step to clean up tailpipe pollution. The effort will jump-start the modernization and retooling of our auto industry, protect our environment, and reduce our reliance on oil. ###

Sept. 15: "The Obama Administration has put America in the driver's seat to become more energy independent. This historic action will reduce our nation's oil dependence, save consumers money at the pump, and cut global warming pollution," said **Environment American Global Warming Advocate Timothy Telleen-Lawton.** ###

Federal Agencies Release Draft Reports Required by Chesapeake Bay Executive Order

Release date 09/10/09

Sept 10: **A statement follows from Nancy Stoner, Co-Director of the Water Program at the Natural Resources Defense Council:** "These agencies have put together strong recommendations that give the President a solid blueprint for improving the health of the Chesapeake Bay. The federal government's plan tackles the biggest challenges to a healthy estuary – from contaminated runoff from our cities and crops, to massive manure pollution at factory farms, which NRDC has fought to stop for more than a decade." ###

EPA Releases Preliminary Results for Surface Coal Mining Permit Reviews

Release date: 09/11/2009

Sept 11: **Carl Pope, Executive Director of the Sierra Club issued the following statement:** "This is Mountain Joy. This announcement is also a testament to the Obama Administration's commitment to science, transparency and enforcing environmental safeguards." ###

"EPA's action today creates a welcome reprieve for the people who live below these enormous mining sites and the waste dumps they put into our waters," said **Judy Bonds, co-director of Coal River Mountain Watch.** "We will continue our fight for a total, complete reprieve for our children and for our beloved mountains and streams." ###

"We applaud this action by the Obama administration to return the rule of law to the Appalachian coalfields," said **Mary Anne Hitt, Deputy Director of the Sierra Club's Beyond Coal Campaign.** " ###

"While many mountains, streams and communities continue to be impacted or

annihilated by mountaintop removal because of years of lawless mining, EPA's announcement today provides people with some hope that from this day forward, real science and laws will be applied before any more permits are issued," said **Janet Keating, executive director of the Ohio Valley Environmental Coalition.** " ###

"We are pleased, but not surprised, that these 79 mines failed to pass muster under the Clean Water Act at this stage in the review. We have been saying for years that these types of mines are too destructive to proceed," said **Joe Lovett, executive director of the Appalachian Center for the Economy and the Environment.** "It is satisfying to know that there are finally leaders at EPA and in other federal environmental agencies who are willing to acknowledge that reality."

"For this stage in the permitting review process, EPA is doing the right thing, and we commend Administrator Jackson for her leadership," said **Joan Mulhern, senior legislative counsel for Earthjustice.** "

Richard
Windsor/DC/USEPA/US
10/15/2009 01:34 PM

To Bob Sussman, Gina McCarthy
cc
bcc
Subject Re: fyi: in case you missed this

I don't agree. Let's meet.
Bob Sussman

----- Original Message -----

From: Bob Sussman
Sent: 10/15/2009 01:31 PM EDT
To: Richard Windsor; Gina McCarthy
Subject: Fw: fyi: in case you missed this

The pushback is starting. Frankly, I'm concerned that we don't have the industry backing we will need.
David Cohen

----- Original Message -----

From: David Cohen
Sent: 10/15/2009 01:17 PM EDT
To: David Gray; Seth Oster; Bob Sussman
Subject: fyi: in case you missed this

Texas Heavy Industries Worry About EPA Crackdown
Texas oil, chemical industries worry EPA crackdown on pollution permits could get costly
By JOHN McFARLAND
The Associated Press

DALLAS

For 15 years, environmentalists have complained that state regulations have allowed the powerful oil and chemical industries to skirt Clean Air Act standards in Texas, the nation's foremost producer of industrial air pollution.

But the Environmental Protection Agency last month scrapped several aspects of the state's air-pollution permitting program, including "flexible" permits that have allowed about 140 plants and refineries to exceed toxic emissions limits in the short term as long as they complied to overall federal averages in the long term.

Federal regulators say the move, set to take effect next year, is designed to cut toxic emissions and bring Texas in line with the Clean Air Act. And environmental groups say it will help improve the state's ecology and the health of Texans and those living nearby.

Industry groups, however, warn that getting rid of the state program in favor of

more rigid standards will hurt industries crucial to the Texas economy, and that the costs of compliance may hit consumers.

"If there is a cost associated with it, it is very likely that it could cost the consumer more," said Debbie Hastings, vice president for environmental affairs for the Texas Oil And Gas Association, whose members provide about 25 percent of the nation's gasoline supply and include industry giants including Exxon Mobil Corp. and ConocoPhillips.

It's too early to know precisely how the rules will change or how much it will cost, but there's worry in the heavy industries that billow tons of toxins but employ thousands of people and pay billions in state and local taxes. Texas has more oil refineries and chemical plants than any other state, and the permit ruling comes as Gov. Rick Perry and industry officials are railing against a climate bill pending in Congress.

Plants could be forced to spend millions of dollars to upgrade pollution control equipment. Industry groups say that in turn could jack up the prices of gas, tires, carpet, upholstery and other products that pass through Texas factories.

"The prices have to keep up with the cost of doing business," said Mike Meroney, a spokesman for Texas Chemical Council, which represents about 80 companies with 200 sites that produce the state's leading export. "Every site's different — it could be very, very costly."

States are required to enforce the Clean Air Act, but they're given some flexibility in how to do it. The EPA approved Texas' major clean-air permitting plan in 1992, and the state has since submitted more than 30 regulatory changes.

The EPA issued its ruling last month as a result of a lawsuit settlement that forced the agency to approve or disapprove aspects of the Texas permitting process, agency spokesman Dave Bary said. The EPA said no other state offered polluters such flexibility, and cited problems with the permit program's enforcement, monitoring and record keeping, among other reasons.

The EPA held its first meeting last week with the Texas Commission on Environmental Quality, which issues the permits, to work on getting the program into compliance. The commission's executive director, Mark Vickery, said the state permit rules have helped cut down on pollution and said the agency would work

with the EPA to resolve the problems. The agencies are working through a 60-day comment period before the rules become final next year.

Fadel Gheit, an analyst with Oppenheimer & Co. in New York, said the permitting problem is just one more bit of bad news for industries that are already struggling. Several major oil companies are coming off second-quarter profit declines of more than 50 percent, although the oil industry posted record gains in 2008.

"It's bad, but how bad is the question?" Gheit said. "The outlook couldn't be more grim, and yet the government finds a way to kick them when they're down."

Bary, the EPA spokesman, said there's no way to know exactly how much cleaner the air would have been under federally approved permits.

But Neil Carman, an air specialist with the Lone Star Chapter of the Sierra Club who spent years as an industrial plant inspector with the Texas Commission on Environmental Quality, said he's certain ending the program will cut emissions. He said it will prove costly to the companies, but not as costly as treating long-term health problems caused by toxic emissions.

Al Armendariz, a chemical engineering professor at Southern Methodist University who is an expert on air pollution and an environmental advocate, said smaller and older facilities could face hefty costs, but major companies won't feel a thing.

"They'll say, 'Look, if we have to spend half a million dollars to re-permit, big deal.' They probably spend more than that on toiletries for those facilities," he said, noting that even multimillion-dollar expenses would be a "one-time capital blip" for major companies. Armendariz also said he doubts industry claims that consumers could feel any pain.

The oil and gas industry provides about 190,000 Texas jobs and paid about \$10 billion in state and local taxes and royalties last year, according to the oil and gas association, which represents almost every producer and refiner in the state. The chemical industry employs about 74,000 Texans and last year paid \$1 billion in state and local taxes.

The chemical industry is the top air polluter in the state, producing about 16,000 tons of toxic emissions, according to the most recent EPA toxic release inventory in 2007. Oil ranked third, behind power plants, with about 4,500 tons.

Both groups and state regulators say flexible permits have helped, and point to reductions of cancer-causing chemical benzene and ground-level ozone levels in the Houston area that's home to the bulk of the state's oil refineries and chemical plants.

But Carman said it's silly to be content with the progress because Texas is still so polluted.

"That's like somebody going before a judge and saying, 'Your Honor, I know I've had a DWI problem, but I brought it down from 50 DWI's a year ago to 30 now,'" said Carman, who like other environmentalists has long derided the permitting process as a rubber stamp in an industry-friendly state. "That's just not enough, especially when you're talking about things that cause cancer."

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Richard
Windsor/DC/USEPA/US
10/15/2009 01:39 PM

To Bob Sussman, Gina McCarthy
cc
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Subject Re: fyi: in case you missed this

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The Associated Press

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Richard Windsor/DC/USEPA/US
05/12/2010 05:59 PM

To David McIntosh, "Arvin Ganesan", "Bob Perciasepe", "Gina (Sheila) McCarthy"

cc

bcc

Subject Re: Lung Association Statement on the Kerry-Lieberman Bill

I hope for everyone's sake that this isn't true.
David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 05/12/2010 05:51 PM EDT

To: Richard Windsor

Subject: Fw: Lung Association Statement on the Kerry-Lieberman Bill

FYI. Something we're investigating.

----- Forwarded by David McIntosh/DC/USEPA/US on 05/12/2010 05:50 PM -----

From: David McIntosh/DC/USEPA/US
To: Joseph Goffman/DC/USEPA/US@EPA
Cc: Gina McCarthy/DC/USEPA/US@EPA
Date: 05/12/2010 05:47 PM
Subject: Fw: Lung Association Statement on the Kerry-Lieberman Bill

Hi Joe. From ALA's statement below, it appears that there might be assaults on section 112 for non-GHGs and assaults on NSR/PSD for non-GHGs lurking in the Kerry-Lieberman draft. Could you see if someone in OAR could find out from Nancy K-C exactly what they are and exactly where they appear in the document?

Thanks,
D

FOR IMMEDIATE RELEASE:

Catherine Sebold
May 12, 2010
202-715-3450

CONTACT:

csebold@lungusa.org

Statement of Charles D. Connor, President and Chief Executive Officer,
American Lung Association
On the Kerry-Lieberman Bill, The American Power Act

Washington, DC. May 12, 2010. We at the American Lung Association were shocked to read language included in the draft American Power Act introduced today by Senators John Kerry and Joseph Lieberman that would unleash a dangerous process to attack life-saving rules on coal-fired power plants and threaten to permit much more air pollution around the nation. The outrageous proposal creates an open door through which millions of tons of life-threatening pollution could be allowed to flow. We oppose these provisions. The American Lung Association cannot support legislation that

includes changes to the Clean Air Act that undermine the protection of public health. We urge the Senate to strip such unnecessary and objectionable language from any bill.

Burning coal creates particle pollution and key components of ozone. Both pollutants can kill. Pollution from these power plants is considered to cause nearly 24,000 early deaths each year through their toxic impact on the lungs and other parts of the body. Both pollutants cause wheezing, coughing, asthma attacks; both send children to the emergency room and people with lung disease to the hospital. Particle pollution causes heart attacks and strokes and may lead to lung cancer. These are lethal substances, recognized as such by repeated scientific review.

Particle pollution and ozone aren't the only pollutants targeted under the bill as proposed—just the most widespread. The draft bill invites attack on safeguards applying to a horde of other noxious emissions, known under the Clean Air Act as hazardous air pollutants, which include mercury, arsenic, lead and other toxics.

Cleaning up the air pollution from coal-fired power plants has long been a priority for the American Lung Association—and for the U.S. Congress. In 1990 in the Clean Air Act, Congress gave the U.S. Environmental Protection Agency and the states clear mandates to require the cleanup of emissions from major sources like these power plants because of the enormous harm those emissions do to public health. In response, the electric utility industry has spent decades fighting those protections in court and in the regulatory process. We have urged EPA to clean up these plants and the agency has now begun to do so.

Provisions in this draft bill create an irresponsible process to roll back tools every community needs to protect its most vulnerable residents – children, seniors and those with chronic diseases – against dangerous air pollution.

Specifically we are concerned about provisions that:

- Create a “study” group that would authorize the “review” and re-writing of rules currently in place that communities need to protect the lives and health of their citizens.
- Give the electric power industry a new venue to seek weakening of cleanup rules indefinitely based on claims of reliability and job loss, while conveniently ignoring the deaths and other health effects caused by their spewing smokestacks.

The American Lung Association will undertake a careful review of the draft legislation and we will communicate any additional concerns to the Senate.

We urge the Senate to reject any legislation that weakens the health protections of the Clean Air Act.

Θανιχε Ε. Νολεν
Ασπισταντ ριχε Πρεσιδεντ
Νατιοναλ Πολιχψ ανδ Αδποχαχψ
Αμεριχαν Λυγγ Ασσοχιατιον
φνολεν≡ΛυγγΥΣΑ.οργ
1301 Πεννσψλψανια Απε ΝΩ, Συιτε 800
Ωασηινγτον, ΔΧ 20004-1725
Π 202-785-3355
Χ 202-486-0285
Φ 202-452-1805

STATE OF THE AIR 2010 |  **AMERICAN LUNG ASSOCIATION.**

What's the State of Your Air?
www.stateoftheair.org

Richard Windsor/DC/USEPA/US
03/08/2011 01:12 PM

To Gina McCarthy
cc
bcc
Subject Re: Ads on Power Plant Toxics

Tx
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 03/08/2011 10:28 AM EST
To: Richard Windsor
Subject: Fw: Ads on Power Plant Toxics

FYI

----- Forwarded by Gina McCarthy/DC/USEPA/US on 03/08/2011 10:28 AM -----

From: Paul Billings <PBillings@lungusa.org>
To: Janice Nolen <JNolen@lungusa.org>, Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Rob Brenner/DC/USEPA/US@EPA
Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Michael Goo/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Peter Iwanowicz <PIwanowicz@lungusa.org>
Date: 03/08/2011 07:57 AM
Subject: Ads on Power Plant Toxics

Attached find our print ad from today's Roll Call it also running in CQ Daily this week

Below is an online version that is running this week as well



Paul Billings
202-785-3355

From: Janice Nolen
Sent: Monday, March 07, 2011 8:20 PM
To: 'McCarthy.Gina@epamail.epa.gov'; 'mccabe.janet@epa.gov'; 'Brenner.Rob@epamail.epa.gov'
Cc: 'Tsirigotis.Peter@epamail.epa.gov'; 'Goo.Michael@epamail.epa.gov';
'McIntosh.David@epamail.epa.gov'; 'Schmidt.Lorie@epamail.epa.gov'; Paul Billings; Peter Iwanowicz
Subject: Report on Utility Air Toxics Coming out tomorrow

Gina,
We are releasing tomorrow a report *Toxic Air: The Case for Cleaning Up Coal-fired Power Plants*, to help the public understand the long-overdue need to clean up emissions of hazardous air pollutants from coal-fired power plants in the electric grid. In addition, we are releasing the white paper that formed the basis of that report, *Emissions of Hazardous Air Pollutants from Coal-fired Power Plants*, prepared for us by Environmental Health & Engineering, Inc. in Boston. Both and the press release are attached. They can be accessed after 5 AM tomorrow from our website at www.LungUSA.org/ToxicAirReport. You will note that by coincidence, the lead researcher in the E H& E team is David MacIntosh, Sc.D. who is in no way related to the current member of EPA's esteemed team.

If you have questions, please let me, Paul Billings or Peter Iwanowicz know.
Thanks,
Janice

Janice E. Nolen
Assistant Vice President, National Policy and Advocacy
American Lung Association
1301 Pennsylvania Ave NW Suite 800
Washington, DC 20004-1725
P 202.785.3355 C 202.486.0285 F 202.452.1805
jnolen@lungusa.org @lungassociation



[attachment "Toxic Report Ad rollcall 3811.pdf" deleted by Richard Windsor/DC/USEPA/US]

Richard Windsor/DC/USEPA/US
07/17/2011 06:29 PM

To Gina McCarthy
cc
bcc

Subject Re: Can we talk for 5 minutes?

Cool. On the road in MI. Can call later if needed.
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 07/17/2011 06:27 PM EDT
To: Richard Windsor
Subject: Re: Can we talk for 5 minutes?

No need to talk. Seems that Sierra Club backed off filing a contempt motion for now.
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 07/17/2011 05:46 PM EDT
To: Richard Windsor
Subject: Can we talk for 5 minutes?

I need your advice on Sierra Club before the week gets going.

Richard Windsor/DC/USEPA/US
06/13/2012 01:09 PM

To: Gina McCarthy
cc
bcc

Subject: Re: Coal Gasification Plants and Permitting - 2 impt articles from today's clips

looks like IGCC not CCS right? see the 2nd article as well?

Gina McCarthy | I saw this and am trying to figure out wh... | 06/13/2012 01:03:44 PM

From: Gina McCarthy/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA
Date: 06/13/2012 01:03 PM
Subject: Re: Coal Gasification Plants and Permitting - 2 impt articles from today's clips

I saw this and am trying to figure out what plant this is. IEPA seems to really be tough on CCS.

Richard Windsor

----- Original Message -----

From: Richard Windsor
Sent: 06/13/2012 12:20 PM EDT
To: Gina McCarthy; Bob Perciasepe; Diane Thompson
Subject: Coal Gasification Plants and Permitting - 2 impt articles from today's clips

News Headline: Illinois EPA rejects coal-to-gas project's permit |  

Outlet Full Name: Evansville Courier & Press - Online

News Text: WALTONVILLE, Ill. — The state environmental agency has denied a permit request to build a \$2 billion plant to convert coal to synthetic natural gas in southern Illinois, further clouding prospects for the clean-energy project already more than six years in the making.

The Illinois Environmental Protection Agency told developers Power Holdings LLC in a May 29 letter that the group had not provided required details about emissions, air-quality analysis and other matters in the proposed plant near Waltonville in Jefferson County.

The agency said Power Holdings can reapply for the construction permit, which the developers' first sought in February.

Power Holdings' chief executive Bob Gilpin did not respond to phone messages seeking comment Tuesday morning, and emails to the group were not immediately returned.

Illinois lawmakers and Gov. Pat Quinn signed off on the project last summer, ensuring a market for the company's synthetic gas by requiring utilities to buy it at a set price for a decade. The plant would use at least four million tons of the state's high-sulfur coal each year, Quinn's office said, while trumpeting the possible creation of more than 1,600 construction and permanent jobs.

"This important project will help revive the coal industry in southern Illinois while

ensuring that Illinois remains a leader in the development of state-of-the-art, clean energy facilities," Quinn said in signing the legislation into law last August. "We must continue to do everything we can to strengthen the state's ongoing economic recovery through projects that create jobs while safeguarding the environment and protecting consumers."

At that time, Quinn's office said Power Holdings would use "ultra-clean" coal-gasification technology to remove harmful gases and "set a new standard for commercial energy projects by capturing and safely storing more than 90 percent of the plant's carbon emissions."

According to Power Holdings' website, developers hoped to break ground on the plant this year, put it through testing by the end of 2013 and have it commercially operational in 2014.

Critics including the Sierra Club have opposed the plant, worried that its emissions would harm the environment.

Messages left Tuesday with the Sierra Club were not immediately returned.

=====

News Headline: Southern, Duke push US coal gasification; others quit |  

Outlet Full Name: Reuters - Online

News Text: HOUSTON, June 12 (Reuters) - Only two U.S. electric utilities are building expensive coal-gasification power plants, while dozens of similar facilities have been scrapped and some remaining projects may eliminate coal in favor of abundant, cheap natural gas.

Duke Energy's 618-megawatt Edwardsport coal project in Indiana and Southern Co's 582-MW Kemper County project in Mississippi are the only "integrated gasification combined cycle", or IGCC plants, under construction out of more than three dozen proposed in the United States over the last decade.

Of the handful of other IGCC projects still in development, two are looking at switching to gas as the primary fuel and dropping coal -- at least for now.

The power industry cited gasification technology as a way to save coal's role as the dominant fuel in electric generation as federal limits on carbon dioxide (CO2) emissions appeared imminent, but the technology was unable to gain traction in the face of high capital costs, carbon legislation delay and rising supplies of natural gas.

IGCC plants face a "host of issues", starting with high construction costs, said Gary Stiegel, director of major projects at the Energy Department's National Energy Technology Laboratory, which supports clean-coal technology.

With only two plants being built, Duke and Southern "need to show that they are able to start up and achieve their production capacity within a reasonable time," Stiegel said.

IGCC technology employs a chemical process that converts coal into a synthesis

gas, using steam and pressure. The so-called "syngas" can be stripped of impurities, then burned in a gas turbine to produce electricity.

IGCC also offers the ability to capture emissions -- such as heat-trapping CO2 -- for storage or other use.

DOGGED BY COSTS

The Environmental Protection Agency in March proposed its first rules to reduce CO2 from future coal-fired plants by requiring them to capture and store emissions. "That will add additional expense to these projects," Stiegel said.

High construction costs and technical glitches dogged the nation's first three IGCC projects in the 1990s. Only two still run: TECO Energy's 250-megawatt Polk County IGCC in Florida and the 260-MW Wabash River Power Station in Indiana, operated by Duke.

As prospects dimmed for carbon legislation, gas prices declined while shale production rose and recession eroded the need for new generation, many of the nearly 20,000 MW of proposed IGCCs were abandoned with little fanfare.

American Electric Power, which once touted IGCC as a "critical" technology for the nation, is no longer pursuing an ambitious plan to build three IGCC plants in the Midwest.

NRG Energy, Xcel Energy, ConocoPhillips and a utility owned by Berkshire Hathaway's MidAmerican Energy Holdings Co have also dropped IGCC plans.

Even TECO and Southern backed away from developing larger IGCC projects in Florida as coal fell out of favor there.

In 2008, after a long site-selection process, FutureGen, the industry's showcase IGCC plant featuring carbon capture and sequestration (CCS), lost Energy Department financial support due to soaring cost estimates. A revised FutureGen 2.0 project will not include coal gasification.

Now, the lowest gas prices in a decade make it even harder for companies to justify IGCC's costs for the ratepayers that must pay the tab.

"One challenge to moving this type of project forward is capital costs," Stiegel said. "Another big issue is getting financing. They are expensive and not many IGCCs have been built, so the financial markets are concerned."

OVERRUNS

Duke's Edwardsport IGCC project is expected to produce power by year-end. Cost overruns have boosted its price tag to \$3.3 billion from early estimates of less than \$2 billion.

Under a settlement proposed to satisfy consumer groups, Duke's Indiana customers will pay just 79 percent of Edwardsport's price tag. That will limit the rate increase on Duke's 790,000 customers in Indiana to 14.5 percent, down from 22 percent without the settlement, the utility said.

Construction at the IGCC project run by Southern's Mississippi Power Co continues despite an ongoing legal challenge by the Sierra Club.

After initially capping Kemper's cost at \$2.4 billion, a divided Mississippi Public Service Commission raised the amount that the utility can recover from its 190,000 customers to a maximum of \$2.88 billion.

In the most recent monthly update, Mississippi Power said it had spent or committed \$1.5 billion to the Kemper project, which was running \$366 million over the initial budget.

Southern also disclosed a \$1.7 million consulting contract with Anthony Topazi, the former Mississippi Power president whom Southern credits for obtaining state approval of Kemper. Topazi, 62, who was promoted to chief operating officer at the parent company two months after regulators initially approved Kemper, said he will retire on Aug. 1.

Expected to be operational in 2014, the Kemper County IGCC plant will showcase technology developed by another Southern unit, along with KBR Inc and the DOE, called Transport Integrated Gasification, or TRIG, which can be used to gasify lower-quality coal such as the lignite in Mississippi.

In 2009, Southern licensed the TRIG technology to a Chinese utility. KBR presentations say the technology has "huge potential" in China, India, Australia and Indonesia, countries with large supplies of lower-quality coal.

BACKING GAS

Meanwhile, a handful of IGCC projects remain active, but some have decided to join the natural gas trend, rather than buck it.

Calgary-based EmberClear will use gas, rather than coal, to fuel its 300-MW Good Spring plant in northeastern Pennsylvania, dropping the IGCC component for now.

"Lack of regulatory clarity on emissions for coal-based electricity plants plus the immediate availability of natural gas provides a strong incentive to use natural gas as the primary fuel source," EmberClear said in a release.

"This modification lowers the project complexity, reduces the capital cost by at least 60 percent and accelerates the construction schedule."

Tenaska, which has been working to develop the Taylorville IGCC project in Illinois for several years, may build a gas-fired power plant and defer the gasification component, the Nebraska-based independent power producer said.

"The concept would be to wait until a subsequent legislative approval after economic conditions for gasification improve," said Bart Ford, Tenaska's vice president for development.

Other active IGCC projects include Summit Energy's 400-MW Texas Clean Energy project, Hydrogen Energy California in Kern County and ERORA's 770-MW Cash Creek IGCC in Kentucky.

Richard Windsor/DC/USEPA/US
12/13/2011 06:02 PM

To: Gina McCarthy
cc
bcc
Subject: Re: FYI

Tx
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 12/13/2011 05:42 PM EST
To: Richard Windsor
Cc: Janet McCabe; gilfillan.brendan@epa.gov
Subject: Re: FYI

Longleaf was issued a permit back in 2007 and never commenced construction - one of the partners dropped out of the project a while back. We have verified that the other two plants involved in the settlement are not "transitional" sources. The Texas plant referenced is Sandy Creek which commenced construction in 2008. The Arkansas project (Plum Point 2) did not have an approved permit (an application had been submitted, but not approved).

Richard Windsor [Was Longleaf on your radar?](#) 12/13/2011 08:53:30 AM

From: Richard Windsor/DC/USEPA/US
To: Gina McCarthy/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA
Date: 12/13/2011 08:53 AM
Subject: FYI

Was Longleaf on your radar?

News Headline: [Canceled coal plant doesn't impact Cobb EMC-backed project](#) | 



Outlet Full Name: Atlanta Journal-Constitution - Online
News Text: By and Kristi E. Swartz

An energy company's decision Monday to cancel plans to build a coal-fired power plant in south Georgia could reignite pressure against two other proposed coal plants partly backed by Cobb EMC.

New Jersey-based LS Power said it was pulling the plug on the \$2 billion, 1,200-megawatt pulverized coal plant, a project announced nearly 10 years ago.

The demise of plans for the Longleaf Energy Station in Blakley is the result of a legal fight between LS Power and the Sierra Club that focused on a power station in Texas. As part of the settlement, LS Power agreed not to build the Longleaf plant and reduce the amount of emissions that the Texas coal plant would produce.

"This should be the writing on the wall for Plant Washington that coal is not the future of energy in Georgia," said Colleen Kiernan, director of the Sierra Club's Georgia chapter.

Economic and environmental reasons also played into that decision, said Michael Vogt, LS Power vice president.

“As difficult as it was to agree to cancel the Longleaf project after spending 10 years and millions of dollars, our view is the economic conditions right now just don't support continuing development,” Vogt said.

The Longleaf decision has not dampened plans by POWER4Georgians, a conglomerate of six Georgia electric co-ops — including Cobb EMC — to move forward with its plans to build the \$2.1 billion Plant Washington coal facility near Sandersville, said group spokesman Dean Alford.

Environmental groups also have challenged Plant Washington for its possible high pollution output.

“We're in a different position because we have responded to some of the latest and greatest [clean energy] technologies,” Alford said. “We think the law is on our side.”

That Washington County plant, scheduled to come online in 2016 or 2017, would provide power to up to 850,000 households, according to the group.

The coal plant has also faced criticism from some members of Cobb EMC — one of the main players in the POWER4Georgians conglomerate — because of the development costs involved to support the plan, as well as environmental concerns.

A group of customers who sued the Marietta-based EMC have requested costs related to Plant Washington be included in a forensic audit of the co-op. And newly elected Cobb EMC board members have questioned whether the co-op should change its mission to begin producing energy.

The Longleaf decision was expected to be discussed at a Cobb EMC board meeting on Tuesday.

The state's Environmental Protection Division re-issued an air permit on Plant Washington in November after a state administrative law judge rejected the original version for environmental concerns. The environmental groups that challenged the draft permit have until Dec. 19 to decide whether they will contest the new permit.

POWER4Georgians is also proposing building a coal plant in Ben Hill County. That facility is still in the planning stages.

LS Power's decision to scrap plans for a traditional coal-fired power plant comes during the same week that the U.S. Environmental Protection Agency is expected to issue rules to regulate mercury emissions from coal plants.

[Return to Top](#)

News Headline: Coal in the crosshairs: Will mercury rule have teeth? |  

Outlet Full Name: Sacramento Bee - Online, The

News Text: As the U.S. Environmental Protection Agency nears its Dec. 16 date with coal-fired power plants - that's when the agency plans to finalize its mercury and air toxics rule - the lobbyists must surely be working overtime.

Environmental and public health groups say the rule, which would require significant reductions of emissions, is long overdue and should be implemented ASAP. And the industry says the rule is onerous and that it needs more time.

Mercury, which is emitted when coal is burned, is a neurotoxin that hampers the development of young children and fetuses. Scrubbers to limit mercury also would limit other air toxins that can cause asthma attacks, heart attacks, strokes and premature death.

When the EPA first proposed its new rule, the agency estimated it would avoid between 6,800 and 17,000 premature deaths each year, and would result in annual savings of \$48 to \$140 billion in health care costs, lost productivity due to sick days, etc.

The American Lung Association has released television ads in Pennsylvania urging the EPA to protect public health.

"The advertisement serves as an important reminder of those who suffer most from dirty air and poor air quality created by power plant emissions," said Deborah Brown, President and CEO of the American Lung Association in Pennsylvania, in a press release. "Children rely on adults to protect them and it is our responsibility to ensure they have healthy air to breathe. This is especially important for over 250,000 children and teens with asthma in Pennsylvania."

The focus on Pennsylvania is apt - it has more than 30 coal-fired power plants. Some have already cleaned their emissions, but overall, they contribute much to air pollution.

Yesterday, a national nonprofit, the Environmental Integrity Project, released its analysis of mercury and toxic emissions from the nation's power plants. Using data from 2010, it ranked the dirtiest dozen in the U.S., "in terms of sheer pounds of emissions of four highly toxic heavy metals - arsenic, chromium, lead, and mercury." They included three in Pennsylvania.

Ilan Levin, associate director of the EIP, said in a press release: "The only thing more shocking than the large amounts of toxic chemicals released into the air each year by coal- and oil-fired power plants, is the fact that these emissions have been allowed for so many years. For decades, the electric power industry has delayed cleanup and lobbied against public health rules designed to reduce pollution. But, the technology and pollution control equipment necessary to clean up toxic emissions are widely available and are working at some power plants across the country. There is no reason for Americans to continue to live with unnecessary risks to their health and to the environment."

Richard
Windsor/DC/USEPA/US
06/13/2012 09:36 AM

To Gina McCarthy, Arvin Ganesan, Laura Vaught, Bob
Perciasepe, Bob Sussman, Diane Thompson, Michael Moats,
Brendan Gilfillan, Alisha Johnson

cc

bcc

Subject FYI

See quote from Wang below - "Even without the EPA rules, coal is not really competitive," Wang says.

News Headline: U.S. Coal Industry May Be Pushed Aside As America Switches To Cheap, Clean Energy Alternatives | 

Outlet Full Name: Huffington Post, The

News Text: NEW YORK (AP) — America is shoveling coal to the sidelines.

The fuel that powered the U.S. from the industrial revolution into the iPhone era is being pushed aside as utilities switch to cleaner and cheaper alternatives.

The share of U.S. electricity that comes from coal is forecast to fall below 40 percent for the year — the lowest level since the government began collecting this data in 1949. Four years ago, it was 50 percent. By the end of this decade, it is likely to be near 30 percent.

"The peak has passed," says Jone-Lin Wang, head of Global Power for the energy research firm IHS CERA.

Utilities are aggressively ditching coal in favor of natural gas, which has become cheaper as supplies grow. Natural gas has other advantages over coal: It produces far fewer emissions of toxic chemicals and gases that contribute to climate change, key attributes as tougher environmental rules go into effect.

Natural gas will be used to produce 29 percent of the country's electricity this year, up from 20 percent in 2008. Nuclear accounts for 20 percent. Hydroelectric, wind, solar and other renewables make up the rest.

The shift from coal is reverberating across Appalachia, where mining companies are laying off workers and cutting production. Utilities across the country are grappling with how to store growing piles of unused coal. And legal disputes are breaking out as they try to cancel contracts and defer deliveries:

— Mining company Alpha Natural Resources of Bristol, Va., plans to produce 11.5 million fewer tons of coal this year, a decline of 11 percent, because so many customers have requested deferrals. The company has announced that 12 mining operations in Kentucky and West Virginia will be idled or slowed, and 353 jobs cut.

— Patriot Coal, a mining company based in St. Louis, closed a mine in Kentucky, idled several others in Kentucky and West Virginia, and has cut 1,000 jobs. The company's stock has fallen below \$2, down from nearly \$25 a year ago, and the company's CEO, Richard Whiting, was replaced at the end of May.

— GenOn, a wholesale power producer based in Houston, has invoked a legal clause typically used after natural disasters to try to stop suppliers from delivering more coal to already overloaded plants. "We just can't physically take it right now," says GenOn CEO Edward Muller.

Coal has dominated the U.S. power industry for so long because it's a cheap and abundant domestic resource. The U.S. is the world's second-largest coal producer after China, and it has the world's biggest reserves — enough to last more than 200 years.

Coal has also enjoyed strong political support because of the jobs it provides in mining and transportation. That helped coal thrive even as environmental concerns over mining practices and air quality grew.

Just five years ago, coal was flourishing in the U.S. With electricity demand and the price of natural gas both rising, coal was viewed as essential to keeping power costs under control. Utilities drew up plans to build dozens of coal-fired plants.

But around the same time, a revolution was under way in the natural gas industry. Drillers figured how to tap enormous deposits of previously inaccessible reserves. As supplies grew and the price of natural gas plummeted, the ground shifted under the electric-power industry.

Now coal is being beaten at its own game. Natural gas has become a cheap and abundant domestic resource, too. And it is more environmentally friendly.

Power plants that burn coal produce more than 90 times as much sulfur dioxide, five times as much nitrogen oxide and twice as much carbon dioxide as those that run on natural gas, according to the Government Accountability Office, the regulatory arm of Congress. Sulfur dioxide causes acid rain; nitrogen oxides cause smog; and carbon dioxide is a so-called greenhouse gas that traps heat in the atmosphere.

A pair of clean air rules enacted by the Environmental Protection Agency over the past year tightens limits on power-plant emissions of sulfur dioxide and nitrogen dioxide, and place new limits on mercury, a poison found in coal. This will force between 32 and 68 of the dirtiest and oldest coal plants in the country to close over the next three years as the rules go into effect, according to an AP survey of power plant operators conducted late last year.

Coal was hit with a potentially bigger environmental blow in March when the EPA issued guidelines that could limit greenhouse gas emissions from new power plants as early as 2013. Once the guidelines go into effect, no coal plants will be built unless utilities can develop a cost-effective way to capture carbon dioxide, analysts say. That technology has been slow to develop and is very expensive.

"Even without the EPA rules, coal is not really competitive," Wang says.

Coal executives are hardly giving up. Nick DeLulliis, President of Consol Energy, a coal and natural gas producer based in Canonsburg, Pa., doubts the EPA's restrictions on greenhouse gases will survive long term because of the economic harm he says they will inflict.

Consol and other U.S. coal companies hope to be able to keep mines active by exporting more of the country's huge reserves. Last year U.S. coal exports hit a record 107 million short tons. High grade coal that is used to make steel is in particular demand in developing countries such as China, India and Brazil.

Deluliis says the price of natural gas will rebound over time and that coal will once again account for half the nation's electricity. "This is a cycle," he says.

The futures price of natural gas hit a 10-year low of \$1.91 per thousand cubic feet in April. It closed Tuesday at \$2.23 but would have to more than double from there to convince utilities that have a choice of fuels to return to coal whenever possible.

Utilities are forecast to burn 808 million tons of coal this year, a 13 percent decline from last year and the fewest tons since 1992, according to Energy Department data.

Demand for coal has fallen even faster than the environmentalists who have been lobbying against coal had anticipated.

Bruce Nilles, director of the Sierra Club's Beyond Coal campaign, says the shift was accelerated by the low price of natural gas. That, along with tougher environmental rules and alternatives such as wind and solar will keep the pressure on coal. "We won't go backwards," he says.

Richard Windsor/DC/USEPA/US
03/17/2012 03:59 PM

To Gina McCarthy
cc "Bob Perciasepe", "Elizabeth Ashwell"
bcc
Subject Re: MATS

We will set up time on Monday.
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 03/17/2012 02:04 PM EDT
To: Richard Windsor
Cc: "Bob Perciasepe" <perciasepe.bob@epa.gov>
Subject: MATS

Administrator - I would like to have a very short conversation with you to give you a heads up about actions now being contemplated by the Sierra Club re: MATs. I don't need you to do anything now, so the call can happen anytime within the next few days. But signs are that I will have to ask you - and you may have to ask the WH (Heather) - to engage on this sooner rather than later. I will fill Bob P in as well whenever he has time to call me.

Richard Windsor/DC/USEPA/US
06/29/2012 04:21 PM

To Janet Woodka, Arvin Ganesan, "Gina McCarthy", Bob Perciasepe, Diane Thompson, Brendan Gilfillan, Bob Sussman, Laura Vaught

cc

bcc

Subject Re: Al Armendariz

Senator Inhofe's former staffer runs a major climate change denier blog. Certainly he can't have a problem with folks seeking employment and working on issues they care about.

Janet Woodka

----- Original Message -----

From: Janet Woodka

Sent: 06/29/2012 03:47 PM EDT

To: Arvin Ganesan; Richard Windsor; "Gina McCarthy"

<mccarthy.gina@epa.gov>; Bob Perciasepe; Diane Thompson; Brendan Gilfillan; Bob Sussman; Laura Vaught

Subject: Re: Al Armendariz

Tx. There's a CQ article this afternoon on it - with a quote from inhofe.

Arvin Ganesan

----- Original Message -----

From: Arvin Ganesan

Sent: 06/28/2012 09:23 AM EDT

To: Richard Windsor; "Gina McCarthy" <mccarthy.gina@epa.gov>; Bob Perciasepe; Diane Thompson; Brendan Gilfillan; Bob Sussman; Laura Vaught

Cc: Janet Woodka

Subject: Re: Al Armendariz

+ janet

Janet, should have included you.

Sent from my Blackberry Wireless Device

Richard Windsor

----- Original Message -----

From: Richard Windsor

Sent: 06/27/2012 03:50 PM EDT

To: Arvin Ganesan; "Gina McCarthy" <mccarthy.gina@epa.gov>; Bob Perciasepe; Diane Thompson; Brendan Gilfillan; Bob Sussman; Laura Vaught

Subject: Re: Al Armendariz

K. Tx.

Arvin Ganesan

----- Original Message -----

From: Arvin Ganesan

Sent: 06/27/2012 03:38 PM EDT

To: Richard Windsor; mccarthy.gina@epa.gov; Bob Perciasepe; Diane Thompson; Brendan Gilfillan; Bob Sussman; Laura Vaught

Subject: Al Armendariz

FYI - I just got a call from the Sierra Club. Al has accepted a job with the Sierra Club, and will run their anti-coal campaign in the Texas region. Sierra Club will NOT be making this announcement Friday afternoon, but this has the potential to spill out before then.

Thanks
Arvin

Robin Kime/DC/USEPA/US
04/29/2011 03:51 PM

To Verna Irving
cc
bcc

Subject May I please have 1 copy of this email and tab 1 of the attachments, 3 hole punched? Thanks!

----- Forwarded by Robin Kime/DC/USEPA/US on 04/29/2011 03:50 PM -----

From: John Coequyt <John.Coequyt@sierraclub.org>
To: Michael Goo/DC/USEPA/US@EPA, Alex Barron/DC/USEPA/US@EPA
Date: 04/29/2011 02:35 PM
Subject: Zombie's

Michael and Alex:

Attached is a list of plants that the companies said were shelved because of uncertainty around GHG regulations. If a standard is set that these plants could meet, there is a not small chance that they company could decide to revive the proposal.

John Coequyt
Sierra Club
DL: 202.675.7916



C: 202.669.7060 Defeated Plants - GHG - 2011.xls

Sabrina
Hamilton/DC/USEPA/US
05/02/2011 08:46 AM

To Sherry Russell
cc
bcc

Subject Fw: Delay Unacceptable: EPA, strengthen the smog
standard NOW

Attached is issue mail from the Administrator's in-box. Thanks,

Sabrina

Sabrina Hamilton
Air and Radiation Liaison Specialist
Office of Air and Radiation - Correspondence Unit
U.S. Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue, N.W. (6101-A)
Washington, D.C. 20460
Tel: (202) 564-1083
Fax: (202) 501-0600

----- Forwarded by Sabrina Hamilton/DC/USEPA/US on 05/02/2011 08:45 AM -----

From: Cynthia Gaines/DC/USEPA/US
To: Sabrina Hamilton/DC/USEPA/US@EPA
Date: 04/29/2011 05:51 PM
Subject: Fw: Delay Unacceptable: EPA, strengthen the smog standard NOW

Issue Mail.

Cynthia A. Gaines
Lead Information Management Specialist
Office of the Executive Secretariat
202-564-1788

----- Forwarded by Cynthia Gaines/DC/USEPA/US on 04/29/2011 05:51 PM -----

Message Information

Date 04/27/2011 08:59 PM 05/02/2011 08:46:08 AM
From American Lung Association Action Network <lungaction@lungusa.org>
To LisaP Jackson/DC/USEPA/US@EPA
cc
Subject Delay Unacceptable: EPA, strengthen the smog standard NOW

Message Body

Apr 27, 2011

Ms. Lisa Jackson
Ariel Rios Federal Building, Room 3000
1200 Pennsylvania Avenue, NW

Washington, DC 20460-0001

Dear Ms. Jackson,

I was disappointed to learn EPA missed the deadline to adopt a more protective national ambient air quality standard for ozone. It is critical that stronger ozone standards are adopted to help protect the American public from breathing this dangerous air pollutant. I support strong standards that would safeguard the health of children, the elderly, people with asthma and other lung diseases.

Science clearly shows that EPA must substantially strengthen the ozone standard to protect public health. The EPA's independent science advisors reviewed the evidence from over 1,700 studies of the health impacts of ozone. They concluded unanimously that the ozone standard should be set between 60-70 parts per billion, to protect human health. The medical and scientific community has also endorsed this conclusion.

Delays in setting an ozone standard have serious and life-threatening ramifications. Ozone air pollution causes premature death, asthma attacks, difficulty breathing. Ozone can send people with lung disease like asthma and chronic obstructive pulmonary disease to the emergency room and the hospital.

Millions of Americans live in areas that are already polluted with too much smog. And research clearly shows that we need to be breathing much, much less ozone. EPA must set the national air standard for ozone at the most protective level the scientists recommended to you--60 parts per billion.

I urge you not to let anymore time pass and act now to set a new ozone standard to protect public health.

Sincerely,

Mrs. Ethel Karavasileiadis
534 South St
Wrentham, MA 02093-1594

OEX Processing Information

Processed Date:	04/28/2011 01:06 PM
Processed By	Cynthia Gaines
PO Office	Category:
OEX	CMS
Message Count	1

**Sara
Schneeberg/DC/USEPA/US**
07/01/2011 02:49 PM

To Janet McCabe
cc
bcc
Subject Declined: Sierra Club SO 2 modelnig

Scott Fraser/DC/USEPA/US

05/22/2012 05:50 PM

To Kevin Myers

cc Ernie Howe, John Millett, Doretta Reaves

bcc

Subject Sierra Club on HQ property 5/24

Hi Kevin,

On Thursday, EPA is hosting a public hearing about carbon pollution standards for new power plants in EPA East 1153. OAR staff have been contacted by a Sierra Club member, John Coequyt, looking to set up a table and direct people to the hearing (note recopied below). Would you please contact him with what restrictions we may have for what they would like to do?

Linked below is the announcement about the hearing which lasts from 8AM - 8PM:

<http://yosemite.epa.gov/opa/admpress.nsf/bd4379a92ceceeac8525735900400c27/e491c9ab82d821d685257a050074445d!OpenDocument>

Many thanks,

Scott W. Fraser

Deputy Director, Office of Public Engagement

Office of the Administrator | U.S. Environmental Protection Agency | Tel 202-566-2126 |

fraser.scott@epa.gov

From: John Coequyt <john.coequyt@sierraclub.org>

To: Don Zinger/DC/USEPA/US@EPA

Date: 05/21/2012 05:22 PM

Subject: Any update on the authorization

Don:

So we really don't need much here. We really just need somebody at EPA to say it's ok for us to put up a table to direct people as they get dropped off, give them a t-shirt and so on.

--

John Coequyt
Sierra Club
202-669-7060

John Millett

This person is still calling us -- shall I ref...

05/22/2012 05:02:17 PM

From: John Millett/DC/USEPA/US

To: Scott Fraser/DC/USEPA/US@EPA

Date: 05/22/2012 05:02 PM

Subject: Re: Fw: Any update on the authorization

This person is still calling us -- shall I refer him to Kevin?

~~~~~  
John Millett  
Office of Air and Radiation Communications  
U.S. Environmental Protection Agency  
5411 Ariel Rios Building North  
Washington, DC 20460  
Phone: 202/564-2903  
Cell: 202/510-1822

---

Scott Fraser      Kevin Myers is the Security Specialist th...      05/21/2012 06:09:39 PM

From: Scott Fraser/DC/USEPA/US  
To: John Millett/DC/USEPA/US@EPA  
Date: 05/21/2012 06:09 PM  
Subject: Re: Fw: Any update on the authorization

---

Kevin Myers is the Security Specialist that assisted with the Enviro's document hand-off to Bob P.

I'd suggest getting him involved. I'll pass info along to Dru as well to see if she has talked with Sierra Club (I was out since last Thurs).

**Scott W. Fraser**

Office of Public Engagement  
Office of the Administrator | U.S. Environmental Protection Agency | Tel 202-566-2126 |  
[fraser.scott@epa.gov](mailto:fraser.scott@epa.gov)

---

John Millett      Yeah, probably lost in all those meeting...      05/21/2012 06:05:44 PM

From: John Millett/DC/USEPA/US  
To: Scott Fraser/DC/USEPA/US@EPA  
Date: 05/21/2012 06:05 PM  
Subject: Re: Fw: Any update on the authorization

---

Yeah, probably lost in all those meeting updates this am. -- Joe Goffman flagged it for her last week or over the weekend. Sierra club needs to set up a table somewhere near HQ for the hearing on Thurs. So facilities/security?

John Millett  
EPA Office of Air and Radiation Communications  
Desk: 202/564-2903  
Cell: 202/510-1822

----- Original Message -----

**From:** Scott Fraser  
**Sent:** 05/21/2012 06:00 PM EDT  
**To:** John Millett  
**Subject:** Re: Fw: Any update on the authorization

Sorry, first time seeing this and I'm not sure what the authorization issue is from the info below. Has Dru been looped in?

**Scott W. Fraser**

Office of Public Engagement  
Office of the Administrator | U.S. Environmental Protection Agency | Tel 202-566-2126 |  
[fraser.scott@epa.gov](mailto:fraser.scott@epa.gov)

John Millett      Hi Scott -- have you had a chance to loo...      05/21/2012 05:38:16 PM

From: John Millett/DC/USEPA/US  
To: Scott Fraser/DC/USEPA/US@EPA  
Date: 05/21/2012 05:38 PM  
Subject: Fw: Any update on the authorization

Hi Scott -- have you had a chance to look into this or pass it along? -- should've mentioned it to you earlier today . . .

~~~~~  
John Millett
Office of Air and Radiation Communications
U.S. Environmental Protection Agency
5411 Ariel Rios Building North
Washington, DC 20460
Phone: 202/564-2903
Cell: 202/██████████

----- Forwarded by John Millett/DC/USEPA/US on 05/21/2012 05:37 PM -----

From: Don Zinger/DC/USEPA/US
To: John Millett/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA
Date: 05/21/2012 05:31 PM
Subject: Fw: Any update on the authorization

John,
Have you heard anything? Can we tell this guy who he needs to talk to?

----- Forwarded by Don Zinger/DC/USEPA/US on 05/21/2012 05:30 PM -----

From: John Coequyt <john.coequyt@sierraclub.org>
To: Don Zinger/DC/USEPA/US@EPA
Date: 05/21/2012 05:22 PM
Subject: Any update on the authorization

Don:

So we really don't need much here. We really just need somebody at EPA to say it's ok for us to put up a table to direct people as they get dropped off, give them a t-shirt and so on.

--

John Coequyt
Sierra Club
202-669-7060

Scott Fulton/DC/USEPA/US
05/16/2011 12:27 PM

To David McIntosh, Gina McCarthy, Janet McCabe, Joseph
Goffman, Avi Garbow

cc

bcc

Subject Re: Indefinite delay on boiler air toxics rule?

Sierra Club has been notified. They are very unhappy at the moment. Not altogether surprising in view of their earlier inflexibility.

David McIntosh

----- Original Message -----

From: David McIntosh

Sent: 05/16/2011 12:03 PM EDT

To: Gina McCarthy; Janet McCabe; Joseph Goffman; Scott Fulton; Avi Garbow

Subject: Fw: Indefinite delay on boiler air toxics rule?

Pls see below. Have OAR/OGC communicated with Sierra Club about this yet?

----- Forwarded by David McIntosh/DC/USEPA/US on 05/16/2011 12:02 PM -----

From: Lyndsay Moseley <Lyndsay.Moseley@sierraclub.org>
To: David McIntosh/DC/USEPA/US@EPA
Date: 05/16/2011 12:02 PM
Subject: Indefinite delay on boiler air toxics rule?

Hi David,

I heard that EPA is planning to announce an indefinite stay of the the industrial boiler air toxics rule. Can you confirm this information, and shed any light on the reason behind such a decision?

Thanks,
--Lyndsay

Lyndsay Moseley
Federal Policy Representative
Sierra Club
408 C St. NE
Washington, DC 20002
tel: 202-548-4581
fax: 202-547-6009

Scott Fulton/DC/USEPA/US
07/13/2011 02:07 PM

To: Gina McCarthy, "Scott Fulton"
cc
bcc
Subject: Re: Sierra Club

Certainly okay by me.
Gina McCarthy

----- Original Message -----

From: Gina McCarthy
Sent: 07/13/2011 01:09 PM EDT
To: "Scott Fulton" <Fulton.Scott@EPA.GOV>
Subject: Sierra Club

Michael hasn't called me back. If I don't hear from him by 4 or so, I would like to Administrator to try. Ok by you?

Scott Mathias/RTP/USEPA/US

12/17/2012 04:48 PM

To Beverly Banister, George Czerniak, Carl Edlund, Carl Daly, Rebecca Weber

cc ScottR Davis, John Mooney, Thomas Diggs, Carol Kemker, Guy Donaldson, Carla Oldham, Scott Jackson, Rhea Jones, Jan Cortelyou-Lee, Jan Tierney, Anna Wood, Sara Schneeberg, Pam Long, Peter South, Steve Page, John Millett, Ken Mitchell, Joshua Tapp, Jenny Noonan

bcc

Subject Signed O3 Designation Petition Responses

Dear Directors,

I'm attaching the signed petition responses addressing areas in your Regions. They are all dated December 14, 2012, and are being mailed today. I've included a communications sheet (desk stmt, key mssgs, Q&A) that has been approved by OAR communications. Please note that the letters will not be posted to the web page mentioned in the desk stmt until Wednesday or Thursday. A hearty thanks to all who helped this come together.



O3DesignationReconStatement_QAV6.docx

Scott Mathias | USEPA Air Quality Policy Division, Associate Director | Tel. +1.919.541.5310

*******Note**:** *We are aware that page numbers are not included on all enclosures .*

Response Letter to Sierra Club (for named areas in Regions 4, 5, 6, and 7)



Sierra Club.pdf

Region 4 Response Letters



York County.pdf



Knoxville.pdf



MDEQ.pdf



SCDEHC.pdf



Shelby County.pdf



TNDEC.pdf



121412 Response to Rep Mulvaney re ozone.pdf



121412 Response to Sen DeMint re ozone.pdf



121412 Response to Sen Graham re ozone.pdf



Desoto.pdf



GADNR.pdf

Region 5 Response Letter



IDEM.pdf

Region 6 Response Letters

-  Boyd.pdf
-  Chico.pdf
-  Runaway Bay EDC.pdf
-  USPLY.pdf
-  Wayne Smith.pdf
-  WiseCounty.pdf
-  Bridgeport CoC.pdf
-  Bridgeport Corp for Econ Dev.pdf
-  City of Bridgeport.pdf
-  City Runaway Bay.pdf
-  Devon.pdf
-  LookLocalWise.pdf
-  Mauldin.pdf
-  Newark.pdf
-  Targa.pdf
-  TCEQ.pdf
-  TPA.pdf
-  Martin Marietta.pdf
-  GPA.pdf
-  TXI.pdf

Region 8 Response Letter

-  Earth Justice.pdf

Scott Mathias/RTP/USEPA/US

To Janet McCabe

02/22/2012 08:41 AM

cc Anna Wood, Michael Ling, Steve Page, Diana Esher

bcc

Subject Fw: Re: Fw: Re: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Janet,
Cristina Fernandez from Region 3 has attached information about the monitor. Diana is out of the office.

Scott Mathias | USEPA Air Quality Division, Associate Director | Tel. +1.919.541.5310

-----Forwarded by Scott Mathias/RTP/USEPA/US on 02/22/2012 08:39AM

To: Scott Mathias/RTP/USEPA/US@EPA

From: Cristina Fernandez/R3/USEPA/US

Date: 02/22/2012 08:37AM

Subject: Re: Fw: Re: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Hi Scott,

The answer to Janet's question is yes, there is a monitor near the Homer City power plant. Attached is a map that displays the information. I hope this helps.

If you have any other questions please let us know.

Thanks, Cristina

(See attached file: Indiana-PA-Qd1.png)

Cristina Fernandez, Associate Director
Office of Air Program Planning (3AP30)
Air Protection Division
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2023
Work: (215) 814-2178
Cell: (215) 375-0847
Fax: (215) 814-2124

Inactive hide details for Scott Mathias---02/22/2012 08:10:10 AM---Cristina, Diane's email says she's out until March 5. Are Scott Mathias---02/22/2012 08:10:10 AM---Cristina, Diane's email says she's out until March 5. Are you able to address Janet's question?

From: Scott Mathias/RTP/USEPA/US

To: Cristina Fernandez/R3/USEPA/US@EPA

Date: 02/22/2012 08:10 AM

Subject: Fw: Re: FYI, Sierra Club is planning to sue Homer City (power plant) for

violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Cristina,
Diane's email says she's out until March 5. Are you able to address Janet's question?

Scott Mathias | USEPA Air Quality Division, Associate Director | Tel. +1.919.541.5310

-----Forwarded by Scott Mathias/RTP/USEPA/US on 02/22/2012 08:09AM -----

To: Janet McCabe/DC/USEPA/US@EPA

From: Scott Mathias/RTP/USEPA/US

Date: 02/22/2012 07:55AM

Cc: Diana Esher/R3/USEPA/US@EPA, Anna Wood/RTP/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA, Michael Ling/RTP/USEPA/US@EPA

Subject: Re: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Region 3 may be able to answer. I do not know.

Scott Mathias | USEPA Air Quality Division, Associate Director | Tel. +1.919.541.5310

-----Janet McCabe/DC/USEPA/US wrote: -----

To: Phillip Brooks/DC/USEPA/US@EPA, Scott Mathias/RTP/USEPA/US@EPA, Diana Esher/R3/USEPA/US@EPA, Anna Wood/RTP/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA

From: Janet McCabe/DC/USEPA/US

Date: 02/21/2012 01:07PM

Cc: Peter Tsigotis/RTP/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA

Subject: Re: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Diana, Scott--is there an SO2 monitor near this plant?

Janet McCabe
Principal Deputy Assistant Administrator
Office of Air and Radiation, USEPA
Room 5426K, 1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-3206
mccabe.janet@epa.gov

Phillip Brooks---02/21/2012 12:35:20 PM---See the attachments. Phillip A. Brooks, Director
Air Enforcement Division

From: Phillip Brooks/DC/USEPA/US

To: Janet McCabe/DC/USEPA/US@EPA, Peter Tsigotis/RTP/USEPA/US@EPA

Date: 02/21/2012 12:35 PM

Subject: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the

Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

See the attachments.

Phillip A. Brooks, Director
Air Enforcement Division
1200 Pennsylvania Ave. N.W.
Washington, DC 20460

Phone: (202) 564-0652

Fax: (202) 564-0015

----- Forwarded by Phillip Brooks/DC/USEPA/US on 02/21/2012 12:33 PM -----

From: Bruce Nilles <bruce.nilles@sierraclub.org>

To: Phillip Brooks/DC/USEPA/US@EPA, Jason Dunn <jason.dunn@usdoj.gov>

Date: 02/13/2012 09:34 PM

Subject: Fwd: Homer City NOI on SO2

fyi,

--

Bruce Nilles
Sierra Club
202-675-7905 (o)
608-712-9725 (c)

(See attached file: Homer City Notice of Intent Feb 13 2012.pdf)

(See attached file: Homer-City-Modeling-report.pdf)

(See attached file: 120213 - Release - Homer City SO2 Final.doc)

[attachment "Homer City Notice of Intent Feb 13 2012.pdf" removed by Scott Mathias/RTP/USEPA/US]

[attachment "Homer-City-Modeling-report.pdf" removed by Scott Mathias/RTP/USEPA/US]

[attachment "120213 - Release - Homer City SO2 Final.doc" removed by Scott

Mathias/RTP/USEPA/US]  - Indiana-PA-Qd1.png

Scott Mathias/RTP/USEPA/US

To Janet McCabe

02/22/2012 07:55 AM

cc Diana Esher, Anna Wood, Steve Page, Michael Ling

bcc

Subject Re: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Region 3 may be able to answer. I do not know.

Scott Mathias | USEPA Air Quality Division, Associate Director | Tel. +1.919.541.5310

-----Janet McCabe/DC/USEPA/US wrote: -----

To: Phillip Brooks/DC/USEPA/US@EPA, Scott Mathias/RTP/USEPA/US@EPA, Diana Esher/R3/USEPA/US@EPA, Anna Wood/RTP/USEPA/US@EPA, Steve Page/RTP/USEPA/US@EPA

From: Janet McCabe/DC/USEPA/US

Date: 02/21/2012 01:07PM

Cc: Peter Tsirigotis/RTP/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Gina McCarthy/DC/USEPA/US@EPA

Subject: Re: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

Diana, Scott--is there an SO2 monitor near this plant?

Janet McCabe

Principal Deputy Assistant Administrator

Office of Air and Radiation, USEPA

Room 5426K, 1200 Pennsylvania Avenue NW

Washington, DC 20460

202-564-3206

mccabe.janet@epa.gov

Inactive hide details for Phillip Brooks---02/21/2012 12:35:20 PM---See the attachments. Phillip A. Brooks, Director Air EnforcPhillip Brooks---02/21/2012 12:35:20 PM---See the attachments. Phillip A. Brooks, Director Air Enforcement Division

From: Phillip Brooks/DC/USEPA/US

To: Janet McCabe/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA

Date: 02/21/2012 12:35 PM

Subject: FYI, Sierra Club is planning to sue Homer City (power plant) for violation of the Title V permit on the basis of exceeding the 1 Hr SO2 NAAQS.

See the attachments.

Phillip A. Brooks, Director
Air Enforcement Division
1200 Pennsylvania Ave. N.W.
Washington, DC 20460

Phone: (202) 564-0652

Fax: (202) 564-0015

----- Forwarded by Phillip Brooks/DC/USEPA/US on 02/21/2012 12:33 PM -----

From: Bruce Nilles <bruce.nilles@sierraclub.org>

To: Phillip Brooks/DC/USEPA/US@EPA, Jason Dunn <jason.dunn@usdoj.gov>

Date: 02/13/2012 09:34 PM

Subject: Fwd: Homer City NOI on SO2

fyi,

--

Bruce Nilles

Sierra Club

202-675-7905 (o)

608-712-9725 (c)

(See attached file: Homer City Notice of Intent Feb 13 2012.pdf)

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[attachment "Homer City Notice of Intent Feb 13 2012.pdf" removed by Scott Mathias/RTP/USEPA/US]

[attachment "Homer-City-Modeling-report.pdf" removed by Scott Mathias/RTP/USEPA/US]

[attachment "120213 - Release - Homer City SO2 Final.doc" removed by Scott Mathias/RTP/USEPA/US]

Seth Oster/DC/USEPA/US
03/16/2011 12:38 PM

To Curt Spalding, Judith Enck, Lisa Garcia, Gwendolyn KeyesFleming, Susan Hedman, Al Armendariz, Karl Brooks, Jim Martin, Jared Blumenfeld, Dennis McLerran
cc Janet Woodka, Bob Perciasepe, Diane Thompson, Adora Andy, Brendan Gilfillan, Andra Belknap, Gina McCarthy, David McIntosh, Arvin Ganesan, Daniel Kanninen, Lisa Garcia, Bicky Corman, Bob Sussman, Sarah Pallone, Michael Goo
bcc
Subject Roll out of "Mercury & Air Toxics Standards" -- Next Steps By Regions

All,

Our rollout of the "Mercury and Air Toxics Standards" proposed rule is done. The press event went extremely well. We had cameras from CNN and Fox and multiple print reporters, plus an audience of about 100 that included industry as well as environmental groups and public health representatives. The Administrator signed the rule with kids and doctors behind her. We are now doing stake holder outreach, and Hill outreach continues. Later today, the Administrator will do a blogger roundtable and tomorrow a Facebook chat.

Below are additional, top line message points for your use, as well as the final press release. And attached are a few photos.

For your regional outreach, thank you to Susan, Shawn and Jared for quickly jumping on this -- and to Judith for putting together an event for us in New Jersey that will hopefully hit the NY, NJ and Philly markets. For the other regions, we spoke to your PADs yesterday and need by 3 pm EST your specific plans for outreach on this -- events, media relations, etc. At 5 pm, we plan to send to the Administrator and the White House a rundown of today's activities into which this will be included with a region-by-region summary of activities planned for today, tomorrow and Friday. Let Brendan or Andra Belknap, both of whom are copied here, know if you need any help or have any questions.

Thanks again.

Seth



WH-Bnr_002.jpg WH-Bnr_003.jpg

ADDITIONAL TOPLINE MESSAGES

1) This is one of the largest steps forward in protecting our kids from toxic air pollution in a generation, and it was a long time coming;

2) This is doable – the majority of plants are already meeting these standards and there is readily available, American made technology to help plants who need to come into compliance; and

3) This is consistent with the President’s executive order – EPA is ensuring flexibility, cost effectiveness and robust public comment before finalizing the standards.

Press Release

EPA Proposes First National Standard for Mercury Pollution from Power Plants / Mercury and air toxics standards represent one of strongest health protections from air pollution since passage of Clean Air Act

Release date: 03/16/2011

Contact Information: Enesta Jones, jones.enesta@epa.gov, 202-564-7873, 202-564-4355

WASHINGTON – In response to a court deadline, today the U.S. Environmental Protection Agency (EPA) proposed the first-ever national standards for mercury, arsenic and other toxic air pollution from power plants. The new power plant mercury and air toxics standards – which eliminate 20 years of uncertainty across industry – would require many power plants to install widely available, proven pollution control technologies to cut harmful emissions of mercury, arsenic, chromium, nickel and acid gases, while preventing as many as 17,000 premature deaths and 11,000 heart attacks a year. The new proposed standards would also provide particular health benefits for children, preventing 120,000 cases of childhood asthma symptoms and about 11,000 fewer cases of acute bronchitis among children each year. The proposed standards would also avert more than 12,000 emergency room visits and hospital admissions and 850,000 fewer days of work missed due to illness.

This rule will provide employment for thousands, by supporting 31,000 short-term construction jobs and 9,000 long-term utility jobs.

“Today’s announcement is 20 years in the making, and is a significant milestone in the Clean Air Act’s already unprecedented record of ensuring our children are protected from the damaging effects of toxic air pollution,” said EPA Administrator Lisa Jackson. “With the help of existing technologies, we will be able to take reasonable steps that will provide dramatic protections to our children and loved ones, preventing premature deaths, heart attacks, and asthma attacks.”

Toxic air pollutants like mercury from coal- and oil-fired power plants have been shown to cause neurological damage, including lower IQ, in children exposed in the womb and

during early development. The standards also address emissions of other toxic metals linked with cancer such as arsenic, chromium and nickel. Mercury and many of the other toxic pollutants also damage the environment and pollute our nation's lakes, streams, and fish. In addition, cutting these toxic pollutants also reduces fine particle pollution, which causes premature death, heart disease, workdays lost to illness and asthma.

"The American Lung Association applauds the release of this sensible public health measure. When it becomes final, the cleanup rule that the EPA is putting forward today will save lives, protect the health of millions of Americans and finally bring about an action that is 20 years overdue. This must happen," said Charles D. Connor, president and CEO of the American Lung Association.

Power plants are the largest remaining source of several toxic air pollutants – responsible for half of mercury and more than half of acid gas emissions in the United States. In the power sector alone, coal-fired power plants are responsible for 99 percent of mercury emissions. Currently, more than half of all coal-fired power plants already deploy the widely available pollution control technologies that allow them to meet these important standards. Once final, these standards will ensure the remaining coal-fired plants, roughly 44 percent, take similar steps to decrease dangerous pollutants.

The updated standards will provide a first-ever level playing field for all power plants across the country, ensure that they play by the same rules, and provide more certainty to business. The proposed rule provides up to 4 years for facilities to meet the standards and, once fully implemented, will prevent 91 percent of mercury in coal from being released into the air.

More than 20 years ago, the 1990 Clean Air Act Amendments mandated that EPA require control of toxic air pollutants including mercury. Since then, EPA has taken action to reduce mercury emissions from many high-emitting sources; however, there is still no national standard for mercury emissions from power plants. Today's announcement is long awaited, coming 11 years after EPA announced it would set such limits for power plants, and following a February 2008 court decision that struck down the previous administration's mercury rule. In October 2009, EPA entered into a consent decree that required a proposal to be signed by March 16, 2011, and a final rule to be completed by November 2011.

The proposed mercury and air toxics standards are in keeping with President Obama's executive order on regulatory reform. They are based on the latest data and provide industry significant flexibility in implementation through a phased-in approach and use of already existing technologies.

The proposed standards also ensure that public health and economic benefits far outweigh costs of implementation. EPA estimates that for every dollar spent to reduce pollution from power plants, the American public and American businesses will see up to \$13 in health and economic benefits. The total health and economic benefits of this

standard are estimated to be as much as \$140 billion annually.

Also in keeping with the president's executive order, the proposed standard puts a premium on important input and feedback from stakeholders to inform any final standard. The public comment period, which will last 60 days after appearing in the Federal Register, will allow stakeholders including the public, industry and public health communities, to provide important input and feedback, ensuring that any final standard maximizes public health benefits while minimizing costs.

As part of the public comment process, EPA will also hold public hearings on this proposed rule. Additional details on these events will be announced at a future date.

More information: <http://www.epa.gov/airquality/powerplanttoxics/>

Seth Oster
Associate Administrator
Office of External Affairs and Environmental Education
Environmental Protection Agency
(202) 564-1918
oster.seth@epa.gov