

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/24/2018 5:36:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: crichter@thepolicygroup.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=21ced5babfe3470ea063324eeaf776ce-crichter@thepolicygroup.com]; Michael Formica (formicam@nppc.org) [formicam@nppc.org]; Scott Yager [syager@beef.org]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Andrew Walmsley [andreww@fb.org]; Clowser, Jessica (Fischer) [Jessica_Clowser@fischer.senate.gov]
Subject: FW: Acting Administrator Wheeler Codifies Latest Animal Waste Report Exemptions Under CERCLA

ICYMI

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, July 24, 2018 1:34 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Acting Administrator Wheeler Codifies Latest Animal Waste Report Exemptions Under CERCLA



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Acting Administrator Wheeler Codifies Latest Animal Waste Report Exemptions Under CERCLA

WASHINGTON (July 24, 2018) - Yesterday, U.S. Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler signed a final rule that made changes in regulations to conform to the FARM Act. The final rule also removes the regulatory text of EPA's 2008 rule that provided an exemption to farms from reporting.

"EPA is taking action to reflect Congress's direction in the FARM Act that removed an undue reporting burden on American agriculture," said EPA Acting Administrator Andrew Wheeler. **"EPA is committed to providing regulatory clarity and certainty to farmers and ranchers – hardworking Americans invested in conserving the land and environment."**

"Over the years, we've seen too many harmful federal regulations make it harder for Nebraska agriculture producers to feed the world," said Senator Deb Fischer. **"That's why I worked to pass legislation exempting farmers and ranchers from reporting requirements meant for toxic superfund sites. I thank Acting**

Administrator Wheeler for signing this final rule to implement the law that will provide our nation's producers with the relief they deserve."

Background

The rule responds to the vacatur of the CERCLA/EPCRA reporting exemption from the U.S. Court of Appeals for the D.C. Circuit. On December 18, 2008, EPA published a final rule that exempted many farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the D.C. Circuit Court vacated this final rule.

Farms, however, remained exempt because of legislative changes in the Fair Agricultural Reporting Method (FARM) Act, which was signed into law on March 23, 2018. The final rule makes regulatory revisions to reflect changes to CERCLA enacted in the FARM Act. The Agency also removed the 2008 definitions of "farm" and "animal waste" from its regulations and added revised definitions of these terms to CERCLA regulations that correspond with the FARM Act.

For more information, please see our webpage at www.epa.gov/animalwaste.

Visit The EPA's
Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

From: Bennett.Tate@epa.gov [Bennett.Tate@epa.gov]
Sent: 1/30/2018 1:34:07 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
BCC: Katelyn Conner [Katelyn_Conner@mccconnell.senate.gov]; Joe Cain [joe.cain@kyfb.com]; Cassie.Bladow@beetsugar.org; Patrick Carolan [pcarolan@franciscanaction.org]; Terry_VanDoren@mccconnell.senate.gov; syager@beef.org; Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: Fwd: Agriculture Education Grant Opportunities at EPA

FYI in case you want to pass along-

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: January 29, 2018 at 5:04:41 PM EST
To: "Gordon, Stephen" <gordon.stephen@epa.gov>
Cc: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Agriculture Education Grant Opportunities at EPA

All,

I hope that you will be able to join our Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE local grant requests for proposals. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's environmental education grant program at EPA.

Feel free to reach out to me with any questions you may have.

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov



Register now for a webinar on the 2018 EE Local Grants Program

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.

Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.

[Register for January 31, 2018.](#)

[Register for February 21, 2018.](#)

The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please

visit: <https://www.epa.gov/education/environmental-education-ee-grants>.

For questions regarding the EE Grants Program, please email ee grants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: <https://www.epa.gov/newsroom/email-subscriptions>.

Office of Public Engagement and Environmental Education

Office of the Administrator / U.S. Environmental Protection Agency

If you would rather not receive future communications from U.S. EPA, Office of Environmental Education, let us know by clicking [here](#).

U.S. EPA, Office of Environmental Education, [1200 Pennsylvania Avenue NW, Washington, DC 20460 United States](#)

Message

From: Bennett.Tate@epa.gov [Bennett.Tate@epa.gov]
Sent: 7/10/2018 2:47:58 PM
To: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
CC: Kay DeBow [kdebow@nationalbcc.org]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]
Subject: Re: Speaking role next week

Sorry- the subject should say

> On Jul 10, 2018, at 10:40 AM, Gordon, Stephen <gordon.stephen@epa.gov> wrote:

>
> I'll give you a call in 5 minutes Kay!

>
> Stephen L. Gordon Jr.
> Deputy Director for Public Engagement
> Office of the Administrator
> U.S. Environmental Protection Agency

> **Ex. 6**
> Gordon.Steph@epa.gov

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

> From: Kay DeBow [mailto:kdebow@nationalbcc.org]
> Sent: Tuesday, July 10, 2018 10:35 AM
> To: Bennett, Tate <Bennett.Tate@epa.gov>
> Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
> Subject: RE: Speaking role next week

> Hello Hello Tate! How are you? That would be great. Someone please call me, I have a question.

> **Ex. 6** Kay

>
> Kay DeBow
> Co-founder
> National Black Chamber of Commerce
> 4400 Jenifer St NW #331
> Washington, DC 20015
> www.nationalbcc.org

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

> From: Bennett, Tate <Bennett.Tate@epa.gov>
> Sent: Tuesday, July 10, 2018 10:25 AM
> To: Kay DeBow <kdebow@nationalbcc.org>
> Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
> Subject: Speaking role next week

> Hi Mrs. Kay-

> We plan to send our Acting Administrator, Andrew Wheeler, in Pruitt's place this week on your agenda. Does that work for you all?

> If so, I'll send his bio shortly.

> Tate
> **Ex. 6**

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 3/2/2018 4:44:54 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Thanks

Thank you, Patrick.

We will get back to you soon

On Mar 2, 2018, at 9:48 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate, Liz,

It was an absolute pleasure getting to chat yesterday. Here's a press release related to yesterdays oil and gas announcements: <http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0>

As far as the livestreams we discussed, again we have one activist townhall-style livestream and my Regulatory focused weekly livestream. We're very flexible on time and date. Liz, I would love to have you on next week, either Thursday afternoon or sometime Friday as we discussed. But, again, we need guests every week and we're focusing on energy and environmental policy in March. Ken Cuccinelli would be available to conduct interviews as well. At the link below you should be able to see various examples and viewership numbers. Let me know what you both think!

<https://www.facebook.com/pg/FreedomWorks/videos/>

Looking forward to collaborating further!

Best,

Patrick

On Thu, Mar 1, 2018 at 3:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Patrick!

Thanks for being so flexible today! Feel free to pass along info for next week.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

--

Patrick Hedger

Director of Policy

FreedomWorks Foundation

office

Ex. 6

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 2/26/2018 6:56:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: National Black Chamber Of Commerce Progress Report February 26, 2018

NBCC | National Black
Chamber of Commerce®

4400 Jenifer St. NW Suite 331 | Washington, DC 20015

Office: 202-466-6888 | Fax: 202-466-4918

www.nationalbcc.org | info@nationalbcc.org

Celebrating African -American History Month By The NBCC & Affiliated Partners: View All Here



National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

[SafeUnsubscribe™](#) bennett.tate@epa.gov

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Sent by halford@nationalbcc.org in collaboration with



Try it free today

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 1/31/2018 1:24:44 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re:

Ex. 6

Britt Aasmundstad
(202)296-9680

> On Jan 30, 2018, at 8:20 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> What is your cell?
>

Message

From: Megan McDonald [Megan@nasda.org]
Sent: 1/31/2018 4:22:57 PM
To: Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; McMurray, Forrest [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=344246fb2cb643bfab4f92fe016566e2-McMurray, F]; Britt Aasmundstad [britt@nasda.org]; Carly Grether [carly@nasda.org]; Aline DeLucia [aline@nasda.org]; Amanda Culp [Amanda@nasda.org]
Subject: Re: Check in with NASDA

Yes, we're all set!

Megan McDonald
NASDA
202-296-9680 (office)
Ex. 6 (direct)

Sent from my iPhone

On Jan 31, 2018, at 10:53 AM, Kunding, Kelly <kunding.kelly@epa.gov> wrote:

Hi All -

I wanted to follow up on Tate's email from last night to make sure we are good to go for this afternoon's speaking engagement and signing?

Thank you,

Kelly

Sent from my iPhone

On Jan 30, 2018, at 8:19 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Is this the signing table that's in addition to the two chairs? If you'd like to invite your president/ leadership to come up for it, that would be great too. Maybe Ryan Quarles too?

On Jan 30, 2018, at 5:22 PM, Kunding, Kelly <kunding.kelly@epa.gov> wrote:

Our thought was that Jim Reece could join him at the table.

From: Megan McDonald [mailto:Megan@nasda.org]
Sent: Tuesday, January 30, 2018 5:12 PM
To: Kunding, Kelly <kunding.kelly@epa.gov>
Cc: Britt Aasmundstad <britt@nasda.org>; Carly Grether <carly@nasda.org>; Aline DeLucia <aline@nasda.org>; Amanda Culp <Amanda@nasda.org>; bennet.tate@epa.gov
Subject: Re: Check in with NASDA

Hi Kelly, who will be at the table tomorrow when Administrator Pruitt signs the MOU?

Megan McDonald
NASDA
202-296-9680 (office)
Ex. 6 direct)

Sent from my iPhone

On Jan 29, 2018, at 3:07 PM, Kunding, Kelly
<kunding.kelly@epa.gov> wrote:

Britt –

Would you mind giving me a call at your earliest convenience? **Ex. 6**

Thank you,

Kelly

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Monday, January 29, 2018 12:55 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Amanda Culp <Amanda@nasda.org>; Kunding, Kelly <kunding.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Carly Grether <carly@nasda.org>; Megan McDonald <Megan@nasda.org>
Subject: Re: Check in with NASDA

Sure thing! CC'ing Carly and Megan who have these specific details.

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at 11:26 AM, Bennett, Tate
<Bennett.Tate@epa.gov> wrote:

Yes. Would be nice to know sooner than later if Weds' registration has closed.....

On Jan 29, 2018, at 10:41 AM, Britt Aasmundstad <britt@nasda.org> wrote:

Yes! Can we call you around three? We've got board meetings all morning. Thank you!

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at
10:04 AM, Bennett,
Tate
<Bennett.Tate@epa.gov
> wrote:

Wedne
sday I
mean.

From:
Bennett
, Tate
Sent:
Monda
y,
January
29,
2018
10:02
AM
To:
'Amanda@nasda.org
'
<Amanda@nasda.org
>; Britt
Aasmu
ndstad
<britt@nasdaq.com
>
Cc:
Kundin
ger,
Kelly
<kundinger.kelly@epa.gov
>;
Hupp,
Millan
<hupp.millan@epa.gov
>

Subject

: Check
in with
NASDA

Hi
ladies!
Any
chance
we can
check
in
today
re
tomorr
ow's
event?

Ex. 6

Elizabe
th Tate
Bennett
Associa
te
Admini
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for
Public
Engage
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Environ
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Educati
on
Office
of the
Admini
strator
U.S.
Environ
mental
Protecti
on
Agency
(202)
564-
1460
Bennett
Tate@
epa.gov

Message

From: Carly Grether [carly@nasda.org]
Sent: 1/31/2018 1:19:34 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Check in with NASDA

I am currently at #WPC2018 so there may be delay in my email response. My cell is Ex. 6 please text or call if urgent!

Carly Grether
Associate Director, Development & Communications
NASDA

Message

From: Megan McDonald [Megan@nasda.org]
Sent: 1/31/2018 1:19:34 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Check in with NASDA

I'm out of the office this week starting January 29 - February 1 at NASDA's #WPC2018 (Winter Policy Conference). I will respond to your email as soon at my earliest convenience.

Thanks,
Megan

Megan McDonald
Director, Meetings and Events & Executive Assistant to the CEO
National Association of State Departments of Agriculture
(202) 296-9680 office
Ex. 6 direct
www.nasda.org
tradeshows.nasda.org
megan@nasda.org

Message

From: Ethan Mathews [emathews@croplifeamerica.org]
Sent: 1/31/2018 10:33:51 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
Subject: Re: Executed MOA

Thank you!!

Ethan Mathews
Director of Government Affairs
CropLife America
emathews@croplifeamerica.org

Ex. 6 (o)
(m)

On Jan 31, 2018, at 5:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

From: Bennett, Tate
Sent: Wednesday, January 31, 2018 5:13 PM
To: 'Beau Greenwood' <BGreenwood@croplifeamerica.org>; 'emathews@croplifeamerica.org' <emathews@croplifeamerica.org>
Subject: Executed MOA

<Executed ESA-FIFRA MOA 1.31.18.pdf>

Message

From: Greenwalt, Sarah [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C13775B8F424E90802669B87B135024-GREENWALT,]
Sent: 3/5/2018 1:13:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Mary Jo Tomalewski [mjtomalewski@croplifeamerica.org]
Subject: RE: Invitation to Meet

My apologies, but I have a meeting with the Administrator at that time.

Sarah A. Greenwalt

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

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

From: Bennett, Tate
Sent: Friday, March 2, 2018 12:35 PM
To: Mary Jo Tomalewski <mjtomalewski@croplifeamerica.org>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: Re: Invitation to Meet

I am available should our standing 8:30 run on time.

> On Mar 2, 2018, at 12:17 PM, Mary Jo Tomalewski <mjtomalewski@croplifeamerica.org> wrote:
>
> Good afternoon,
>
> Jay Vroom from CropLife America asked me to reach out to you to invite you to an hour-long meeting that we are having on Tuesday, March 6 at 9 AM, with Henry Darwin in his offices. A group of our Board of directors and other industry leaders are in town for CLA winter board meeting and they want to meet to discuss a number of issues and EPA processes.
>
> If you are available we would be delighted if you would join us.
>
> MJ
>
> Sent from my iPhone~Please excuse any typos!

Message

From: Beau Greenwood [BGreenwood@croplifeamerica.org]
Sent: 1/31/2018 10:33:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: ematthews@croplifeamerica.org
Subject: Re: Executed MOA

Thanks Tate!!

Beau.

On Jan 31, 2018, at 5:13 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

<Executed ESA-FIFRA MOA 1.31.18.pdf>

Message

From: Don Parrish [donp@fb.org]
Sent: 2/21/2018 2:59:02 PM
To: Wyoming Ken Hamilton [khamilton@wyfb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Introduction

Ken

I would like to introduce you to Tate Bennett, she works for Administrator Pruitt at EPA . I was just talking to her and she asked me for a Wyoming contact. Tate is from Kentucky and a great lady that I enjoy working with. Good luck and let me know if I can be helpful to either of you.

Best wishes

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 2/16/2018 4:22:18 PM
To: Charles DeBow [cdebow@nationalbcc.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cunningham, Bisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Cunningham, Bisa]; Allen, Tania [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eef9b6fdb5fb466e8deb5ed130077df3-Allen, Tania]; Wooden-Aguilar, Helena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=991ab84f64be4b6b9dd10a68c81887b0-HAWodd]
Subject: RE: NBCC Panel @ EPA on Feb 28th -----Reschedule

Charles,

Thanks for taking my call this morning. We look forward to rescheduling the event at a later date. National Small Business Week might be a better time if schedules permit.

I will send you the information you requested on infrastructure funding. Please let me know if there is anything else you need as you prepare the NBCC for your meeting with the Admin.

Regards,

Lee

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Ex. 6

OPTION 3

TITLE: Economic Empowerment

DATE OF THE EVENT: February 28, 2018 (11:00 a.m. to 12 noon), in the EPA Green Room, the Administrator's Office

PROPOSED ROLE FOR THE ADMINSTRATOR: Remarks

PANEL: Kay Debow, Charles Debow, Harry Alford, EPA Leadership, and Department of Commerce

POTENTIAL OUTLINE:

Panel Discussion – EPA, NBCC member (if possible), and NBCC

- History of the NBCC (how did you get started?)
- NBCC Chapters

- How does EPA / the government provide opportunities to those seeking contracts? (especially small businesses)

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 2/15/2018 4:41:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: AEZ guidance

Thank you, Tate.

From: Britt Aasmundstad
Sent: Thursday, February 15, 2018 10:47 AM
To: Bennett, Tate
Cc: Aline DeLucia; Nathan Bowen
Subject: RE: AEZ guidance

Thanks so much, Tate!

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, February 15, 2018 10:36 AM
To: Britt Aasmundstad
Subject: AEZ guidance

Britt—

Thanks for taking my call.

AEZ updated FAQs is up at <https://www.epa.gov/pesticide-worker-safety/worker-protection-standard-and-application-exclusion-zone-frequently-asked>. It's the second link at the bottom of the page. The page also has the two animation videos embedded in it.

Direct link to the pdf of the updated FAQs is <https://www.epa.gov/sites/production/files/2018-02/documents/aez-qa-fact-sheet-final.pdf>.

Let us know if your folks have any questions. Feel free to pass this along.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 1/31/2018 3:17:05 PM
To: Nathan Bowen [Nathan@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EMBARGOED WOTUS Step 0

Thanks, Tate!

Britt Aasmundstad
(202)296-9680

On Jan 31, 2018, at 10:14 AM, Nathan Bowen <Nathan@nasda.org> wrote:

Thanks Tate. A lot happening for you guys today!

Sent from my iPhone

On Jan 31, 2018, at 10:03 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

FYI in the midst of everything today, this will be signed at 10:45 AM ☺

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, January 30, 2018 6:24 PM
To: Block, Molly <block.molly@epa.gov>
Subject: EPA and Army Finalize "Waters of the United States" Applicability Date - Preview

EPA and Army Finalize "Waters of the United States" Applicability Date

WASHINGTON (January 31, 2018) - Today, the U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (Army) have finalized a rule adding an applicability date to the 2015 Clean Water Rule (the 2015 Rule). This rule provides clarity and certainty about which definition of "waters of the United States" is applicable nationwide in response to judicial actions that could result in confusion. The new applicability date will be two years after today's action is published in the Federal

Register, during which time both agencies will continue the process of reconsidering the 2015 Rule.

“Today’s action completes the next step in our plan to provide certainty for our nation’s farmers and ranchers,” **said EPA Administrator Scott Pruitt**. “In this day and age, it is critical to provide our state, local and tribal partners with clarity regarding federal jurisdiction under the Clean Water Act. I look forward to continuing our meaningful engagement and dialogue as we work to reconsider the definition of the ‘waters of the United States’ so that Americans receive the clarity they deserve.”

“We are committed to transparency as we execute the Clean Water Act Section 404 regulatory program. The Army and EPA proposed this rule to provide the regulated public clarity and predictability during the rule making process,” **said Acting Assistant Secretary of the Army (Civil Works) Ryan Fisher**.

The 2015 Rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. The U.S. Court of Appeals for the Sixth Circuit’s nationwide stay halted implementation of the 2015 Rule. But last week the Supreme Court determined that the U.S. Courts of Appeals do not have original jurisdiction to review these challenges and, therefore, the Sixth Circuit lacked authority to issue a stay. Given uncertainty about litigation in multiple district courts over the 2015 Rule, this action provides much needed certainty and clarity to the regulated community during the ongoing regulatory process.

Today’s final rule is separate from the two-step process the agencies are currently taking to reconsider the 2015 Rule. The public comment period for the Step 1 rule proposing to rescind the 2015 Rule closed in September 2017, and those comments are currently under review by the agencies. EPA and the Army are also in the process of reviewing input from state, local, and tribal governments and other stakeholders as they work to develop a proposed Step 2 rule that would revise the definition of “waters of the United States.”

Background

On February 28, 2017, President Trump issued Executive Order (EO) 13778, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.” As EO 13778 stated, it is in the national interest to ensure that the nation’s navigable waters are kept free from pollution, while simultaneously promoting economic growth, minimizing regulatory uncertainty, and respecting the roles of both Congress and States under the Constitution.

Additional information on this final rule: www.epa.gov/wotus-rule

<image001.png>

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Don Parrish [donp@fb.org]
Sent: 2/14/2018 3:29:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: can we talk?

k

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, February 14, 2018 10:29 AM
To: Don Parrish
Subject: Re: can we talk?

Tomorrow? Staffing SP all day

On Feb 14, 2018, at 10:13 AM, Don Parrish <donp@fb.org> wrote:

I have a couple of things to bounce off of you. Thanks

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Delivery Report

From: postmaster@croplifeamerica.org [postmaster@croplifeamerica.org]
Sent: 2/2/2018 9:37:05 PM
To: ematthews@croplifeamerica.org
Subject: Undeliverable: Executed MOA
Attachments: Executed MOA

Your message

To: 'Beau Greenwood'; ematthews@croplifeamerica.org
Subject: Executed MOA
Sent: 1/31/2018 10:13:24 PM

Delivery has failed to these recipients or groups:

ematthews@croplifeamerica.org (ematthews@croplifeamerica.org)

Your message couldn't be delivered. Despite repeated attempts to contact the recipient's email system it didn't respond.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their email system isn't accepting connection requests from your email system. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: SN4PR0501MB3712.namprd05.prod.outlook.com
Receiving server: SN4PR0501MB3712.namprd05.prod.outlook.com
Total retry attempts: 50

ematthews@croplifeamerica.org
2/2/2018 9:37:05 PM - Server at SN4PR0501MB3712.namprd05.prod.outlook.com returned '550 5.4.300 Message expired'

Original message headers:

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by SN4PR0501MB3712.namprd05.prod.outlook.com (2603:10b6:803:48::22) with
Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.464.6; Wed, 31
Jan 2018 22:13:38 +0000
Received: from DM3NAM05FT053.eop-nam05.prod.protection.outlook.com

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Authentication-Results: spf=neutral (sender IP is 67.231.154.164) smtp.mailfrom=epa.gov; croplifeamerica.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com;croplifeamerica.org; dmarc=permessageaction=none header.from=epa.gov;
Received-SPF: Neutral (protection.outlook.com: 67.231.154.164 is neither permitted nor denied by domain of epa.gov)
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X-Virus-Scanned: Proofpoint Essentials engine
Received: from gcc01-CY1-obe.outbound.protection.outlook.com (mail-cylgcc01on0136.outbound.protection.outlook.com [23.103.200.136]) (using TLSv1.2 with cipher ECDHE-RSA-AES256-SHA384 (256/256 bits)) (No client certificate requested) by mx1-us1.ppe-hosted.com (Proofpoint Essentials ESMTS Server) with ESMTS id A79E3B00055; Wed, 31 Jan 2018 22:13:26 +0000 (UTC)
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Received: from BL0PR0901MB2339.namprd09.prod.outlook.com ([fe80::5083:f15f:60d:eea3]) by BL0PR0901MB2339.namprd09.prod.outlook.com ([fe80::5083:f15f:60d:eea3]) with mapi id 15.20.0464.012; Wed, 31 Jan 2018 22:13:24 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: 'Beau Greenwood' <BGreenwood@croplifeamerica.org>, "ematthews@croplifeamerica.org" <ematthews@croplifeamerica.org>
Subject: Executed MOA
Thread-Topic: Executed MOA
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X-EOPathAttributedMessage: 0
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(UTC)

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X-CrossPremisesHeadersFilteredByDsnGenerator:
SN4PR0501MB3712.namprd05.prod.outlook.com

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 1/31/2018 10:13:24 PM
To: 'Beau Greenwood' [BGreenwood@croplifeamerica.org]; ematthews@croplifeamerica.org
Subject: Executed MOA
Attachments: Executed ESA-FIFRA MOA 1.31.18.pdf

MEMORANDUM OF AGREEMENT

between

the Environmental Protection Agency, the Department of the Interior,
and the Department of Commerce

on

Establishment of an Interagency Working Group to Coordinate Endangered Species Act
Consultations for Pesticide Registrations and Registration Review

I. PURPOSE

This Memorandum of Agreement (MOA) establishes an interagency working group (“Working Group”) comprised of representatives from the Environmental Protection Agency (EPA), the Department of the Interior (DOI), which includes the Fish and Wildlife Service (FWS), and the Department of Commerce (DOC), which includes the National Marine Fisheries Service (NMFS) (collectively, “the Signatory Agencies”). The Working Group will provide recommendations to EPA, FWS, and NMFS leadership on improving the Endangered Species Act (ESA)¹ consultation process for pesticide registration and registration review (“pesticide consultation process”) and will ensure that the new process is recorded and formalized as appropriate.

II. BACKGROUND

Statutory Framework and Pending Reviews

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)² governs pesticide registration, distribution, and use. EPA implements FIFRA, while consulting with the Department of Agriculture (USDA) on pesticide-related rulemakings. Most pesticides distributed or sold in the United States must obtain a registration from EPA prior to their use. FIFRA additionally requires that EPA review pesticide registrations every 15 years. As of July 1, 2017, EPA has been processing 725 registration review cases that cover approximately 1,140 pesticide active ingredients.

The ESA seeks to conserve threatened and endangered species and the ecosystems upon which they depend. Pursuant to ESA section 7(a)(2), federal agencies shall “insure that any action authorized, funded, or carried out by such agency . . . is not likely to jeopardize the continued existence” of any listed species or result in adverse modification of critical habitat.³ Section 7(a)(2) further requires agencies to consult with FWS, NMFS, or both (collectively, “the Services”) when contemplating an agency action subject to ESA. Courts have found specific

¹ 16 U.S.C. § 1531 *et seq.*

² 7 U.S.C. § 136 *et seq.*

³ 16 U.S.C. § 1536(a)(2).

registrations and registration reviews of pesticides under FIFRA to be agency actions subject to ESA's consultation requirements.

Status of Pesticide Consultations

America's 3.2 million farmers operate over 2 million farms and annually produce billions of pounds of food. Responsible pesticide use is an essential tool for managing America's estimated 915 million acres of farmland. At the same time, pesticides may impact non-target organisms, including fish and wildlife.

For decades, EPA and the Services have worked to determine how best to fulfill ESA's consultation requirements when registering and reregistering pesticides:

- Initially, EPA and FWS conducted ESA consultations on individual pesticides but ended this practice after it was deemed too lengthy and ineffective in protecting listed species.⁴
- In 1981, EPA in cooperation with FWS adopted a "cluster" approach pursuant to which all pesticides registered for the same use pattern were examined concurrently. At that time, EPA received biological opinions from the Services for four clusters and began drafting implementation plans for the biological opinions. However, the implementation plans proved to be unworkable because they were "far more complex and time-consuming than originally anticipated," and as a result, the cluster approach was abandoned in 1998.⁵
- In 1989, after collaboration among EPA, the Services, and USDA, and the conclusion of a notice-and-comment period, the agencies published a revised Endangered Species Protection Plan and returned to species-based assessments. Under this approach, EPA identified species most vulnerable to pesticides, the Services identified the counties where those species lived, and USDA provided information on crop growth and pesticide application.
- In 2001, a non-government organization successfully challenged EPA's failure to consult with NMFS on 54 pesticide active ingredients and their effect on 25 listed species of salmon and steelhead.⁶ Partially in response to this challenge, in 2004, EPA and the Services issued counterpart regulations, which created a number of different procedures to conduct informal and formal ESA pesticide consultations.⁷ The implementation of one such procedure for informal consultation, the alternative consultation procedure, was challenged and, in 2006, held to be arbitrary and capricious.⁸

In an effort to address issues between federal agencies related to identifying and implementing appropriate scientific and technical approaches, EPA, the Services, and USDA requested the

⁴ ENVIRONMENTAL PROTECTION AGENCY, REPORT TO CONGRESS ON THE ENDANGERED SPECIES PROTECTION PROGRAM AS IT RELATES TO PESTICIDE REGULATORY ACTIVITIES, at 6 (1991), available [here](#).

⁵ *Id.* at 8.

⁶ *Wash. Toxics Coal. v. EPA*, 413 F.3d 1024 (9th Cir. 2005), cert. denied, 546 U.S. 1090 (2006).

⁷ 50 C.F.R. § 402.40-48 (2016).

⁸ *Wash. Toxics Coal. v. United States Dep't of the Interior*, 457 F. Supp. 2d 1158 (W.D. Wash. 2006).

National Research Council (NRC) “to examine scientific and technical issues related to determining risks posed to listed species by pesticides.”⁹ In 2013, the NRC released a report that identified categories of issues the agencies should seek to resolve and strategies to improve interagency coordination. As a result of the NRC report, EPA and the Services developed and are implementing a set of “interim agreements” and a “stakeholder engagement process.”

The pesticide consultation process that has evolved since the NRC report remains highly challenging. For example, although EPA is required to complete registration review of more than 700 cases by 2022, it has taken EPA and the Services several years to address the three active ingredients in the first pesticides covered using the most recent approach. This experience has shown that the NRC report did not foresee the challenges associated with implementing its recommendations in view of the statutory requirements and associated regulations that the EPA and the Services must follow. In addition, the pesticide consultation process continues to be subject to litigation and various consent decrees.

III. ACTIONS

Creation of Interagency Working Group

This MOA establishes a Working Group to support EPA and the Services in meeting their obligations related to the pesticide consultation process. The Working Group shall consist of the Signatory Agencies to this memorandum. In addition, the Signatory Agencies request that USDA, the Council on Environmental Quality (CEQ), and the Office of Management and Budget (OMB) join the Working Group, and that CEQ serve as Chair of the Working Group. The Signatory Agencies may also request the participation of other federal agencies or offices in the Working Group as appropriate.

Action Plan

Federal agency coordination and support is necessary to meet ESA obligations with regard to pesticide consultations. The Working Group will (1) outline a legal and regulatory framework by analyzing the relevant statutes, regulations, and case law, (2) review past pesticide consultation practices to learn from those experiences, (3) develop scientific and policy approaches that will increase the accuracy and timeliness of the pesticide consultation process, and (4) memorialize the proposed approach through a memorandum of understanding, revised regulations, or another legal mechanism:

1. *Analyze relevant statutes, regulations, and case law.* The Working Group will review (1) the statutory requirements under ESA and FIFRA, (2) the case law that has developed on the intersection of ESA and FIFRA, and (3) existing regulations for the pesticide consultation process. For example, the Working Group will review 50 C.F.R. § 402.46-47 (the optional formal consultation procedure) and determine whether its application would improve the pesticide consultation process. The Working Group should also provide advice on how best to define the scope of the agency action subject to consultation, and on how to properly identify and classify direct and indirect effects of

⁹ ASSESSING RISKS TO ENDANGERED AND THREATENED SPECIES FROM PESTICIDES, at 3 (2013) available [here](#).

the agency action. The Working Group will identify statutory obligations and limitations, providing a legal and regulatory framework to guide the Working Group as it develops its scientific and policy recommendations for the pesticide consultation process.

2. **Review past ESA pesticide consultation practices to learn lessons from recent experience.** The Working Group will review current and previous pesticide consultation practices to identify problems and areas for improvement, as well as best practices that should be used in future pesticide consultations.
3. **Prepare recommendations to improve scientific and policy approaches.** The Working Group will provide recommendations on how to improve scientific and policy approaches to ESA pesticide consultations. For example, the Working Group will develop a streamlined process for identifying which actions require no consultation, informal consultation, or formal consultation. The Working Group will also help provide clarity as to what constitutes the “best scientific and commercial data available” in the fields of pesticide use and ecological risk assessment, which EPA and the Services are required to use under ESA section 7(a)(2).
4. **Document the approach.** To the extent that current authorities and practices do not allow for the timely and accurate review of pesticides consistent with governing authorities, the Working Group may memorialize its recommendations for a revised regulatory framework, including addressing agency responsibilities, recommended technical approaches, and recommendations for new regulations, a memorandum of understanding, or other appropriate documentation. Documenting the new approaches would promote lasting cooperation between the agencies.

IV. OTHER PROVISIONS

1. **Period of Agreement.** The term of this MOA will commence upon full execution by the Signatory Agencies, and shall remain in effect until such time as the MOA is terminated by any Signatory Agency or its successor.
2. **Modification.** This MOA, or subsequent annexes, may only be modified by mutual agreement of the Signatory Agencies or their successors. Such modifications shall be in writing and will take effect upon execution by the Signatory Agencies or their successors.
3. **Rights and Benefits.** Nothing in this MOA is intended to diminish or otherwise affect the authority of any agency to carry out its statutory, regulatory, or other official functions, nor does it create any right or benefit, substantive or procedural, enforceable at law by any party against the United States, its agencies or officers, State agencies or officers carrying out programs authorized under Federal law, or any other person.
4. **Agreement Does Not Involve Funding.** This MOA, in and of itself, does not result in the transfer of funds or other financial obligations between the Signatory Agencies. No provision of this MOA shall be interpreted to require obligation or payment of funds in

violation of the Anti-Deficiency Act, 31 U.S.C. § 1341. Funding arrangements, if any, shall be the subject of separate agreements that will be subject to the availability of funds.

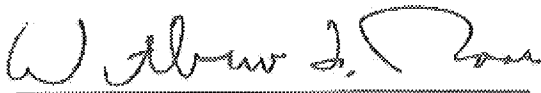
5. *Stakeholder Input.* In carrying out Section III of the MOA, the Working Group is not prohibited from seeking or receiving stakeholder expertise, experience, input, information, or other items deemed appropriate, consistent with the requirements of the Federal Advisory Committee Act (FACA).

V. SIGNATORIES



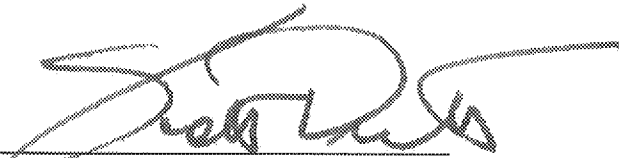
Date: 1/31/2018

Ryan K. Zinke
Secretary
U.S. Department of the Interior



Date: JAN 31 2018

Wilbur Ross
Secretary
U.S. Department of Commerce



Date: 1/31/2018

Scott Pruitt
Administrator
U.S. Environmental Protection Agency

Message

From: Emily Jordan [emilyj@fb.org]
Sent: 7/24/2018 4:50:43 PM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Sorghum Oil Pathway Signing at EPA 7/24 - final details

Thanks Hema, it will just be President Duvall and Lynne Finnerty as advised yesterday. His wife will not be joining.

Emily Jordan | Executive Assistant
American Farm Bureau Federation®
emilyj@fb.org | **Ex. 6** (office) | **Ex. 6** (cell)

From: Subramanian, Hema <Subramanian.Hema@epa.gov>
Sent: Tuesday, July 24, 2018 12:25 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Sorghum Oil Pathway Signing at EPA 7/24 - final details

An update: We are extending the event to run until 5:50 pm to allow enough time for brief remarks by each of the speakers. There will be an opportunity for all attendees to mingle with the press when the event concludes.

Final RSVPs have been submitted. Thank you, and we look forward to seeing you tonight!
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041

From: Subramanian, Hema
Sent: Monday, July 23, 2018 5:53 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Sorghum Oil Pathway Signing at EPA 7/24 - final details

As you know, Acting Administrator Andrew Wheeler will be holding an event **tomorrow afternoon, Tuesday the 24th, at 5:00 pm at EPA** to sign the final Sorghum Oil RFS Pathway rule. We are honored that many of you will be joining us for this event, and have included some of you in this email who may be interested in the final details or can pass them along to your attending colleagues. Note that attendee names are required in advance for entrance into EPA through security, so please send any additional RSVPs by tonight (Monday the 23rd).

The event will be in the Administrator's Green Room and will "roundtable" format. We would welcome remarks from each of your offices about how this decision impacts your constituents. **Note: This event will be open to press and livestreamed.**

Here is a general flow of the event:

By 4:30 pm – Please arrive for security at EPA’s William Jefferson Clinton – **South** building (see below for directions).

4:50 pm - Arrive in Green Room (3rd Floor) for Overview.

5:00 pm - Opening remarks by Don Bloss (National Sorghum Producers) and Acting Administrator Wheeler, followed by brief remarks around the table.

5:20 pm – Signing of the final rule and group photo around the Administrator’s seat.

5:30 pm - Event concludes.

Link to press release on the proposed rule for background: <https://www.epa.gov/renewable-fuel-standard-program/notice-proposed-rulemaking-grain-sorghum-oil-pathways>

Below is information on entrance and security procedures.

Thank you, and please feel free to reach out with any questions.

---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041

Directions and Visitor Entry Procedures (PLEASE READ PRIOR TO ARRIVAL):

Please send Hema Subramanian (Subramanian.hema@epa.gov) a list of names of non-federal visitors **by 7/23**, and arrive at least 20 minutes prior to your appointment to allow time for security screening and escort to the meeting room.

EPA address is 1200 Pennsylvania Avenue, NW.

Metro stop: Federal Triangle

Although our street address is 1200 Pennsylvania Avenue, the main entrances for visitors are not along Pennsylvania Avenue. Enter the William Jefferson Clinton **South** building via doors to the left of the Federal Triangle Metro exit escalators (when exiting the Metro and facing Woodrow Wilson Plaza). For more details and a map:

<https://www.epa.gov/aboutepa/visiting-epa-headquarters>

If you are coming by taxi/vehicle, you will want to be dropped off on the west side of 12th Street NW, midway between Pennsylvania and Constitution Avenue. From 12th Street, facing the building with the EPA and American flags, walk toward the building (under the flags) and take the glass door on your left side near the escalators going down to the metro. This is the South Lobby entrance to the William Jefferson Clinton building.

Non-federal visitors will need to go through metal detectors and provide the security desk:

- your REAL ID Act-compliant identification
- **EPA contact information** (Hema Subramanian, 202-564-1301)
- destination room (Green Room)

Security will call us to sign you in and escort you to the room. For details on security and ID requirements, see:

<https://www.epa.gov/aboutepa/visiting-epa-headquarters>



Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 1/30/2018 3:27:40 PM
To: Julia Recko [juliad@fb.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Agriculture Education Grant Opportunities at EPA
Importance: High

Julia,

In case you missed it, an announcement regarding EPA's 2018 Environmental Education (EE) Local Grant Program is below. Please refer to the Request for Proposals (RFP) for eligibility information and consider sharing the RFP with your stakeholders.

Full information on the EE Grants Program, including open RFPs, tips on applying, and answers to frequently asked questions, is available at: <https://www.epa.gov/education/environmental-education-ee-grants>.

You can submit specific questions regarding the EE Grant Program or RFP to eegrants@epa.gov.

We invite interested organizations to join the Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE Local Grant RFP. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's EE Local Grants Program at EPA.



Register now for a webinar on the 2018 EE Local Grants Program

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.

Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.

[Register for January 31, 2018.](#)

[Register for February 21, 2018.](#)

The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please visit: <https://www.epa.gov/education/environmental-education-ee-grants>.

For questions regarding the EE Grants Program, please email ee grants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: <https://www.epa.gov/newsroom/email-subscriptions>.

Office of Public Engagement and Environmental Education
Office of the Administrator / U.S. Environmental Protection Agency



If you would rather not receive future communications from U.S. EPA, Office of Environmental Education, let us know by clicking [here](#).
U.S. EPA, Office of Environmental Education, [1200 Pennsylvania Avenue NW, Washington, DC 20460 United States](https://www.epa.gov)

Message

From: Emily Stack [estack@freedomworks.org]
Sent: 3/6/2018 7:26:40 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Daniel Savickas [dsavickas@freedomworks.org]; Sarah Anderson [sanderson@freedomworks.org]; Ken Cuccinelli [ktc21968@gmail.com]
Subject: Re: Thanks

Good Afternoon Everyone,

As Patrick said we can be pretty flexible with dates on the Regulatory Livestream. As for our Weekly Educational Activist Livestream we do them every Tuesday at 5pm but can be flexible on the time for those. Our upcoming dates available are the 6th, 13th, and 20th. Let me know when everyone is available to come in and I will help move things along.

Best,
Emily

On Tue, Mar 6, 2018 at 1:47 PM, Patrick Hedger <phedger@freedomworks.org> wrote:
No problem!

Certainly. Cc'd is Emily Stack, who manages our weekly townhall-style livestream as well as Dan Savickas and Sarah Anderson, who can help coordinate the regulatory-specific livestream in my absence. While I am gone, I believe Ken Cuccinelli would be a likely host. Ken is CC'd as well.

Thanks!

Sent from my iPhone

On Mar 6, 2018, at 12:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Patrick - we haven't forgotten you! Will get back to you on timing. Is there a good poc while you are out?

On Mar 2, 2018, at 9:48 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate, Liz,

It was an absolute pleasure getting to chat yesterday. Here's a press release related to yesterdays oil and gas announcements: <http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0>

As far as the livestreams we discussed, again we have one activist townhall-style livestream and my Regulatory focused weekly livestream. We're very flexible on time and date. Liz, I would love to have you on next week, either Thursday afternoon or sometime Friday as we discussed. But, again, we need guests every

week and we're focusing on energy and environmental policy in March. Ken Cuccinelli would be available to conduct interviews as well. At the link below you should be able to see various examples and viewership numbers. Let me know what you both think!

<https://www.facebook.com/pg/FreedomWorks/videos/>

Looking forward to collaborating further!

Best,

Patrick

On Thu, Mar 1, 2018 at 3:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Patrick!

Thanks for being so flexible today! Feel free to pass along info for next week.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office **Ex. 6**

--

Emily Stack
Grassroots Coordinator
FreedomWorks

estack@freedomworks.org

Ex. 6

400 North Capitol Street N.W. Suite 765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Mary Jo Tomalewski [mjtomalewski@croplifeamerica.org]
Sent: 3/2/2018 11:36:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Invitation to Meet

We hope to see you!

Mary Jo Tomalewski
Executive Assistant to the President & CEO
CropLife America
Direct Dial [redacted] Ex. 6
Mobile [redacted] Ex. 6
Email mjtomalewski@croplifeamerica.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 2, 2018 12:35 PM
To: Mary Jo Tomalewski <mjtomalewski@croplifeamerica.org>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: Re: Invitation to Meet

I am available should our standing 8:30 run on time.

> On Mar 2, 2018, at 12:17 PM, Mary Jo Tomalewski <mjtomalewski@croplifeamerica.org> wrote:
>
> Good afternoon,
>
> Jay Vroom from CropLife America asked me to reach out to you to invite you to an hour-long meeting that we are having on Tuesday, March 6 at 9 AM, with Henry Darwin in his offices. A group of our Board of directors and other industry leaders are in town for CLA winter board meeting and they want to meet to discuss a number of issues and EPA processes.
>
> If you are available we would be delighted if you would join us.
>
> MJ
>
> Sent from my iPhone~Please excuse any typos!

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 3/9/2018 6:48:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: National Black Chamber Of Commerce Progress Report March 9, 2018



4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

1. Let's Rock the Gulf Coast!! The Southeastern Regional Black Chamber of Commerce Conference is less than a month away. Prepare to come and connect with our chambers and members located in that area. This will be a first major event for the year of 2018. Hotel rooms are available at the Hampton Inn and Hilton Garden Inn.

2. Photos from the Busy Black History Month of February: Three venues in New Jersey, the White House, Facebook Partnership, State Department, 8a Contracts starting to go off the charts! The Good Times have returned!!! [View All Photos Here.](#)

3. Facebook Live Interview with Congressman Donald Payne Jr.: Dateline - Newark, NJ.

4. Facebook Live Interview with Congresswoman Bonnie Watson: Dateline - Trenton, NJ



5. A Thank You from EPA Administrator E. Scott Pruitt: This is the start of a new and productive partnership!

6. Representatives of our Columbia, South America Chapter visit Home Office to discuss upcoming Trade Missions.

7. CTIA Celebrates Innovators in Honor of Black History Month.

8. Dell Special Offers: Check Out The NBCC/Dell Small Business Deals.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

SafeUnsubscribe™_bennett.tate@epa.gov

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 1/31/2018 3:03:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: EMBARGOED WOTUS Step 0

Hello--

I am at the NASDA Winter Policy Conference and may be slow to respond on email. I return Friday.

Thank you!

Britt

Message

From: Patrick Hedger [phedger@freedomworks.org]
Sent: 3/6/2018 6:47:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; estack@freedomworks.org; dsavickas@freedomworks.org; sanderson@freedomworks.org; ktc21968@gmail.com
Subject: Re: Thanks

No problem!

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Sent from my iPhone

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Patrick

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Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

--

Patrick Hedger

Director of Policy

FreedomWorks Foundation

office

Ex. 6

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/15/2018 7:23:40 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Chlorpyrifos
Attachments: Comment.pdf; pesticides-AFBFComments16a.0104.docx

Importance: High

Tate --

In the wake of the 9th Circuit ruling on chlorpyrifos last week, we asked our state farm bureaus to assess the potential impact of the loss of this product for farmers. I'm setting out below a few of the responses we have already received. I expect we will be receiving more in coming days and weeks. To put it bluntly, most of our members who rely on this product are extremely concerned about the ramifications of the court decision:

- Florida is greatly concerned about the potential impact of its loss, particularly as it is one of the critical tools available to the citrus industry in combating citrus greening. That disease alone has devastated the Florida citrus industry and losing chlorpyrifos would greatly hamper their efforts to combat the disease.
- Michigan Farm Bureau has indicated that losing chlorpyrifos would be devastating to specialty crop growers in that state. Currently, the pesticide is used on approximately:
 - 32,000 acre of cherries
 - 32,000 acres of apples
 - 9,000 acres of peaches

It is primarily used as a trunk application for the protection against borers (normally one application per season). As of today, there are no affordable alternatives to the product.

- Maryland orchardists currently rely on chlorpyrifos as a defense against peach tree borer. Because of its ability to kills egg masses on woody surfaces, they are hopeful it can be a major player in controlling the Spotted Lanternfly that has invaded Southeast PA and could move into Northeast Maryland in the near future. If it does kill the over-wintering egg masses, it could be one of the only pesticides out there to control the pest outside of the growing season. Maryland Department of Agriculture indicates that only about 3,000 lbs. of the pesticide was used annually in the state -- a reduction attributed primarily to the expanded use of Bt corn.
- Texas producers employ chlorpyrifos as one tool to help combat insect infestations; by offering a different mode of action, it helps producers in protecting their crops. The main crops that it is used on in Texas are winter wheat and pecans due to its effectiveness of controlling certain insect populations. Other crops for which it is used include:
 - Corn – not used as widely due to Bt traits in corn.
 - Cotton – used in cotton, but use varies. Not the number one insecticide used, but used for resistance management.
 - Citrus – use has declined in citrus, but still used.
 - Sorghum – again, not the number one insecticide used, but is one more 'tool in the tool box'
 - Peanuts – used to control corn rootworm on peanuts in Texas.
 - Pecans – widely used in pecans.
 - Wheat – Widely used in wheat during the winter months.
- California estimates that the loss of chlorpyrifos would lead to higher uses of pyrethroids and neonicotinoids, which are already under scrutiny. As dependence on those products goes up, so does the risk for resistance and damage from pests and diseases.

I am also attaching a couple of documents I hope will be helpful. One is comments from California Farm Bureau outlining in greater detail usage of chlorpyrifos in that state. The other is comments filed by American Farm Bureau

which gives a broader overview, from a national perspective, on the importance of the product to a wide range of crops and why it is important to maintain its availability.

Thanks for your attention to this matter. Please let me know if I can provide any further information.

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org



CALIFORNIA FARM BUREAU FEDERATION

FEDERAL POLICY DEPARTMENT

2300 RIVER PLAZA DRIVE, SACRAMENTO, CA 95833-3293 • PHONE (916) 561-5610 • FAX (916) 561-5693

June 10, 2016

U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, DC 20460

Docket No. EPA-HQ-OPP-2008-0850-0856

RE: Biological Evaluations of Chlorpyrifos, Diazinon, and Malathion

The California Farm Bureau Federation (CFBF) appreciates the opportunity to provide comments on the biological evaluations of chlorpyrifos, diazinon, and malathion and request that the agency take into account the impact the agency's actions may have on farmers and ranchers. As the largest farm organization in California, CFBF represents over 53,000 farm families and individual members. These growers are engaged in the production of the widest range of agricultural products and in many instances are critically dependent on pesticide products regulated by the U.S. Environmental Protection Agency (EPA).

CFBF has extensive policy regarding the safe use of pesticides to insure a reliable, high quality supply of safe, nourishing, and affordably priced food and agricultural commodities.

Organophosphates (OPs) provide a number of beneficial uses to farmers for a wide range of crops. They can be readily implemented into an integrated pest management (IPM) program, as well as insect resistance management (IRM) programs. OPs also work readily in tank mixes while providing flexible timing and method of application; they have a history of usage and familiarity for growers while providing effective, consistent pest control.

To cite one example, chlorpyrifos is widely used on a broad spectrum of crops, including apples, almonds, broccoli, cherries, cotton, dry beans, grapes, sunflowers, onions, and watermelon among many others. For an exhaustive discussion of its uses and benefits, we refer the agency to a document prepared by Dow Agro Sciences (DAS), viz., http://storage.dow.com.edgesuite.net/dowagro/chlorpyrifos/Use_and_Benefits_of_Chlorpyrifos_in_Agriculture_2016.pdf. This carefully prepared paper delineates the many uses and benefits of the product and underscores its importance for production agriculture.¹

Because of the important benefits OPs provide to agriculture, CFBF wishes to register its strong concern about EPA's approach in this proceeding. We strongly urge the agency to revisit its assumptions and revise its thinking because we believe the agency appears to be establishing an approach that will result in nearly irreparable impacts on farmers.

As a general remark, we note that the agency has released in this docket a series of papers and materials that constitute over 12,000 pages of highly technical text, scientific assumptions and

¹ Included in this document as Appendix A is a copy of CFBF's comments filed on December 21, 2015 when the agency announced it was considering revoking all tolerances for chlorpyrifos. The comments also contain details about the benefits and usage of chlorpyrifos in California.

evaluations and consequent judgments. It is nearly impossible for farmers and ranchers to examine such a wealth of data in the amount of time provided by the agency and respond in a meaningful manner. As a result, the agency's process may well fail to live up to the statutory guidelines laid down by Congress, under which the agency is instructed to take into account the impacts of its pesticide evaluations on farmers. Accordingly, we caution the agency that its actions may well prove highly detrimental to agriculture.

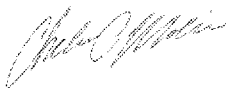
Additionally, the approach itself that EPA appears to favor presents problems. For instance, we are fearful that the agency may be proceeding in a manner that injects a 'precautionary principle' approach into its evaluations and decisions. Such an approach is without precedent, flies in the face of the law and should not be adopted.

EPA has an obligation, scientifically and validly, to evaluate the risk and exposure scenarios posed by a given chemical – in this instance, the three OPs under consideration. It appears that EPA has purposely chosen very low effects endpoints and unrealistic levels of exposure that artificially inflate 'likely to adversely affect' (LAA) determinations. We anticipate that others will file related comments to these dockets underscoring flaws in EPA's methodology and how that methodology overstates potential risks and exposures. We strongly advise the agency to consider such comments carefully. While CFBF does not retain professional staff trained in biological evaluations, we are concerned that the agency has apparently adopted a methodology that overstates risk/exposure scenarios, the impact of which will be to limit the availability of these OPs to farmers, thus undermining the ability of farmers to manage their lands efficiently, productively and profitably. In a similar vein, EPA apparently is relying on provisional models and approaches that are defective (one spatial distribution estimate reportedly has several whale species occupying habitat in Indiana).

For these reasons – the limited time available to affected stakeholders to provide comment; the voluminous amount of highly technical material; the potentially broad and negative impact on growers; the flawed methodology adopted by the agency; the overly conservative assumptions embedded in the agency's approach; and the adoption of a precautionary approach that is not consistent with the law – we urge the agency to carefully reconsider its approach and not proceed as outlined in these biological evaluations.

We value the opportunity to provide comments to the agency.

Sincerely,



Chelsea Molina
Legislative Analyst

Appendix A



December 21, 2015

Docket, Environmental Protection Agency
Mailcode 2822IT
1200 Pennsylvania Ave, NW Washington, DC 20460

Chlorpyrifos Tolerance Revocations
Docket ID No. EPA-HQ-OPP-2015-0653

The California Farm Bureau Federation would like to submit the following comments on the U.S. EPA proposal to revoke all tolerances for the insecticide chlorpyrifos in response to a court-ordered deadline. As the largest farm organization in the state representing over 53,000 farm families and individual members, Farm Bureau works to find solutions to problems faced on the farm and throughout the rural community in California.

We have extensive policy regarding the safe use of pesticides to insure a reliable, high quality supply of safe, nourishing, and affordably priced food and agricultural commodities. We support reducing pesticide risk and danger where they actually exist. But in the absence of a refined, realistic and comprehensive drinking water analysis, proposing the revocation of all or any chlorpyrifos tolerances is unjustified.

Products containing chlorpyrifos are critical to California agriculture. They are one part of comprehensive Integrated Pest Management programs and provide benefits for both small and large farm operations, including maximizing yield and yield quality, and contributing to insect resistance management.

The California Department of Pesticide Regulation use reporting database indicates there were close to sixty crops that were treated with chlorpyrifos products in 2013, on approximately 1.3 million acres. There are no known areas with drinking water concerns related to use of chlorpyrifos in California. Listed below are the crops obtained from the DPR database that benefit from having chlorpyrifos available.

California Farm Bureau
 Chlorpyrifos Tolerance Revocations
 Docket ID No. EPA-HQ-OPP-2015-0653

2013 Pesticide Use Reporting
<http://www.cdpr.ca.gov/docs/pur/purmain.htm>

Table 7: The reported pounds of pesticides used that are cholinesterase-inhibiting pesticides.

AI	2005	2006	2007	2008	2009	2010	2011	2012	2013
CHLORPYRIFOS	2,031,348	1,928,989	1,442,521	1,368,568	1,248,584	1,288,733	1,900,202	1,104,428	1,450,672

Table 8: The reported cumulative acres treated with pesticides that are cholinesterase-inhibiting pesticides.

AI	2005	2006	2007	2008	2009	2010	2011	2012	2013
CHLORPYRIFOS	1,681,634	1,538,958	1,154,681	1,162,654	935,588	1,097,107	1,188,150	1,053,936	1,288,690

CHLORPYRIFOS		Pounds Applied	Applications	Treated	Type
Commodity					
Alfalfa		193,853.45	6,991	439,496.28	A
Almond		446,672.96	2,580	240,686.91	A
Apple		3,631.20	96	2,187.05	A
Apricot		1.45	2	0.64	A
Asparagus		10,135.32	174	10,465.56	A
Avocado		26.28	2	8.00	A
Barley		35.47	2	133.00	A
Bean, Dried		486.18	34	535.00	A
		394.34		715,600.00	P
Total Pounds On This Commodity	880.52				
Bean, Succulent		243.52	15	255.00	A
Bermuda grass		37.50	1	4.00	A
Bok Choy		1,283.19	184	1,269.00	A
Broccoli		6,985.12	365	5,366.62	A
Brussels Sprout		764.05	72	986.66	A
Cabbage		3,030.86	308	3,166.31	A
		14.66	3	19.66	U
Total Pounds On This Commodity	3,045.53				
Cabbage, Savoy		12.97	2	19.00	A
Canola (Rape)		29.59	1	14.00	A
Cauliflower		867.33	100	771.51	A
Cherry		938.07	30	514.68	A
Chinese Cabbage (Napa)		89.88	26	111.02	A
Christmas Tree		4.00	1	4.00	A
Citrus		543.39	23	179.95	A
		0.04	2	92.00	U
Total Pounds On This Commodity	543.43				
Collard		73.81	13	137.37	A
Commodity Fumigation		21.16	1	45.00	?
		1.00			
Total Pounds On This Commodity	22.16				
Corn (Forage -Fodder)		40,433.78	1,110	54,224.60	A
Corn, Grain		827.21	28	1,308.20	A
Corn, Human Consumption		9,216.82	155	9,927.01	A
Cotton		157,790.22	1,525	169,015.74	A
Cucumber		0.74		5,562.32	P
		0.14		3,527.75	U
Total Pounds On This Commodity	0.88				
Daikon		1.26	2	2.75	A
Gai Choy		1.20	1	0.20	A
Gai Lon		156.38	43	154.50	A
Grape		75,964.14	833	42,749.07	A
Grape, Wine		37,917.82	332	20,582.71	A

California Farm Bureau
Chlorpyrifos Tolerance Revocations
Docket ID No. EPA-HQ-OPP-2015-0653

Grapefruit		2,273.39	91	1,284.70	A
Guava		0.70	1	2.00	A
Kale		242.23	44	332.09	A
		15.26	1	20.35	U
Total Pounds On This Commodity	257.49				
Landscape Maintenance		372.96			
Lemon		30,129.83	545	9,937.10	A
Lettuce, Leaf		10.50	1	10.00	A
Lime		9.39	4	23.25	A
Mustard		29.65	5	88.88	A
N-Gmhs Flower		81.08	61	189.83	A
		70.82	36	1,290,749.00	S
Total Pounds On This Commodity	151.91				
N-Gmhs Plants In Containers		187.91	139	4,090,930.00	S
		70.01	45	68.42	A
Total Pounds On This Commodity	257.93				
N-Gmhs Transplants		3.19	6	1.78	A
		2.37	11	274,340.00	S
Total Pounds On This Commodity	5.	56			
N-Outdr Flower		543.42	175	1,283.50	A
		128.93	37	778,824.00	S
Total Pounds On This Commodity	672.34				
N-Outdr Plants In Containers		649.82	242	1,007.34	A
		55.07	52	1,325,020.00	S
		2.40	6	9,300.00	U
Total Pounds On This Commodity	707.29				
N-Outdr Transplants		575.78	55	473.11	A
		0.51	19	16,755.00	S
Total Pounds On This Commodity	576.29				
Nectarine		1,891.56	88	1,360.61	A
Oat (Forage -Fodder)		82.87	3	88.00	A
Onion, Dry		5,142.22	123	5,824.41	A
Orange		152,323.91	1,917	49,740.21	A
Orchard Floor		38.48	5	21.50	A
Peach		5,513.40	143	2,655.44	A
Pear		98.32	6	50.50	A
Pecan		1,874.71	38	1,370.50	A
Pistachio		0.13	1	40.00	A
Plum		1,124.79	65	730.43	A
Pomelo		248.27	12	85.50	A
Prune		473.20	11	254.70	A
Public Health		0.88			
Radish		1,219.34	266	720.12	A
Regulatory Pest Control		10.54			
Research Commodity		78.05	14	39.51	A
		31.18			
Total Pounds On This Commodity	109.24				
Rights Of Way		987.81			
		1.88	1	2.00	A
Total Pounds On This Commodity	969.69				
Soil Fumigation/Preplant		10.69	4	11.34	A
Sorghum (Forage -Fodder)		2,536.87	55	4,193.60	A
Sorghum/Milo		2,900.35	77	5,019.79	A
Squash		6.15	10	40.00	A
Strawberry		8,196.40	207	8,405.08	A
Structural Pest Control		1,661.28			

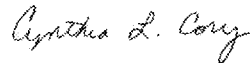
California Farm Bureau
 Chlorpyrifos Tolerance Revocations
 Docket ID No. EPA-HQ-OPP-2015-0653

Sudan grass		1,276.47	40	1,279.70	A
Sugar beet		35,114.88	704	47,668.7	A
Sugar beet (Forage -Fodder)		122.74	3	162.00	A
Sunflower		1,071.39	19	1,253.00	A
Sweet Potato		1,475.28	30	728.60	A
Tangelo		947.76	31	529.20	A
Tangerine		23,314.52	523	15,882.31	A
Turf/Sod		854.52	29	608.65	A
Turnip		57.35	36	28.09	A
		0.63	7	21,000.00	S
Total Pounds On This Commodity	57.97				
Uncultivated Ag		55.02	5	69.50	A
Vertebrate Control		9.48			
Walnut		166,208.21	2,623	91,422.74	A
Wheat		3,414.76	107	7,246.04	A
Wheat (Forage -Fodder)		10,554.57	320	21,978.61	A
Chemical Total		1,460,672.45	24,178		

U.S. EPA has presented no justification to revoke any of these tolerances and all should be retained. As the Agency produces refined information on drinking water risk and economic impact, we would suggest that analysis should be representative of realistic scenarios in key areas of use, including the State of California.

We look forward to working with the Agency as they finalize this important policy decision.

Sincerely,



Cynthia L. Cory
 Director, Environmental Affairs



January 5, 2016

U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

RE: Docket ID No. EPA-HQ-OPP-2015-0653
RIN: Not Assigned

Dear Sir or Madam:

American Farm Bureau Federation (AFBF), the nation's largest general farm organization, represents farmers and ranchers in all fifty states and Puerto Rico. They are engaged in the production of literally hundreds of commodities and specialty crops. On their behalf, we are submitting these comments to the above-referenced docket, in which EPA proposes to revoke all tolerances for chlorpyrifos. AFBF strongly opposes the agency's proposed action and requests that these comments be considered by EPA as it considers a final decision on this matter.

As a prefatory matter, AFBF wishes to state that it has previously submitted comments to the agency when it issued its preliminary human health risk assessment on chlorpyrifos; those comments were dated October 6, 2011 and December 31, 2013. We incorporate those comments by reference herein and ask that they be included for consideration in the docket.

We also wish to express our concern and disappointment that EPA's proposal appears to be a retreat from its statutory obligation that, when evaluating pesticides for registration, it balances the risk of those active ingredients against their benefits to farmers specifically, and to the public generally, when they do not pose an unreasonable risk to health or the environment. In the case of chlorpyrifos, a compound that has been widely used for decades, we believe its efficacy and safety when used as directed are amply demonstrated not just in the literature but in the experience of the agricultural sector. To underscore this fact, it may be helpful to emphasize the widespread use of the product. As we pointed out to EPA previously, there are more than 50 different crops in more than 98 countries that rely on chlorpyrifos products to help defend against crop failure from a wide array of insect pests. In the United States alone, there are a number of widely-grown crops that depend extensively on chlorpyrifos and growers need the current list of tolerances to be maintained for these crops and for any processed fraction or food tolerance, animal feed tolerance and animal commodity tolerance (such as, but not limited to milk, meat, eggs) that would be associated with the use on these crop(s). Specifically, we note these particular uses:

Alfalfa

Chlorpyrifos is widely used and highly effective against the most important insect pests of alfalfa. These pests include alfalfa weevil, leafhoppers, aphids and Lepidoptera pests. Use rates in the Midwest and Plains, which represent 60 percent of the total alfalfa area, are 0.75 pounds of active ingredient per acre (lb a.i./A) for alfalfa weevil and 0.50 lb a.i./A for leafhoppers. Rates in

the West and Southern U.S. (nearly 35 percent of the total alfalfa area) range from 0.5 to 1.0 lb a.i./A.

Citrus

Products containing chlorpyrifos are widely used in citrus for control of scale, mealybug, citrus rust mite, various Lepidoptera larvae and ants. Since the introduction of the Asian citrus psylla to the continental U.S. in 1998, chlorpyrifos has become one of the most widely used insecticides to control this pest. The Asian citrus psylla is present in Florida and Texas and recently has also been found in San Diego and Imperial Counties in California, according to the California Department of Food and Agriculture. The typical use rate in Florida is 2.5 lb a.i./A. In California, use rates vary by pest: 3 to 6 lb a.i./A for California red scale and citricola scale, and 2 to 4 lb a.i./A for ants.

Soybeans

Chlorpyrifos is effective in treating a number of Arthropod pests in soybeans, including soybean aphid, bean leaf beetle, caterpillars, grasshoppers, leafhopper, two-spotted mites and others. Use of chlorpyrifos has grown significantly in the last few years in soybeans as a result of the increased presence of the soybean aphid in the Midwest and the Great and North Plains areas that represent the largest soybean producing area in the U.S. (80 percent of the total soybean producing area). Use rates in the Midwest and the Great and North Plains are 0.25 to 0.5 lb a.i./A and 0.5 to 1.0 lb a.i. in the Southeast.

Tree Nuts – Almonds, Hazelnuts, Pecans and Walnuts

Chlorpyrifos is used as a foliar treatment and as a dormant or delayed dormant spray on almonds to control peach twig borer, navel orangeworm and San Jose scale. Walnut scale, codling moth and walnut husk fly are effectively controlled with foliar applications of a liquid chlorpyrifos formulation. Dormant or delayed dormant applications in combination with dormant oil are effective against walnut scale. The use rate of chlorpyrifos for almonds and walnuts is 2.0 lb a.i./A. Pecan insect pests controlled with chlorpyrifos include black pecan aphid, hickory shuckworm, Phylloxera, pecan nut casebearer, spittlebugs and yellow aphid complex. Rates to control these insect pests in pecans vary from 0.5 to 1.0 lb a.i./A.

These are not the only sectors where a loss of chlorpyrifos would have a large impact. Other examples include:

- Hundreds of thousands of acres of grass seed production depend on chlorpyrifos to control a wide variety of pests (e.g., aphids, crane fly, cutworms and others). According to the Oregon Seed Council, in Oregon alone grass seed contributes approximately \$1 billion of economic activity to the state and the loss of chlorpyrifos would have a significant impact on that agricultural activity.
- For vegetable crops, chlorpyrifos represents a critical tool in farmers' efforts to control insect damage,¹

¹ Please see comments submitted to the docket by the Pacific Northwest Vegetable Growers Association, as well as the Michigan Farm Bureau, the latter of which is a member of AFBF

- For mint oil production, the Mint Industry Research Council estimates that inability to utilize chlorpyrifos could present growers with an economic loss of over \$5 million.²

We have attached a more extensive list as Table 1, which is appended to these remarks.

The U.S. Department of Agriculture, in response to an inquiry by AFBF, noted that chlorpyrifos has been a part of growers' integrated pest management (IPM) programs for approximately 50 years and is used to control a wide array of primary and secondary pests in over 75 cropping systems. Were chlorpyrifos to be eliminated or severely restricted, the impact to farmers would be significant in terms of reduced efficacy of pest management programs, increased costs to growers switching to more expensive, more frequently applied and less effective alternatives, disruption to current and historical IPM programs across these cropping systems and potentially substantial losses due to reduced crop yield. According to USDA, in some systems lack of effective alternatives targeting control of primary pests, such as root maggot in sugar beets, presents serious concern of economic damage if the pest is left uncontrolled.

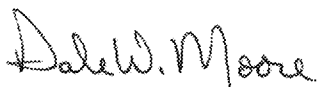
It is quite clear that the agency's proposal, should it be made effective, would represent a crippling loss to American agriculture, reaching likely into tens of millions of dollars and affecting the livelihood of farmers across the country. We do not believe a reasonable assessment of the evidence can lead to any other conclusion.

At the same time, AFBF is greatly disturbed that the agency appears to be proceeding in this manner based on modeling assessments that are highly questionable and linking its reasoning to epidemiological studies that are not transparent and do not accurately represent the risk of chlorpyrifos. In doing so, AFBF believes EPA has stepped well beyond its statutory authority and is reaching conclusions not justified either by the science or the law.

We also disagree with the agency's conclusion that a revocation of tolerances will not have an impact on a significant number of small farms. The agency conducted only a national screen and although citing the potential for a higher level of impact in some regions, dismissed any regional effect as not significant. The screen also focused only on primary pests and whether an alternative product might be available. As discussed in these comments, there are multiple reasons a farmer may rely on chlorpyrifos.

We strongly counsel the agency not to pursue this proposal.

Sincerely,



Dale Moore
Executive Director, Public Policy
American Farm Bureau Federation

² See comments previously submitted to the docket by the Mint Industry Research Council.

Table 1

Master Label	On Master label as DAS use
Alfalfa	YES
Asparagus	YES
Beets (table, sugar)	YES - Sugarbeets
Cole crops	YES
Carrots	YES
Citrus, Nectarine	YES
Clover	
Corn (all)	YES
Cotton	YES
Cranberry	YES
Cucumber	NO
Fig	YES
Fruit and Nut trees	YES
Ginseng	
Grapes	YES
Legume vegetables (beans, peas)	YES
Mint – Peppermint, Spearmint	YES
Onions	YES
Peanut	YES
Peppers	YES
Pineapple	YES
Apple, Cherries, Peach, Pear, Plum, Prune	YES
Pumpkin	YES
Radish	YES
Rutabaga	YES
Sorghum (grain)	YES
Soybeans	YES
Strawberries	YES
Sunflower	YES
Corn (all)	YES
Sweet potatoes	YES
Tobacco	YES
Turnip	YES
Tree Nuts – Almonds, Hazelnuts, Pecans, Walnuts	YES
Wheat, Triticale	YES

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 1/29/2018 8:27:36 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Amanda Culp [Amanda@nasda.org]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Carly Grether [carly@nasda.org]; Megan McDonald [Megan@nasda.org]
Subject: Re: Check in with NASDA

SO sorry for the delay.

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at 3:07 PM, Kundinger, Kelly <kundinger.kelly@epa.gov> wrote:

Britt –

Would you mind giving me a call at your earliest convenience? 202-568-9879.

Thank you,

Kelly

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Monday, January 29, 2018 12:55 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Amanda Culp <Amanda@nasda.org>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Carly Grether <carly@nasda.org>; Megan McDonald <Megan@nasda.org>
Subject: Re: Check in with NASDA

Sure thing! CC'ing Carly and Megan who have these specific details.

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at 11:26 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Yes. Would be nice to know sooner than later if Weds' registration has closed.....

On Jan 29, 2018, at 10:41 AM, Britt Aasmundstad <britt@nasda.org> wrote:

Yes! Can we call you around three? We've got board meetings all morning. Thank you!

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at 10:04 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

*** Wednesday I mean.

From: Bennett, Tate
Sent: Monday, January 29, 2018 10:02 AM
To: 'Amanda@nasda.org' <Amanda@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Cc: Kunding, Kelly <kunding.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Check in with NASDA

Hi ladies! Any chance we can check in today re tomorrow's event? Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement &
Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Subramanian, Hema [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65E089600E8B4724A2E85997849BD208-SUBRAMANIAN, HEMA]
Sent: 8/15/2018 6:54:16 PM
To: Aline DeLucia [aline@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: NASDA Annual Meeting

Thanks Aline!

Hema Subramanian
Office of the Administrator
U.S. Environmental Protection Agency
Washington, DC
office: [\(202\) 564-5041](tel:2025645041)

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Tuesday, August 14, 2018 9:36 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: NASDA Annual Meeting

Across the board update – EPA/Wheeler’s priorities. Thanks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 14, 2018 9:31 PM
To: Aline DeLucia
Cc: Subramanian, Hema
Subject: Re: NASDA Annual Meeting

Good here. Any specific theme or topic? Or, do they want across the board updates?

On Aug 14, 2018, at 9:27 PM, Aline DeLucia <aline@nasda.org> wrote:

Hema and Tate,

I just wanted to touch basis with you both as relates to logistics for our annual meeting. Let me know if you need anything else.

Date: Monday, September 10th

Time: 12pm -12:25pm – be sure to check into registration 30 minutes prior to your speaking time. You will be introduce at 12pm, and you will have 25 minutes (I was thinking 15-20 for remarks, and 10-5 for questions). Is that ok with you both? We are flexible here, so just let me know what works best for you all.

If you could send me your official titles whenever you have a chance that would be great.

Meeting Registration: Please complete your meeting registration no later than **Friday, August 17**.

NASDA is providing you both with a complimentary one day registration on September 10, or \$250 off full conference registration. Your speaker registration code is **NASDASpeaker**. Please select Speaker as your registration type.

<https://www.cvent.com/events/2018-nasda-annual-meeting/registration-b9a2ceaa3e7b4e448bc2ac543e8f7f46.aspx?fqp=true>

If you plan on using slides, please let me know. I think that is all I have for you both! Let me know if you have any questions.

Thank you!

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Subramanian, Hema [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65E089600E8B4724A2E85997849BD208-SUBRAMANIAN, HEMA]
Sent: 3/12/2018 12:52:37 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Andrew Walmsley [andreww@fb.org]
Subject: RE: THANK YOU!

Yes, thank you for the opportunity!
---Hema.

Hema Subramanian
Acting Special Assistant for Agriculture Policy
Office of the Administrator
U.S. Environmental Protection Agency
Washington, DC
office: [\(202\) 564-5041](tel:(202)564-5041)

From: Bennett, Tate
Sent: Monday, March 12, 2018 8:42 AM
To: Andrew Walmsley <andreww@fb.org>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Re: THANK YOU!

Hope they somewhat enjoyed it! Thanks for getting us out of the office!

On Mar 12, 2018, at 8:25 AM, Andrew Walmsley <andreww@fb.org> wrote:

Hema and Tate,

Thank you so much for finding time to join us on Friday. The committee and I really appreciate it. Sorry I missed the opportunity to walk y'all out, but just wanted to share my thanks again.

Hope y'all had a great weekend and hope to see y'all around soon.

Sincerely,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]
Sent: Thursday, March 08, 2018 7:10 PM
To: Andrew Walmsley

Cc: Bennett, Tate

Subject: Re: Meeting Request: Issue Advisory Committee

Thank you!

Hema Subramanian
Acting Special Assistant for Agriculture Policy
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
o: (202) 564-5041
subramanian.hema@epa.gov

On Mar 8, 2018, at 6:48 PM, Andrew Walmsley <andreww@fb.org> wrote:

The folks on our committee come from the following States:

Indiana
Iowa
Kansas
Maryland
Michigan
Pennsylvania
Arkansas
Georgia
Illinois
Oklahoma
South Dakota
Texas

They have the ability to recommend policy for the whole organization though.

Look forward to seeing y'all in the morning.

Andrew

On Mar 8, 2018 6:42 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Hello Andrew – would you be able to share which states the Energy committee appointees are from?

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant for Agriculture Policy
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Tuesday, March 06, 2018 3:57 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Great, thank you both!

Had planned for about 20 - 30 min for remarks and then some time for questions. Want to be respectful of y'all's time so just appreciate y'all making it over.

Please let me know if you need anything else and look forward to seeing y'all Friday.

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Mar 6, 2018 3:53 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Andrew,

Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 1:09 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®
Phone:

Cell:

andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]
Sent: Monday, March 05, 2018 9:36 AM
To: Andrew Walmsley
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew, I am looking into this and will get back to you. Just as FYI Jeff's last day was Friday, and he no longer has access to EPA email.

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 8:28 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Jeff indicated that he will be unable to participate on Friday. He wasn't sure if he was going to be able to find someone to fill-in...if someone is available, please let me know. Attached are the materials that were sent to our IAC members.

Thank you for the consideration.

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 15, 2018 3:32 PM
To: Subramanian.Hema@epa.gov
Cc: Jeff Sands EPA
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Yes. Thank you so much!

Andrew

On Feb 15, 2018 3:19 PM, "Subramanian, Hema"
<Subramanian.Hema@epa.gov> wrote:

Andrew,

Jeff is available to meet with the group at 10:30 am on March 9th. Is this the address?

American Farm Bureau Federation

600 Maryland Ave SW #1000w

Washington, DC 20024

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Thursday, February 15, 2018 12:34 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

Thank you again for finding time. How does 10:30 a.m. sound? We are really flexible at this point so anytime from 10:00 a.m. until noon should work.

Thanks,

Andrew

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew,

Thanks for reaching out regarding the meeting for AFBF Energy Issue Advisory Committee. March 9th will work for my schedule, please suggest a time that works best in the window you provided and I will put it on the calendar.

Best,

Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, February 12, 2018 7:11 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®

Phone:

Cell:

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM
To: 'Sands, Jeffrey'
Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

I hope you are well. I was wondering if you might be willing and able to meet with a group of farmers here at the AFBF office on Friday, March 9th sometime between 10:00 a.m. and 3:00 p.m.? The meeting would be with a select group of farmers from around the country who are appointed by our President to serve on the AFBF Energy Issue Advisory Committee. They would like to know the latest thinking from the agency concerning issues like the RFS, the Clean Power Plan and any other regulatory issue that might impact rural America that the agency is working on in regards to energy.

Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

Andrew,

Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 1:09 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]
Sent: Monday, March 05, 2018 9:36 AM
To: Andrew Walmsley
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew, I am looking into this and will get back to you. Just as FYI Jeff's last day was Friday, and he no longer has access to EPA email.

--Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 8:28 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Jeff indicated that he will be unable to participate on Friday. He wasn't sure if he was going to be able to find someone to fill-in...if someone is available, please let me know. Attached are the materials that were sent to our IAC members.

Thank you for the consideration.

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] Ex. 6
Cell: [redacted] Ex. 6
andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 15, 2018 3:32 PM
To: Subramanian.Hema@epa.gov
Cc: Jeff Sands EPA
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Yes. Thank you so much!

Andrew
On Feb 15, 2018 3:19 PM, "Subramanian, Hema"
<Subramanian.Hema@epa.gov> wrote:
Andrew,

Jeff is available to meet with the group at 10:30 am on March 9th. Is this the address?

American Farm Bureau Federation
600 Maryland Ave SW #1000w
Washington, DC 20024

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Thursday, February 15, 2018 12:34 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

Thank you again for finding time. How does 10:30 a.m. sound? We are really flexible at this point so anytime from 10:00 a.m. until noon should work.

Thanks,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [] Ex. 6
Cell: [] Ex. 6
andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew,

Thanks for reaching out regarding the meeting for AFBF Energy Issue Advisory Committee. March 9th will work for my schedule, please suggest a time that works best in the window you provided and I will put it on the calendar.

Best,
Jeff

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Monday, February 12, 2018 7:11 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] **Ex. 6**
Cell: [redacted] **Ex. 6**
andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM
To: 'Sands, Jeffrey'
Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

I hope you are well. I was wondering if you might be willing and able to meet with a group of farmers here at the AFBF office on Friday, March 9th sometime between 10:00 a.m. and 3:00 p.m.? The meeting would be with a select group of farmers from around the country who are appointed by our President to serve on the AFBF Energy Issue Advisory Committee. They would like to know the latest thinking from the agency concerning issues like the RFS, the Clean Power Plan and any other regulatory issue that might impact rural America that the agency is working on in regards to energy.

Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] **Ex. 6**
Cell: [redacted] **Ex. 6**
andreww@fb.org

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 3/1/2018 8:18:53 PM
To: Charles DeBow [cdebow@nationalbcc.org]
CC: Kay DeBow [kdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Thank You!

Great News!

I will give you a call tomorrow to see how I can help follow-up.

Lee

Sent from my iPhone

On Mar 1, 2018, at 3:13 PM, Charles DeBow <cdebow@nationalbcc.org> wrote:

Lee,

The meeting went well. Lots to come. Thank you for making it happen.

Some of the takeaways:

- NBCC Convention Participation: Explore ways to do it
 - o Administrator to Speak
- NBCC Presentation (event)
- How do we work together
- Infrastructure – Access to Capital – Opportunity Act
- Regulatory Agenda
- Changing the Narrative
- We will supply back ground on our efforts with clean power plan
- Accountability by the agency
- General Outreach

Chuck

From: Tanner, Lee [mailto:Tanner.Lee@epa.gov]
Sent: Tuesday, February 27, 2018 11:40 AM
To: Kay DeBow <kdebow@nationalbcc.org>; Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>
Subject: Can you take a call?

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.

Washington, DC 20460

Tel:
Cell:

Ex. 6

Message

From: Don Parrish [donp@fb.org]
Sent: 1/30/2018 1:48:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Agriculture Education Grant Opportunities at EPA

Yep.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, January 30, 2018 8:29 AM
To: Don Parrish
Subject: Fwd: Agriculture Education Grant Opportunities at EPA

Can you pass along? Deadline to apply is in March

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: January 29, 2018 at 5:04:41 PM EST
To: "Gordon, Stephen" <gordon.stephen@epa.gov>
Cc: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: **Agriculture Education Grant Opportunities at EPA**

All,

I hope that you will be able to join our Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE local grant requests for proposals. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's environmental education grant program at EPA.

Feel free to reach out to me with any questions you may have.

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov



Register now for a webinar on the 2018 EE Local Grants Program

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.

Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.

[Register for January 31, 2018.](#)

[Register for February 21, 2018.](#)

The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please

visit: <https://www.epa.gov/education/environmental-education-ee-grants>.

For questions regarding the EE Grants Program, please email eegrants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: <https://www.epa.gov/newsroom/email-subscriptions>.

Office of Public Engagement and Environmental Education

Office of the Administrator / U.S. Environmental Protection Agency

If you would rather not receive future communications from U.S. EPA, Office of Environmental Education, let us know by clicking [here](#).

U.S. EPA, Office of Environmental Education, [1200 Pennsylvania Avenue NW, Washington, DC 20460 United States](#)

Message

From: Don Parrish [donp@fb.org]
Sent: 1/31/2018 9:24:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: 'Rollins, Blake - OSEC, Washington, DC' [Blake.Rollins@osec.usda.gov]
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

I have it now. Thanks.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 31, 2018 4:22 PM
To: Cory, Preston (Katherine)
Cc: Don Parrish; 'Rollins, Blake - OSEC, Washington, DC'
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Don- it's an MOA so I don't think it will show up there, unless CEQ sends it to FR. We are taking our queues from CEQ. Are you asking for a copy of it?

From: Cory, Preston (Katherine)
Sent: Wednesday, January 31, 2018 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Has this gone in the FR?

From: Don Parrish [mailto:donp@fb.org]
Sent: Wednesday, January 31, 2018 3:36 PM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Katherine

Can you help with this question - has the rule been posted?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Cory, Preston (Katherine) [mailto:Cory.Preston@epa.gov]
Sent: Wednesday, January 31, 2018 3:15 PM
Cc: Rollins, Blake - OSEC, Washington, DC
Subject: FW: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

K. Preston Cory
Special Advisor
Office of the Administrator, Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency

Ex. 6

EPA Administrator Scott Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

WASHINGTON (January 31, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt spoke at the National Association of State Departments of Agriculture Winter Policy Conference and signed a Memorandum of Agreement (MOA) establishing an interagency Working Group to evaluate and improve the Endangered Species Act consultation process for pesticide registration.

“The current Endangered Species Act pesticide consultation process is broken,” **said EPA Administrator Scott Pruitt.** “Today, the Trump Administration is taking action to improve and accelerate this process, harmonize interagency efforts, and create regulatory certainty for America’s farmers and ranchers.”

“Once again, EPA has acted on the calls for regulatory reform from rural communities across the country. I’m glad to see Administrator Pruitt carrying out President Trump’s pro-growth agenda benefiting Oklahoma farmers and ranchers,” **said Oklahoma Commissioner of Agriculture Jim Reese.**


“It’s a breath of fresh air to have an EPA willing to listen to farmers and ranchers across the country. I applaud President Trump and Administrator Pruitt for partnering with rural America to provide the regulatory certainty that our agriculture community deserves,” **said Kentucky Commissioner of Agriculture Ryan Quarles.**

The interagency Working Group includes the Department of the Interior and Department of Commerce and comes at a critical time as EPA has 700 pesticide registrations to complete by 2022.

In addition to the MOA, Administrator Pruitt discussed EPA’s efforts this past year to rescind the 2015 “Waters of the United States” (WOTUS) rule, to address dicamba drift issues, and other actions to help farmers and ranchers across the country. Later today, Administrator Pruitt and the Department of the Army will finalize a rule adding an

applicability date to WOTUS. The new applicability date will be two years after today's action is published in the Federal Register, during which time both agencies will continue the process of reconsidering the 2015 Rule.

.....



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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Charles DeBow [cdebow@nationalbcc.org]
Sent: 3/1/2018 8:15:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Kay DeBow [kdebow@nationalbcc.org]
CC: Harry Alford [halford@nationalbcc.org]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Lee!

Thank you for making things happen. We will get the form back to you ASAP.

The meeting went well. Lots to come. What might you add to the notes?

Some of the takeaways:

- NBCC Convention Participation: Explore ways to do it
 - o Administrator to Speak
- NBCC Presentation (rescheduled event)
- How do we work together
- Infrastructure – Access to Capital – Opportunity Act
- Regulatory Agenda
- Changing the Narrative
- We will supply background on our efforts with clean power plan
- Accountability by the agency
- General Outreach

Chuck

Charles H. DeBow, III
Vice President Programs
National Black Chamber of Commerce®
4400 Jenifer Street, NW Suite 331
Washington, DC 20015

Ex. 6

cdebow@nationalbcc.org
<http://www.nationalbcc.org>



[LinkedIn](#)

<https://www.facebook.com/NationalBCC/>

[Twitter@NationalBCC](#)

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, March 01, 2018 3:09 PM
To: Tanner, Lee <Tanner.Lee@epa.gov>; Kay DeBow <kdebow@nationalbcc.org>

Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Ford, Hayley <ford.hayley@epa.gov>

Subject: RE: Lee!

Thank you all for taking the time to meet with the Admin! Do you mind filling out the attached request form when you have time, Kay?

Tate

From: Tanner, Lee

Sent: Thursday, March 1, 2018 3:06 PM

To: Kay DeBow <kdebow@nationalbcc.org>

Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Re: Lee!

You are welcome. I am glad to hear it went well.

Best,

Lee

Sent from my iPhone

On Mar 1, 2018, at 2:02 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

Dear Lee, thank you for setting up yesterday's meeting. It was a success! Secretary Pruitt agreed to speak at our conference in July. We will get back to you with details. Thank you so much.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

Message

From: Carly Grether [carly@nasda.org]
Sent: 1/29/2018 6:39:58 PM
To: Britt Aasmundstad [britt@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Amanda Culp [Amanda@nasda.org]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Megan McDonald [Megan@nasda.org]
Subject: Re: Check in with NASDA

Hi Tate,

We are only allowing check-ins for pre-registered folks; no on-site registrations will take place, all ID's will be checked in order to check in at the registration desk; there will also be a federal officer and a DC Metro police officer at the registration desk with me.

Thanks!

Carly

Carly Grether
Associate Director, Development & Communications
NASDA
carly@nasda.org
[\(202\) 296-9680](tel:(202)296-9680)

On Jan 29, 2018, at 12:55 PM, Britt Aasmundstad <britt@nasda.org> wrote:

Sure thing! CC'ing Carly and Megan who have these specific details.

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at 11:26 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Yes. Would be nice to know sooner than later if Weds' registration has closed.....

On Jan 29, 2018, at 10:41 AM, Britt Aasmundstad <britt@nasda.org> wrote:

Yes! Can we call you around three? We've got board meetings all morning. Thank you!

Britt Aasmundstad
(202)296-9680

On Jan 29, 2018, at 10:04 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

*** Wednesday I mean.

From: Bennett, Tate
Sent: Monday, January 29, 2018 10:02 AM
To: 'Amanda@nasda.org' <Amanda@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Cc: Kunding, Kelly <kunding.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Check in with NASDA

Hi ladies! Any chance we can check in today re tomorrow's event? Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement &
Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 2/15/2018 2:59:41 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Morning

I am out of the office until Tuesday, February 20. For assistance prior to my return, please call Ex. 6 or email Alex Noffsinger at alex@nasda.org.

Message

From: Laws, Elliott [ELaws@crowell.com]
Sent: 2/26/2018 9:37:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: ICYMI: Administrator Pruitt Meets with Bipartisan Western Governors

I am currently out of the office for business travel and working remotely. I will get back to you as quickly as possible. Thank you for your patience. If you need to speak with someone immediately contact Sharon Johnson-Harrell at sjohnson-harrell@crowell.com; Ex. 6

Message

From: Dewey, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FC3A7E01B12F4AEB5D34B813DF8112A-DEWEY, AMY]
Sent: 3/2/2018 5:43:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; kkuhle@ifbf.org; willr@fb.org
Subject: Re: Farm Bureau Event

OK will do! Amy

Sent from my iPhone

On Mar 2, 2018, at 11:40 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Please hold until we hear from AFBF if they can do the big event instead. We should know by Monday.

On Mar 2, 2018, at 11:34 AM, Dewey, Amy <Dewey.Amy@epa.gov> wrote:

Tate Wisconsin wants to come to EPA on March 20, and 2 pm works best for them. I will confirm all of this on Monday.

Amy

Sent from my iPhone

On Mar 2, 2018, at 11:17 AM, Subramanian, Hema <Subramanian.Hema@epa.gov> wrote:

The original plan in the works was for Wisconsin on Tuesday the 20th. Should we see if we can combine them into this?

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Bennett, Tate
Sent: Friday, March 02, 2018 11:16 AM
To: Konkus, John <konkus.john@epa.gov>
Cc: kkuhle@ifbf.org; willr@fb.org; Dewey, Amy <Dewey.Amy@epa.gov>; Subramanian, Hema

<Subramanian.Hema@epa.gov>

Subject: Re: Farm Bureau Event

Is Wisconsin in that week at the same time as well?

On Mar 1, 2018, at 5:26 PM, Konkus, John <konkus.john@epa.gov> wrote:

Kevin: Per our phone conversation, I am handing you off to Tate who will help us tentatively work toward a speaking engagement with your groups and the Administrator at the Holiday Inn at 6th and C Streets on March 14, at 11am. Included in the event will be the Alabama, Iowa, Missouri and Ohio Farm Bureaus, approximately 270 total farmers.

Thank you!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: **Ex. 6**

Message

From: Patrick Hedger [phedger@freedomworks.org]
Sent: 3/1/2018 7:02:08 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Running 5 late

No problem! Thanks

Sent from my iPhone

> On Mar 1, 2018, at 2:00 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
>

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 3/8/2018 3:42:04 PM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Meeting Request: Issue Advisory Committee
Attachments: Energy Advisory Committee Agenda 18.0309.docx

Thank you again. Attached you will find the final agenda. I look forward to seeing y'all tomorrow.

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [] **Ex. 6**
Cell: [] **Ex. 6**
andreww@fb.org

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Tuesday, March 06, 2018 4:01 PM
To: Andrew Walmsley
Cc: Bennett, Tate
Subject: RE: Meeting Request: Issue Advisory Committee

Great, thank you and see you Friday.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Tuesday, March 06, 2018 3:57 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Great, thank you both!

Had planned for about 20 - 30 min for remarks and then some time for questions. Want to be respectful of y'all's time so just appreciate y'all making it over.

Please let me know if you need anything else and look forward to seeing y'all Friday.

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Mar 6, 2018 3:53 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Andrew,

Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone [\(202\) 564-5041](tel:(202)564-5041)
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 1:09 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]

Sent: Monday, March 05, 2018 9:36 AM

To: Andrew Walmsley

Subject: RE: Meeting Request: Issue Advisory Committee

Andrew, I am looking into this and will get back to you. Just as FYI Jeff's last day was Friday, and he no longer has access to EPA email.

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian_hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]

Sent: Monday, March 05, 2018 8:28 AM

To: Subramanian, Hema <Subramanian.Hema@epa.gov>

Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>

Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Jeff indicated that he will be unable to participate on Friday. He wasn't sure if he was going to be able to find someone to fill-in...if someone is available, please let me know. Attached are the materials that were sent to our IAC members.

Thank you for the consideration.

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone:

Cell:

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 15, 2018 3:32 PM
To: Subramanian.Hema@epa.gov
Cc: Jeff Sands EPA
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Yes. Thank you so much!

Andrew

On Feb 15, 2018 3:19 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Andrew,

Jeff is available to meet with the group at 10:30 am on March 9th. Is this the address?

American Farm Bureau Federation

600 Maryland Ave SW #1000w

Washington, DC 20024

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone [\(202\) 564-5041](tel:(202)564-5041)
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]

Sent: Thursday, February 15, 2018 12:34 PM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>

Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

Thank you again for finding time. How does 10:30 a.m. sound? We are really flexible at this point so anytime from 10:00 a.m. until noon should work.

Thanks,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew,

Thanks for reaching out regarding the meeting for AFBF Energy Issue Advisory Committee. March 9th will work for my schedule, please suggest a time that works best in the window you provided and I will put it on the calendar.

Best,

Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, February 12, 2018 7:11 AM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone:

Cell:

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM
To: 'Sands, Jeffrey'
Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

I hope you are well. I was wondering if you might be willing and able to meet with a group of farmers here at the AFBF office on Friday, March 9th sometime between 10:00 a.m. and 3:00 p.m.? The meeting would be with a select group of farmers from around the country who are appointed by our President to serve on the AFBF Energy Issue Advisory Committee. They would like to know the latest thinking from the agency concerning issues like the RFS, the Clean Power Plan and any other regulatory issue that might impact rural America that the agency is working on in regards to energy.

Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

Andrew,

Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

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Sent: Monday, March 05, 2018 1:09 PM

To: Subramanian, Hema <Subramanian.Hema@epa.gov>

Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]

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Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
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subramanian.hema@epa.gov

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Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

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To: Subramanian.Hema@epa.gov
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American Farm Bureau Federation
600 Maryland Ave SW #1000w
Washington, DC 20024

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Thursday, February 15, 2018 12:34 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

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Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [] **Ex. 6**
Cell: [] **Ex. 6**
andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

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Best,
Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, February 12, 2018 7:11 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] Ex. 6
Cell: [redacted] Ex. 6
andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM
To: 'Sands, Jeffrey'
Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

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Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®

Phone: [redacted] Ex. 6

Cell: [redacted] Ex. 6

andreww@fb.org



Energy Advisory Committee Meeting

American Farm Bureau Federation

Washington A Room

March 9, 2018

Agenda

- 8:30 a.m.** Breakfast and Welcome to Attendees
Capitol I & II – Holiday Inn Capitol
- 9:45 a.m.** Committee Welcome and Introductions
Washington A Room, AFBF
- 10:30 a.m.** The Latest from EPA
Tate Bennett and Hema Subramanian
U.S. Environmental Protection Agency
- 11:30 a.m.** Committee Discussion
- 12:00 p.m.** Lunch
- 1:00 p.m.** RFS, RVP, RINs and the Politics of Renewable Fuels
John Fuher, Senior Director of Government Affairs
Growth Energy
- 2:00 p.m.** Wind Energy: An Update from the American Wind Energy Association
Amy Farrell, Sr. VP of Government and Public Affairs
Greg Alvarez, Deputy Director, External Comms. and Public Affairs
John Hensley, Sr. Director of Research and Analytics
- 3:00 p.m.** Committee Discussion
- 3:45 p.m.** Adjournment of Committee

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 2/7/2018 11:28:35 PM
To: Charles DeBow [cdebow@nationalbcc.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NBCC @ EPA on Feb 28th

Charles,

Please see the below draft options for our event on February 28th and let me know which one works best for NBCC. Thank you in advance for your time and cooperation.

OPTION 1

TITLE: National African American History Month: A Tuskegee Airman's Story of Perseverance, Service, and Economic Empowerment

This option ties to the president's proclamation for African American History Month honoring Tuskegee Airman.

DATE OF THE EVENT: February 28, 2018 (11:00 a.m. to 12 noon), in the EPA Green Room, the Administrator's Office

PROPOSED ROLE FOR THE ADMINSTRATOR: Introduce the Keynote speaker, Kay or Charles Debow

POTENTIAL OUTLINE:

- Carlton DeBow - who he is and his Tuskegee Airman story of perseverance and service
- Kay and Charles Story - the impact of their father's story to life/path
- Dovetail that work of economic empowerment at the NBCC

OPTION 2

TITLE: National African American History Month: The Story of NBCC

DATE OF THE EVENT: February 28, 2018 (11:00 a.m. to 12 noon), in the EPA Green Room, the Administrator's Office

PROPOSED ROLE FOR THE ADMINSTRATOR: Introduce the Keynote speaker, Harry Alford

POTENTIAL OUTLINE:

- History of the NBCC

OPTION 3

TITLE: Economic Empowerment

DATE OF THE EVENT: February 28, 2018 (11:00 a.m. to 12 noon), in the EPA Green Room, the Administrator's Office

PROPOSED ROLE FOR THE ADMINSTRATOR: Remarks

PANEL: Kay Debow, Charles Debow, Harry Alford, EPA Leadership, and Department of Commerce

POTENTIAL OUTLINE:

Panel Discussion – EPA, NBCC member (if possible), and NBCC

- History of the NBCC (how did you get started?)
- NBCC Chapters
- How does EPA / the government provide opportunities to those seeking contracts? (especially small businesses)

Message

From: Amanda Culp [Amanda@nasda.org]
Sent: 1/29/2018 4:26:54 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Check in with NASDA

I am out of the office at our annual Winter Policy Conference. I will respond to your email as soon as possible. All information about the conference can be found here: <http://www.nasda.org/event/2018-nasda-winter-policy-conference>

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 2/6/2018 7:24:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report February 6, 2018



4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

1. New Partnership with the EPA: That's right! The Environmental Protection Agency has met with us at our office and we have both committed to working a viable and productive partnership. We will be forming strategies on the NBCC Colombia Initiative and our activities on the African Continent. We look forward to working with Administrator Pruitt's office.

2. Facebook Boost Your Business in Trenton and Newark, New Jersey: In recognition of Black History Month we will join forces with Facebook and put on two dynamic workshops. On February 12 we will be in Trenton. Then, on the 13th we will be in Newark. Both events are officially sold out. However, if you contact Charles DeBow at cdebow@nationalbcc.org he will make your registration on a case by case basis. If you live in Jersey, don't miss out!!

3. Oh, if the Media would have Known This: A photo of then Presidential Candidate Obama chilling with Minister Louis Farrakhan. A very well-kept secret.

4. Tucked into the Tax Reform Act, A Plan to Help Distressed America: Let's get ready to roll out Opportunity Zones.

5. Florida is Booming: Need a job in the Sunshine State, please consider this.



6. A New NBCC Chair is Selected: Our Board of Directors have overwhelmingly elected our new Chair. Please welcome **Courtney Reynolds, Greater Southwest Louisiana Black Chamber of Commerce.** To say Courtney's commitment and devotion is worthy of this would be a great understatement. Our formal induction will occur this April. Standby for the invitation to the ceremony.

7. Nationwide Conservative Groups Support Fiscal Responsibility: A group of like missions, including the NBCC, are looking forward to a productive Infrastructure Program- unlike the wasteful Stimulus Project of 2009. Let's do it right!

8. Wasteful and Discriminatory Project Labor Agreements Will End: A formal appeal to POTUS.

9. NBCC Board Member Profile: Meet Tarnisha Cliatt, Trailblazer in Manatee County, FL.

10. He has Arrived! 9 pounds 6 ounces; 21 ½ inches (looks like a linebacker), Tatum Riley Alford was born on February 3, 2018. The world will be better for this!

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 1/30/2018 2:12:01 AM
To: Harry Alford [halford@nationalbcc.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Meeting this Thursday at EPA --- Please read this one

Great! We will get back to you with an exact time and location.

Sent from my iPhone

On Jan 29, 2018, at 9:10 PM, Harry Alford <halford@nationalbcc.org> wrote:

Yes.

From: Tanner, Lee [<mailto:Tanner.Lee@epa.gov>]
Sent: Monday, January 29, 2018 8:36 PM
To: Harry Alford <halford@nationalbcc.org>
Subject: Re: Meeting this Thursday at EPA --- Please read this one

Ok gotcha. So anytime before noon works?

Sent from my iPhone

On Jan 29, 2018, at 8:33 PM, Harry Alford <halford@nationalbcc.org> wrote:

I have to back in my office by 2:00PM

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From: Tanner, Lee <Tanner.Lee@epa.gov>
Sent: Monday, January 29, 2018 7:57:50 PM
To: Harry Alford
Cc: Kay DeBow; Bennett, Tate
Subject: Re: Meeting this Thursday at EPA --- Please read this one

Hi Harry,

Is that the only time that works for you?

We are working on pulling together the meeting now.

Lee

Sent from my iPhone

On Jan 29, 2018, at 7:42 PM, Harry Alford <halford@nationalbcc.org> wrote:

How about 10:30AM? Give exact place to meet please.

From: Tanner, Lee [mailto:Tanner.Lee@epa.gov]
Sent: Monday, January 29, 2018 5:41 PM
To: Harry Alford <halford@nationalbcc.org>; Kay DeBow <kdebow@nationalbcc.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Meeting this Thursday at EPA --- Please read this one

Harry and Kay,

We want to follow-up with you on our MOU discussion.

Are you available to meet here at EPA this Thursday morning?

If so, what times work best for you?

Regards,

Lee

Lee Tanner
Public Affairs Specialist
U.S. EPA Office of the Administrator
Office of Public Engagement
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Tel: Ex. 6
Cell

From: Tanner, Lee
Sent: Monday, January 29, 2018 5:14 PM
To: 'Halford@nationalbcc.org' <Halford@nationalbcc.org>;
'kdebow@nationalbcc.org' <kdebow@nationalbcc.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Conference Call Thursday morning with EPA

Harry and Kay,

We want to follow-up with you on our MOU discussion.

Are you available for a conference call this Thursday morning?

Regards,

Lee

Lee Tanner
Public Affairs Specialist
U.S. EPA Office of the Administrator
Office of Public Engagement
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Tel: Ex. 6

Message

From: Don Parrish [donp@fb.org]
Sent: 1/11/2018 3:28:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
Subject: RE: Does AFBF do something similar?
Attachments: Annual_Address_of_AFBF_President_Zippy_Duvall.pdf

Tate and Jeff

This is President Duvall's annual convention address.

I would like to speak with you when you get a minute. thanks

See highlights.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 10, 2018 5:19 PM
To: Don Parrish
Cc: Sands, Jeffrey
Subject: Re: Does AFBF do something similar?

Were you all planning to mention WOTUS? Like how the President did on Nashville on Monday? Here is a broader year end review sheet as well in case it is helpful to the folks writing your piece.

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrawn from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.
- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle>
- **Ended the War on Coal and the "Clean Power Plan":** Following issued a Notice of Proposed Rulemaking (NPRM).
 - o EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.
 - o Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources.

o When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source [U.S. Bureau of Labor Statistics](#))

· **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity>

o According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of \$77 million in direct EPA grant funding while concurrently serving on these committees.

· **Restored Cooperative Federalism:** Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.

o Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

· **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. <https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus>

· **Properly Implementing TSCA:** EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. <https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews>

· **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.

o EPA is on track to close in whole or in part 27 more in 2018.

o EPA is on track to issue clean up decisions (RODs) on 14 of over \$50 million in clean up this year.

· **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

On Jan 10, 2018, at 3:32 PM, Don Parrish <donp@fb.org> wrote:

I think so - I will send it your way tomorrow.

Don

Sent from my iPhone

On Jan 10, 2018, at 2:37 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

<https://www.uschamber.com/speech/2018-state-american-business-address>

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Annual Address of AFBF President Zippy Duvall
99th AFBF Annual Meeting, Nashville, Tennessee
Enduring Mission and Impact
Sunday, Jan. 7, 2018, 9:30 a.m.

Farm Bureau leaders and guests... Good morning!

And welcome to the 99th Annual Meeting of the American Farm Bureau Federation!

99 years. That's pretty special!

And what a line-up we have for you!

Reba.

The Secretary of Agriculture.

The President of the United States!

And let's not forget the Foundation Night Out at the Grand Ole Opry House—with Wynonna and Friends.

We hope you enjoy every minute of it!

I can't think of a better place than here in Nashville to kick off our year of celebrating Farm Bureau's RICH history and BRIGHT future.

The people of Nashville are proud of their history, but they are not limited by it. This is one of the fastest-growing cities in America.

I would like to know how many of you grew up listening to the Grand Ole Opry?

The Grand Ole Opry broadcast is about the same age as the American Farm Bureau. We only have about six years on them.

And like Farm Bureau, Music City is still going strong—attracting a whole new generation of artists and listeners.

I still like a lot of the old songs. My little granddaughter Jocee and I enjoy singing Conway Twitty's "Hello Darlin'."

Patsy Cline was one of my father's favorite artists—and I still enjoy her music today.

Those old songs are classics.

They told our story as rural Americans working hard to transform agriculture into the economic engine of this great country.

All of us in Farm Bureau are proud of our history.

But we're also **EXCITED** about the changes **AHEAD** for agriculture and Farm Bureau.

The most exciting change for my wife Bonnie and me over this past year has been watching our family grow.

We welcomed a new daughter-in-law, Katie, who married our younger son Zeb. We had a wonderful wedding celebration on our farm in Greshamville, Georgia.

One of the highlights of that night was when several of the guys got together and sang the Alpha Gamma Rho song. Agriculture is always part of our family celebrations!

In addition to growing his veterinary practice, Zeb is helping us run the family farm while I'm in Washington and traveling the country for Farm Bureau. I could not do this job without him, and it was a blessing to celebrate his marriage.

Just since I've been your president we have welcomed two new grandchildren into our family.

Savannah Claire joined Ava and Tripp in my son Vince and his wife Erin's family.

And of course “Grumpy Gus” came along the side of Jocee in my daughter Corrie and her husband Jared's family.

And then there's Zellie, our daughter, who is growing in her career on Capitol Hill, working for Congressman Rick Allen.

We are proud of all of them.

And I am so grateful and blessed to have Bonnie by my side as my partner in farming, family and Farm Bureau.

Thank you, Bonnie, for being the rock we stand on and the glue that holds us together.

Many of us are filled with the same pride as we watch our farms and families grow. We are also proud and excited about the opportunities ahead of us as members of the Farm Bureau Family!

Let me tell you things have CHANGED a LOT in Washington, D.C.!

President Trump has put a team in place that is getting good things done for farmers and ranchers.

Farm Bureau is a non-partisan organization.

We applaud anyone from ANY party who works to protect farmers' and ranchers' ability to feed the nation.

We have recognized members of Congress on both sides of the aisle for their commitment to American agriculture.

WE CALL IT LIKE WE SEE IT!

And there's no question that the change in administration has TRANSFORMED the opportunity we have to implement the policies of this great organization.

The door to this administration opened up for farmers and ranchers LITERALLY on Day 1—when I was proud to be part of the RFD-TV tractor brigade in the Inaugural Parade—and be part of showing the world that agriculture is a major player in our national identity and national economy. I want to thank Patrick Gottsch and all the folks at RFD-TV for the opportunity to be a part of the celebration.

But even before that, we were invited to bring representatives of about 30 farm groups together in our office to talk with the President's transition team about the major issues that are facing our

nation's farmers and ranchers.

There is no question—we have had a seat at the table with the Trump administration—just as Ray Starling promised me after he was hired to be Special Assistant to the President for Agriculture, Trade and Food Assistance.

And we've made real progress on some of our biggest issues because agriculture has been UNITED.

We are getting things done because our leaders have ENGAGED like never before.

It's thanks to YOUR engagement that Congress passed tax reform last year—giving farmers a new 20 percent deduction on their business income... doubling the estate tax exemption... preserving tax credits that farmers depend on and lowering the individual tax rate.

I've served as your president for two years—one under the current administration and one under the previous administration.

Folks, I can tell you that it has been a breath of FRESH AIR to be able to advocate FOR getting things done... instead of having to constantly DEFEND agriculture against a steady stream of challenges from our own government.

And I'm proud that we will be able to thank the President in person when he joins us tomorrow.

Probably the biggest challenge we faced in recent years was the Waters of the U.S. rule. That over-reaching regulation would have allowed the federal government to dictate not just HOW you farm—but whether you could farm at all.

It treated ditches and even potholes the same as flowing rivers. The rule invited the feds onto our fields to essentially take over management of our farms and ranches.

Our land is our heritage. Nothing gets us more riled up than someone coming onto our land to tell us how to do a job we and our ancestors have done for generations.

That's why Farm Bureau members worked so hard to DITCH that rule!

Well, ladies and gentlemen, we are well on the way to DITCHING the RULE!

Thanks to YOUR engagement, and thanks to EPA administrator Scott Pruitt, the old rule is being reconsidered. And we are urging the agency to propose a new rule...one that draws clear lines that protects WATERS without regulating FARM FIELDS!

Administrator Pruitt spoke at our Advocacy Conference last year and got two standing ovations.

Now that's a first!

For an EPA administrator to get that kind of reception from a Farm Bureau audience that tells you how much things have TRANSFORMED in our nation's capital.

And he deserved that standing ovation. We appreciate the work that the Administrator is doing to bring common sense back to environmental stewardship.

Another member of this administration who deserves our appreciation is Interior Secretary Ryan Zinke.

Late last year, President Trump and Secretary Zinke reduced the size of two “national monuments” that were expanded by the previous administration.

When President Obama enlarged two land monuments in Utah, we saw that as an abuse of power—one that denied farmers and ranchers access to grazing land and water resources.

In fact, the previous administration locked up more than 5 MILLION ACRES of potential grazing land.

Secretary Zinke understands that the law requires monuments to be the smallest area needed to protect historic land—and we appreciate his leadership.

And then there is President Trump's executive order to reduce federal red tape. He is requiring agencies to get rid of two rules for every new one.

And he has put a mighty good man—former Governor Sonny Perdue of Georgia—in charge of both the U.S. Department of Agriculture AND a new interagency task force on agriculture and rural prosperity.

That task force is looking for regulatory burdens that stand in the way of growing our farm economy and rural communities.

Secretary Perdue has worn a few different hats: husband, father, Air Force captain, veterinarian, state senator, governor and a member of the University of Georgia football team as a walk-on quarterback in his freshman year back in 1965. GO DAWGS!

And you can add FARMER to the list!

In fact, it might surprise you to know that he is only the fourth Secretary of Agriculture that has farmed in his adult life.

So he knows what it means to plant a seed or help birth an animal and pray that it will sustain your farm and your family.

He knows what it's like to farm in the face of bad weather, bad markets and bad regulations that make our job even harder.

And he is no stranger to regulatory reform.

As governor of Georgia, he signed an executive order to help small businesses cut through state regulations.

And he certainly has his work cut out for him to do the same thing on the national level.

Secretary Perdue is also a tremendous advocate for us on trade.

He knows that exports generate 20 percent of farm income. He exercised the right to create the FIRST Under Secretary for Trade at USDA. And he put a good man in that position, Ted McKinney from Indiana.

They are making sure the president knows how critical trade is to farmers and ranchers.

But I have to let you in on a little secret. I think this president understands that. And I think he believes—as I do—that ENFORCING our trade agreements is JUST as important as signing agreements in the first place.

In the NAFTA renegotiation, I believe his team is doing the BEST they can do, to get a better deal for all of American business, including agriculture.

In fact, the president has told us that.

I was honored to attend a meeting the president hosted last year with a group of farmers. He promised us that what comes out of the NAFTA negotiations would be EVEN BETTER than what we have today.

I intend to take him at his word.

And we intend to work with him and his team to MAKE GOOD on that promise.

YOU can help us do that today.

I would like every single person in this hall to help us tell the president that our trade agreements BENEFIT America's farmers and ranchers.

Last year, we used this amazing tool we all carry around in our pockets to send a message to Congress to pass regulatory reform. And guess what happened. That same week, the House passed the bill!

We can have just as much impact this year. So I'm going to ask everyone to take out your phones.

And I'm going to ask some friends to come up here on stage to help me.

Julie White of Mississippi and Matt Niswander of Tennessee are members of the Farm Bureau GO Team!

The GO Team is a group of volunteers who have been trained in agricultural advocacy.

They are using their skills WHENEVER we call on them to speak out—especially on social media.

So they're the perfect leaders to help all of us use social media this morning to advocate for open markets and ag exports.

Take it away, Julie and Matt!

Great job! Give yourselves a round of applause!

And let's thank all the members of the GO Team for everything they do to advocate for agriculture all year.

The USDA forecasts that ag exports will total \$140 billion this year. Our ag trade surplus will grow to \$23 BILLION. That's right—I said a SURPLUS.

Earlier this year, we joined the Farmers for Free Trade campaign, to work alongside our partners from other groups and ag companies and set the record straight about trade.

They are here at our trade show and they brought a banner that everybody can sign to send a message in support of trade. I hope everybody will take time to sign that banner and make your voice heard.

As I have traveled, I have discovered that even some within agriculture don't understand what's at stake if we lose our trade agreements.

Trade should not be a dirty word. Because without those global markets...our already-depressed farm economy would go down EVEN more.

We sell about half of what we produce to foreign markets around the world.

If we lose those markets, where is that agricultural production going to go?

How will farmers and ranchers make up the lost income?

We cannot afford to lose our foreign markets.

In fact, we need to be opening NEW markets.

We need to pursue opportunities to eliminate trade barriers in Asia and the European Union and all around the world.

We all need to be talking to our friends and neighbors to help them understand that ag trade is an American SUCCESS story.

We also have some work to do on immigration and ag labor.

This is yet another issue that has been overtaken by politics.

But I have met many farmers and ranchers across the country who deal with the REALITY of farm labor shortages on their farms.

Everywhere I go, no matter which region or state, farmers tell me this is the No.1 problem they face—not enough ag workers to get their crops out of the field.

We produced a video last year featuring Burr and Rosella Mosby, vegetable farmers in Washington state. The Mosbys say they lost about 100,000 DOLLARS on their small farm because they had to leave an entire field of zucchini unharvested.

That's just one example.

We hear from farmers every year who apply for temporary guest workers, only to wait MONTHS and MONTHS for a decision. All the while, they worry that they won't get workers in time to plant and harvest their crops.

We hear from livestock producers and dairy farmers that lose all their workers whenever ICE comes looking for one bad guy.

We need enforcement of our laws.

We agree with that.

But we also need the government to do it in a way that doesn't stop us from farming.

I believe we are closer to a solution than ever before.

Last year, Congressman Bob Goodlatte of Virginia introduced a bill that would let existing workers apply for visas to stay in the U.S.—and keep working on our farms and ranches.

We need Congress to pass that bill so we can keep from losing ag production to other countries that have better access to labor.

We CAN have an impact...if we ENGAGE.

Grassroots leaders like YOU are TRANSFORMING national policy to make agriculture stronger.

And thanks to Farm Bureau's leadership development programs, thousands of Farm Bureau members have been TRANSFORMED into stronger advocates.

Farm Bureau is transforming members into leaders...so they can impact agriculture and the world.

Our PAL program helps Young Farmers and Ranchers continue to build their leadership skills. We've put almost 100 grassroots leaders through this elite training program. It has transformed them into strong advocates who can tell our story.

And then there's the GO Team that I introduced earlier. This group of advocates have put their hands up and said, "I'm here and ready to fight whenever I can help influence farm policy and public opinion." We need MORE soldiers in that army!

For decades, farmers often complained that we couldn't get our message out, because the media ignored us or the consumer took us for granted.

That has changed with social media. Anyone can have a platform. We have so many opportunities to engage, educate and inform.

But, to realize those opportunities, we need trained, dedicated volunteers who are willing to stick their hands up and say, "Use me! Let me join your army. Put the tools in my hands and show me where I can have the greatest impact."

We have developed thousands of advocates and leaders.

One good example of this is in Arizona, where both the new president and vice president of Arizona Farm Bureau are graduates of the PAL program.

Many of us, including MYSELF, have been in the Young Farmers and Ranchers program.

Hundreds of Farm Bureau women have been empowered to speak out for agriculture, thanks to the Women's Leadership Committee and the Women's Communication Boot Camp.

Graduates of our programs have become leaders of farm organizations, commissioners of agriculture, and even members of Congress.

And they are making a difference.

The polls say people are feeling more positive about American agriculture.

Thanks to our grassroots advocates and the agricultural literacy work of the American Farm Bureau Foundation for Agriculture, more Americans understand our CRITICAL role in their lives.

And, folks, THIS YEAR, we are going to need our ag advocates more than ever!

That's because Congress is working NOW to pass a new farm bill.

Farm programs are so important right now, as we have seen farm income PLUMMET.

But I want everyone to understand our opponents will be out in force, ONCE AGAIN, to attack the farm bill.

Many people refer to the farm bill as a safety net for farmers.

Just think about that...if you talk to your nonfarming friend or relative about why they should advocate for a strong safety net for your business...they will be wondering why the government isn't providing a safety net for their business.

I think we should stop calling it a safety net and call it what it is...and that is a food security bill.

The farm bill is the place where ALL Americans can make a very small deposit to invest in the security of their food system.

But, as important as the farm bill is to overall food security, it is CRITICAL to the sustainability

of our farms and ranches.

Last year, Farm Bureau gathered input from farmers and ranchers across the country to develop farm bill recommendations. We shared those with the House and Senate Agriculture Committees.

Members of Congress told me that it was important to work out our differences across regions and commodities, and come to them as a united front and that's what we have done.

THAT'S what Farm Bureau is all about.

One thing that came out of the input we gathered is that risk management programs are critical.

Last summer, I visited with a blueberry farmer in Mississippi and toured his packing operation, which wasn't very busy that day because his fields were flooded.

I asked him if crop insurance was important to his operation. He told me that without crop insurance, he would be out of business after JUST ONE year like 2017.

This is a business that is creating jobs in a very small, rural community... and, of course, growing food for consumers.

The fact is the farm bill is a **FOOD SECURITY BILL FOR EVERYONE!**

It's for consumers.

And it's for conservation.

It's for rural development.

It's for energy security.

It's for research... so we can continue to increase production and meet future demand.

And, yes, it is...and should continue to be...for those low-income Americans who need extra help to put food on their table.

Those of us who grow our nation's food want EVERY American to have enough to eat.

As a matter of fact, through our Harvest for All program, Farm Bureau members have donated more than 7 MILLION dollars and over 200 million pounds of food to local food banks. And they have volunteered over 100,000 hours to assist local hunger charities.

We want to raise future generations that are well nourished so they can learn, become good citizens and be strong soldiers—keeping our nation secure.

We believe in helping people...but we want it to run efficiently.

We need Congress to pass a farm AND food security bill this year! And it is important to keep them together to draw the support we need to get it passed.

I promised you early on that I would visit with farmers and ranchers in all 50 states in my first two years.

Well I have completed that goal.

These are the things that have struck me as I have toured farms and talked with the men and women who grow our food and fiber.

- Farmers and ranchers are the hardest working people I know.
- Farmers and ranchers are innovators and problem solvers.
- Our farmers and ranchers want to do the right thing for their animals and their land.

We understand that mothers and dads are buying the food we produce...to feed their children. And we have to do the right thing.

And, yes, we want to do the right thing for our farms...so we can be sustainable.

These ARE challenging times for us. The farm economy is bad. And farmers in several states are hurting from fires, hurricanes and other disasters.

But no one is more resourceful and enduring than the American farmer.

If we keep our eyes on the horizon—if we ENDURE and PERSEVERE—there is tremendous opportunity ahead.

Remember that in Romans, Paul tells us we should GLORY in tribulation...

Knowing that tribulation produces perseverance.

Perseverance produces character.

And character... hope and strength.

During this year of celebrating 99 years of success, we have to focus on the future and stay UNITED and ENGAGED.

We must PERSEVERE and ENDURE.

So we can TRANSFORM our farms, our nation... and our world.

God bless you all.

God bless the American farmer.

And God bless America!

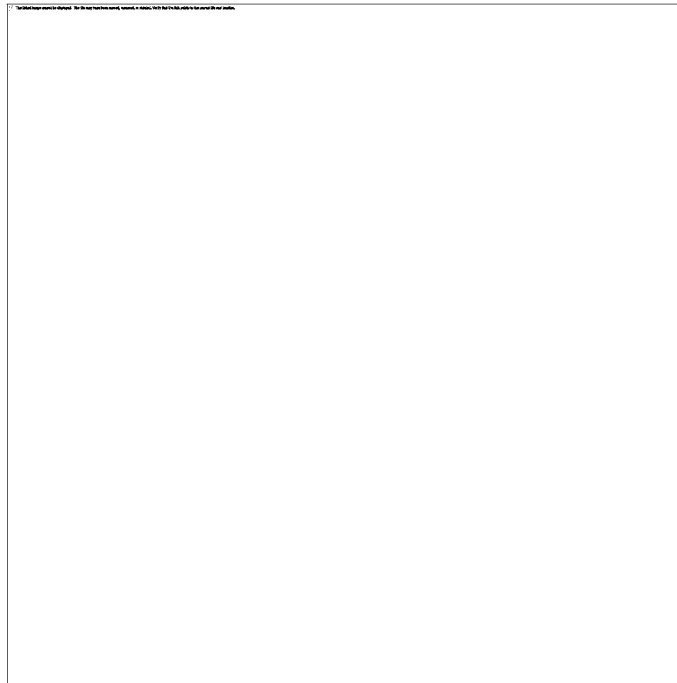
-30-

Message

From: Don Parrish [donp@fb.org]
Sent: 1/24/2018 4:02:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: FW: What They Are Saying: SCOTUS' WOTUS Ruling

From: Waters Advocacy Coalition [mailto:watersadvocacy@gmail.com@mail121.suw91.mcdlv.net] **On Behalf Of** Waters Advocacy Coalition
Sent: Wednesday, January 24, 2018 11:00 AM
To: Don Parrish
Subject: What They Are Saying: SCOTUS' WOTUS Ruling

[View this email in your browser](#)



January 24, 2018

What They Are Saying: SCOTUS' WOTUS Ruling

Good morning and welcome back to your regular briefing from the Waters Advocacy Coalition.

Are you still making sense of [this week's Supreme Court ruling](#), which clarified that district courts have jurisdiction over legal challenges to the 2015 waters of the U.S. rule? Catch up on our special update [HERE](#).

Was this this email forwarded to you? [Sign up for our distribution list](#) and catch up on previous editions [here](#), [here](#), and [here](#). Check out [our website](#) and follow us on Twitter – [@WatersAdvocacy](#) – for news, commentary and need-to-know information.

Now to the latest reactions...

What Key Stakeholders Are Saying About SCOTUS' WOTUS Ruling

North Dakota Attorney General Wayne Stenehjem (R), **who led the coalition of 13 states that obtained the first preliminary injunction against the 2015 WOTUS rule**: "This is a major victory for North Dakota and our economy. We have argued from the beginning that the District Court here in North Dakota is the proper place for this litigation. **It is significant that the Supreme Court unanimously agreed with our position so we can continue our challenge to this unacceptable federal overreach.**"

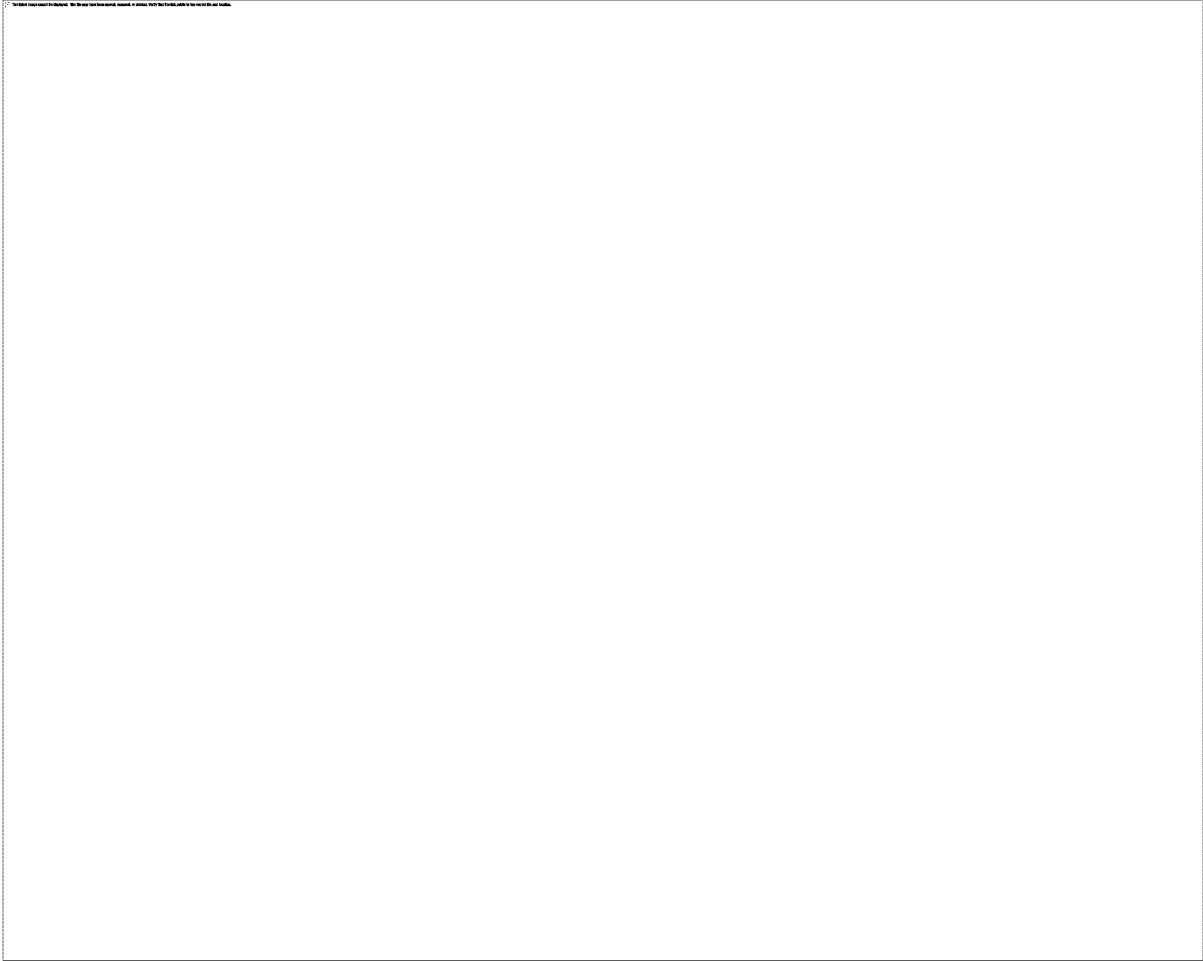
Montana Attorney General Tim Fox (R): "By moving forward with the lawsuit, the coalition of states hope to prevent any future presidential administration from violating federal law through the issuance of regulations in an attempt to circumvent Congress."

Arkansas Attorney General Leslie Rutledge (R): "The swift and strategic response of our coalition of attorneys general in 2015 was the best way to address the political agendas of our overreaching federal government."

National Association of Manufacturers Senior Vice President and General Counsel Linda Kelly: "We are fighting this overreaching and unfair rule in court because it threatens manufacturing jobs and fails to take a balanced approach to protecting clean water. We took our case to the highest court to seek clarity for manufacturers and to cut through the costly and wasteful procedural legal limbo. **We are pleased that the Supreme Court decided to help clarify what the law requires by taking action on this case.** That is a win for manufacturers. ... **We will continue to advocate a new rule that conforms to the Clean Water Act, protects our nation's waters and provides clarity for manufacturers and landowners around the country.**"

American Farm Bureau Federation General Counsel Ellen Steen: "This Supreme Court decision brings greater clarity to an important issue that has bogged down the litigation over this and other Clean Water Act regulations for years. **That is a positive result, but it also creates uncertainty and confusion in the short term, because the Sixth Circuit must soon lift its nationwide stay of the 2015 rule.** ... AFBF is considering its options to avoid application of the 2015 rule while EPA moves forward with an appropriate long-term solution that provides clear rules and clean water without requiring a federal permit to plow a field."

Pacific Legal Foundation Vice President for Litigation James S. Burling: "The EPA's 'waters of the United States' rule may be the most brazen—and lawless—expansion of bureaucratic power in American history. The regulators who imposed it tried to shield it from review by limiting opportunities for the public to bring challenges. **The Supreme Court struck a blow for liberty by rejecting this ploy and guaranteeing access to justice for the EPA's victims.** ... If the EPA had succeeded in blocking victims of the WOTUS rule from seeking redress, other agencies would have tried similar ploys. The Supreme Court's rejection of the EPA's power play strengthens everyone's right to challenge bureaucratic abuses, all across the governmental landscape."



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Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 2/7/2018 5:59:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Feb 14 @1PM CALL: Agriculture Education Grant Opportunities at EPA

Thanks, Tate!

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, February 07, 2018 12:59 PM
To: Bennett, Tate
Cc: Gordon, Stephen; Tanner, Lee
Subject: Feb 14 @1PM CALL: Agriculture Education Grant Opportunities at EPA
Importance: High

EPA's office of Environmental Education (EE) is currently accepting applications for the EE Local Grants Program at EPA until March 15th, 2018. **Projects in agriculture are eligible in this year's grant solicitation, including projects on water quality, conservation, food sustainability and integrated pest management best practices— among other traditional topics.**

EPA will hold a teleconference on the overall grant program at 1 p.m.-2:30 PM EST on February 14, 2018:

- **The call will take place at 1 p.m.-2:30 PM EST on Wednesday February 14, 2018**
- **Click here to Register for the call.**
- **CALL IN NUMBER Ex. 6 PROVIDE THE OPERATOR WITH CONFERENCE ID NUMBER: Ex. 6**
- **Questions will be accepted during the call at eegrants@epa.gov**
- **Slides are available at <https://www.epa.gov/education/environmental-education-ee-grants-webinar-and-teleconference-materials>**
- **To apply for the EE Local Grants Program, visit: <https://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice>**
- **Applications for the EE Local Grants Program are due March 15th 2018**

Let us know if you have any questions.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Harry Alford [halford@nationalbcc.org]
Sent: 1/26/2018 7:25:40 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; kdeblw@nationalbcc.org
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
Subject: RE: Nice meeting you!

Tate,
The feeling is mutual. We look forward to a productive partnership with you.

Harry C. Alford
President/CEO
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
Ex. 6
www.Nationalbcc.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, January 26, 2018 2:24 PM
To: kdeblw@nationalbcc.org; Harry Alford <halford@nationalbcc.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Subject: Nice meeting you!

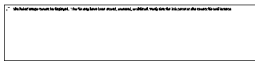
Harry and Kay- Thanks for a productive meeting! We will circle back on our follow-up items, but I just wanted to say thanks and we look forward to working together. -Tate

Delivery Report

From: postmaster@nationalbcc.org [postmaster@nationalbcc.org]
Sent: 1/26/2018 7:23:43 PM
To: kdeblw@nationalbcc.org
Subject: Undeliverable: Nice meeting you!
Attachments: Nice meeting you!

Your message

To: kdeblw@nationalbcc.org; halford@nationalbcc.org
CC: Gordon, Stephen; Tanner, Lee
Subject: Nice meeting you!
Sent: 1/26/2018 7:23:39 PM



Your message to kdeblw@nationalbcc.org couldn't be delivered.

kdeblw wasn't found at nationalbcc.org.

Bennett.Tate Action Required	Office 365	kdeblw Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/26/2018 7:23:39 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: kdeblw@nationalbcc.org
Subject: Nice meeting you!

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient kdeblw@nationalbcc.org not found by SMTP address lookup
DSN generated by: CY1PR1001MB1065.namprd10.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
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2	1/26/2018 7:23:40 PM	BL0PR0901MB2339.namprd09.prod.outlook.com	CY1PR09MB1049.namprd09.prod.outlook.com	Microsoft SMTP Server (version=TLS_ECDHE)
3	1/26/2018 7:23:41 PM	gcc01-CY1-obe.outbound.protection.outlook.com	DM3NAM03FT056.mail.protection.outlook.com	Microsoft SMTP Server (version=TLS_ECDHE)
4	1/26/2018 7:23:42 PM	DM3NAM03FT056.eop-NAM03.prod.protection.outlook.com	CY4PR1001CA0004.outlook.office365.com	Microsoft SMTP Server (version=TLS_ECDHE)
5	1/26/2018 7:23:42 PM	CY4PR1001CA0004.namprd10.prod.outlook.com	CY1PR1001MB1065.namprd10.prod.outlook.com	Microsoft SMTP Server (version=TLS_ECDHE)

Original Message Headers

Received: from CY4PR1001CA0004.namprd10.prod.outlook.com (10.171.218.145) by CY1PR1001MB1065.namprd10.prod.outlook.com (10.165.2.9) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.444.14; Fri, 26 Jan 2018 19:23:42 +0000

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Authentication-Results: spf=pass (sender IP is 23.103.200.96) smtp.mailfrom=epa.gov; nationalbcc.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com;nationalbcc.org; dmarc=permerroz action=none header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates 23.103.200.96 as permitted sender) receiver=protection.outlook.com; client-ip=23.103.200.96; helo=gcc01-CY1-obe.outbound.protection.outlook.com;

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From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "kdeblw@nationalbcc.org" <kdeblw@nationalbcc.org>,
"halford@nationalbcc.org" <halford@nationalbcc.org>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>, "Tanner, Lee"
<Tanner.Lee@epa.gov>
Subject: Nice meeting you!
Thread-Topic: Nice meeting you!
Thread-Index: AQHTltsrEELQ0ULL00CblqVge0O2qA==
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(UTC)

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X-MS-Exchange-CrossTenant-FromEntityHeader: Internet

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Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 1/26/2018 7:23:39 PM
To: kdeblw@nationalbcc.org; halford@nationalbcc.org
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
Subject: Nice meeting you!

Harry and Kay- Thanks for a productive meeting! We will circle back on our follow-up items, but I just wanted to say thanks and we look forward to working together. -Tate

Message

From: Don Parrish [donp@fb.org]
Sent: 1/10/2018 10:30:15 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Does AFBF do something similar?

Let's talk tomorrow.

Don

Sent from my iPhone

On Jan 10, 2018, at 5:18 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Were you all planning to mention WOTUS? Like how the President did on Nashville on Monday? Here is a broader year end review sheet as well in case it is helpful to the folks writing your piece.

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.
- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle>
- **Ended the War on Coal and the "Clean Power Plan":** Following issued a Notice of Proposed Rulemaking (NPRM).
 - o EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.
 - o Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources.
 - o When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source [U.S. Bureau of Labor Statistics](#))
- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity>

- o According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of \$77 million in direct EPA grant funding while concurrently serving on these committees.

- **Restored Cooperative Federalism:** Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.

- o Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

- **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. <https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus>

- **Properly Implementing TSCA:** EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. <https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews>

- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.

- o EPA is on track to close in whole or in part 27 more in 2018.

- o EPA is on track to issue clean up decisions (RODs) on 14 of over \$50 million in clean up this year.

- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

On Jan 10, 2018, at 3:32 PM, Don Parrish <donp@fb.org> wrote:

I think so - I will send it your way tomorrow.

Don

Sent from my iPhone

On Jan 10, 2018, at 2:37 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

<https://www.uschamber.com/speech/2018-state-american-business-address>

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental
Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 1/22/2018 1:25:08 PM
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Subject: Stats for January 18th EPCRA/CERCLA Outreach with NASDA & ECOS Members

Attachments: NASDA+ECOS EPCRA-CERCLA Reporting call stats 01182018.xlsx

Good morning,

Please see attached excel sheet that has the statistics of who attended the EPCRA/CERCLA Outreach with NASDA & ECOS Members on January 18th. Let me know if you have any questions.

Thank you,

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

Company Name:
Event Title:
Leader's Name:
Event Date:
Event Time:
Conference ID:

Call Stats

Name

- 1 SCOTT HUGHES
- 2 HASSEY BROOKS
- 3 JIM BAUMGARTNER
- 4 MEGAN KOHLER
- 5 CHRIS NUTTER
- 6 CYNTHIA EDWARDS
- 7 PATRICK FISK
- 8 ANNETTE JONES
- 9 CASEY WALSH
- 10 MICHELLE DIAS
- 11 DON BROWN
- 12 JENIFER GURR
- 13 CHRIS BROSCHE
- 14 ANDY KRUSE
- 15 CAROLYN HANSON
- 16 JACK BOWLES
- 17 RANDY RUSH
- 18 ROBYN DUKINS
- 19 SHEA JOHNSON
- 20 TREY GLENN
- 21 VALERIA HEARD
- 22 PETE LOPEZ
- 23 STEVEN WINNETT
- 24 NICK PEAK
- 25 COSMO SERVIDIO
- 26 BLAKE ASHBEE
- 27 SCOTT HAYES
- 28 BETSY SMIDINGER
- 29 REBECCA PAIREN
- 30 KATHLEEN JOHNSON
- 31 JEFFREY SANDS
- 32 HEMA SUBRAMANIAN
- 33 CHAD NITSCH
- 34 REGGIE CHEATHAM

35 PATRICIA GIOFFRE
36 KIM JENNINGS
37 LATOSHA THOMAS
38 RICHARD HOOKS
39 SANDRA PHARES
40 RACHEL MORGAN
41 GARY BLACK
42 RAQUEL WONG
43 CELIA COULD
44 BILL NORGHEY
45 ADAM BROUGHTON
46 KATIE NELSON
47 AMANDA LEFEVRE
48 TODD PARKER
49 JULIE OBERG
50 ANN LOWERY
51 BRIAN ALLEN
52 LAURA DOUD
53 JOHN CAMPBELL
54 CHRIS MCDONALD
55 TRACY TOMKINS
56 CHRIS SANDERS
57 GARRETT HAWKINS
58 CAROL COMER
59 EDWARD GALTRAITH
60 BENJAMIN THOMAS
61 ANNA SEYMOUR
62 BRITT AASMUNDSTAD
63 NATHAN BOWEN
64 BARB GLENN
65 SUSHMA MASEMORE
66 STEVE WELLMAN
67 JIM BARBEE
68 JULIAN GOICOECHEA
69 STEVE CRAWFORD
70 ANTHONY PARRA
71 RICHARD BALL
72 MARSHALL WILSON
73 LARRY DOMINGUEZ
74 MAT HABROCK
75 CHRISTINA WAGGETT
76 ANDY BOLLMAN
77 JOE HUDYNIA
78 SHAUN QUISELL
79 GREG ALBRECHT
80 DIANA SCHOLTZ
81 JIM REESE

82 TEENA GUNTER
83 WYM MATTHEWS
84 HOWARD COOK
85 JODI BECHARD
86 CHRISTINA CARPENTER
87 SARAH COBURN
88 RON DYER
89 JEFF KINDER
90 TOM WOMACK
91 BILL BARTON
92 BRUCE YURDIN
93 STEPHEN BALDRIGE
94 DALE URBAN
95 DIANE BOPHFELD
96 RYAN PATCH
97 TERRY NORTH
98 JOE HATTON
99 NORMAN BAILEY
100 CHRIS CLAYTON
101 MATT MONROE
102 DOUG MIYAMOTO

**EPA
EPCRA/CERCLA Outreach with NASDA & ECOS Members**

Chad Nitsch

18-Jan-18

14:00 ET

1239429

102 participated on the call, 22 of which were EPA employees. Kim Jennings (OEM) summarized the current state of reporting in approximately 20 minutes. The remaining time was dedicated to fielding approximately 17 questions from participants.

<u>Organization</u>	<u>Entry</u>	<u>Exit</u>
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT	13:53:40	14:53:15
ALABAMA DEPARTMENT OF AGRICULTURE	14:16:50	14:53:04
ALASKA DEPARTMENT OF ENVIRONMENTAL	13:50:15	14:52:34
ALASKA DEPT OF ENV CONSERVATION	14:04:15	14:53:17
ARIZONA DEPT OF ENV QUALITY	14:16:03	14:53:09
ARKANSAS AGRICULTURE DEPT	13:59:26	14:53:11
ARKANSAS LIVESTOCK AND POULTRY COMMISSION	14:03:41	14:53:08
CA DEPT OF AGRICULTURE	14:02:59	14:53:14
CALIFORNIA DEPT OF AGRICULTURE	13:54:04	14:46:11
CALIFORNIA DEPT OF FOOD & AGRICULTURE	13:37:22	14:21:29
COLORADO DEPT OF AGRICULTURE	14:07:03	14:53:20
COLORADO DEPT OF AGRICULTURE	13:56:15	14:54:20
DELAWARE DEPARTMENT OF AGRICULTURE	14:01:38	14:53:13
EASTERN REGIONAL OFFICE DEPARTMENT ECOLOGY	13:53:38	14:50:20
ECOS	14:01:16	14:53:22
EPA	14:06:58	14:46:00
EPA	14:04:14	14:53:11
EPA	14:06:20	14:53:13
EPA	13:56:40	14:49:11
EPA	13:47:10	14:54:20
EPA	14:04:58	14:52:56
EPA R2	14:06:21	14:52:54
EPA Region 1	14:04:39	14:53:04
EPA REGION 10	14:08:12	14:53:07
EPA REGION 3	13:59:34	14:53:08
EPA REGION 4	14:06:38	14:46:29
EPA REGION 7	14:07:27	14:53:15
EPA REGION 8	14:10:32	14:31:09
EPA Region 8	14:06:51	14:53:09
EPA REGION 9	14:03:08	14:53:14
EPA		
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FL DEPT OF AGRICULTURE	13:57:47	14:53:07
FLORIDA DEPARTMENT OF AGRICULTURE	13:58:11	14:53:12
FLORIDA DEPT OF AGRICULTURE AND CONSUMER SERVICES	14:04:14	14:54:20
GEORGIA DEPARTMENT OF AGRICULTURE	13:58:38	14:42:36
HAWAII DEPT OF AGRICULTURE	14:44:10	14:53:10
IDAHO STATE DEPARTME	13:59:58	14:52:26
IOWA DEPARTMENT OF AGRICULTURE	14:05:35	14:53:11
IOWA DEPT OF NATURAL RESOURCES	13:49:18	14:52:30
ISDA	14:07:38	14:52:53
KENTUCKY DEPT FOR ENVIRONMENT PROTECTION	13:40:57	14:52:16
LA DEPT OF AGRICULTURE AND FORRESTRY	14:01:42	14:40:32
MARYLAND DEPT OF AGRICULTURE	14:05:47	14:53:09
MASS DEP	14:03:18	14:54:20
MI DEPT OF NATURAL RESOURCES	14:03:08	14:52:56
MICHIGAN DEPT OF AG	14:05:27	14:53:09
MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE	14:07:09	14:52:34
MISSISSIPPI DEPT OF AGRICULTURE AND COMMERENCE	14:00:25	14:53:09
MISSISSIPPI DEPT OF ENVIROMENTAL QUALITY	14:06:06	14:53:07
MISSISSIPPI DEPT OF ENVIRONMENT PROTECTION	13:59:57	14:03:07
MISSOURI DEPARTMENT OF AGRICULTURE	14:07:13	14:53:03
MISSOURI DEPARTMENT OF HUMAN RESOURCES	14:01:22	14:16:06
MISSOURI DNR	14:00:26	14:54:20
MONTANA DEPARTMENT OF AGRICULTURE	14:12:09	14:54:20
NASDA	14:01:59	14:53:10
NASDA	14:04:16	14:53:09
NASDA	14:05:09	14:08:28
NATIONAL ASSOCIATION OF STATE DEPT OF AGRICULTURE	14:02:34	14:53:12
NCDAQ	13:54:58	14:34:27
NEBRASKA DEPARTMENT OF AGRICULTURE	14:03:31	14:52:43
NEVADA DEPARTMENT OF AGRICULTURE	14:13:03	14:53:19
NEVADA DEPARTMENT OF AGRICULTURE	14:04:08	14:53:15
NEW HAMPSHIRE DEPT OF AGRICULTURE	13:55:04	14:53:04
NEW MEXICO DEPARTMENT OF AGRICULTURE	13:57:29	14:53:08
NEW YORK STATE DEPT OF AGRICULTURE	14:06:47	14:53:27
NM DEPT OF AGRICULTU	14:03:40	14:53:06
NM DEPT OF AGRICULTURE	14:04:25	14:53:10
NO RESPONSE	14:05:04	14:53:39
NORTH CAROLINA DEPARTMENT OF AGRICULTURE	14:03:12	14:53:05
NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY	13:57:04	14:53:08
NORTH CAROLINA DEPT OF AGRICULTURE	14:01:29	14:53:12
NORTH DAKOTA DEPARTMENT OF AGRICULTURE	14:08:17	14:53:10
NY STATE DEPT OF AGRICULTURE AND MARKET	14:10:29	14:53:12
OK DEPT ENVIRONMENTAL QUALITY	14:05:41	14:53:10
OKLAHOMA	14:09:15	14:53:17

OKLAHOMA DEPARTMENT OF AGRICULTURE	14:01:41	14:53:09
OR DEPT OF AGRICULTURE	14:08:01	14:52:39
RHODE ISLAND DEPT OF ENVIROMENTAL MANAGEMENT	14:06:54	14:53:09
SOUTH DAKOTA DEPT AGRICULTURE	14:03:37	14:52:58
STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION	13:57:57	14:53:16
STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION	13:57:57	14:53:16
STATE OF MAINE	14:09:43	14:53:05
STATE OF NEVADA	13:49:22	14:53:14
TENNESSEE DEPARTMENT OF AGRICULTURE	14:02:08	14:30:36
THE IDAHO DEPT OF AGRICULTURE	13:55:07	14:52:52
THE NEW MEXICO ENVIRONMENT DEPARTMENT	14:02:14	14:53:10
THE OKLAHOMA DEPT OF ENVIRONMENT PROTECTION	14:05:14	14:53:04
UTAH DEPARTMENT OF ENVIRONEMENTAL QUALITY	14:08:04	14:53:12
VERMONT AGENCY OF AGRICULTURE	14:21:36	14:53:12
VERMONT AGENCY OF AGRICULTURE	14:04:06	14:53:10
WASHING STATE DEPT OF ECOLOGY	14:04:44	14:53:10
WEST VIRGINIA DEPARTMENT OF AGRICULTURE	14:04:15	14:53:09
WEST VIRGINIA DEPT OF AGRICULTURE	14:07:54	14:39:49
WISCONSIN DEPARTMENT OF AGRICULTURE TRADE & CONSUMER PROTECTION	14:05:26	14:53:09
WV DEPT OF AGRICULTU	14:00:53	14:53:05
WYOMING DEPARTMENT OF AGRICULTURE	13:58:06	14:46:23

Conference Minutes

0:59:35
0:36:14
1:02:19
0:49:02
0:37:06
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0:48:17

Message

From: Jordan Dux [jordand@nefb.org]
Sent: 7/20/2018 8:16:40 PM
To: Block, Molly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=60d0c681a16441a0b4fa16aa2dd4b9c5-Block, Moll]
CC: Andrew Walmsley [andreww@fb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: sorghum contacts
Attachments: ATT00001.txt

Molly,

Sorry for the delayed response. We are putting something together and will have it to you by Monday.

Let me know if you need anything else.

Thanks!

Jordan D. Dux
Director of National Affairs



Ex. 6 dir
cell
(402) 421-4427 fax

5225 S. 16th Street, Lincoln, NE 68512
P.O. Box 80299, Lincoln, NE 68501



"The Trusted Voice for Nebraska farm and ranch families!"

From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, July 19, 2018 11:49 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jordan Dux <jordand@nefb.org>; andreww@fb.org
Subject: RE: sorghum contacts

Jordan and Andrew –

Thanks Tate! Nice to meet you (virtually). I'm sure Tate has already looped you in, but next Tuesday Acting EPA Administrator Wheeler is finalizing the sorghum oil pathway under RFS. I would love to include a quote from both Zippy Duvall and Steve Nelson.

I wanted to reach out in advance, so I wouldn't need a final quote before 2:00 pm on Tuesday, July 24. Please let me know if you have any questions!

Best,
Molly

Molly Block

Press Secretary
Office of Public Affairs
U.S. Environmental Protection Agency

From: Bennett, Tate
Sent: Thursday, July 19, 2018 12:45 PM
To: Block, Molly <block.molly@epa.gov>
Cc: jordand@nefb.org; andreww@fb.org
Subject: Re: sorghum contacts

Adding Jordan and Andrew

On Jul 19, 2018, at 12:26 PM, Block, Molly <block.molly@epa.gov> wrote:

Thanks for connected me with the National Sorghum Producers and the senators staff.

I just reached out to all the House folks. Do you have contacts for Zippy and the Nebraska Farm Bureau?
Thanks!

Molly

Message

From: Emily Jordan [emilyj@fb.org]
Sent: 1/22/2018 4:05:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Lunch tomorrow

Correction- ONLY Ellen, no Don. Sorry about that.. Reservation can be for 4.

Emily Jordan | Executive Assistant
American Farm Bureau Federation®
emilyj@fb.org | (office) | (cell)

From: Emily Jordan
Sent: Monday, January 22, 2018 10:59 AM
To: 'bennett.tate@epa.gov'
Subject: Lunch tomorrow

Hey Tate-

The names of our two guests for tomorrow's lunch will be **Ellen Steen**, General Counsel and **Don Parrish**, Sr. Director of Congressional Relations.

Please let me know if there is anything else I can do to help coordinate!

Best,

Emily Jordan | Executive Assistant
American Farm Bureau Federation®
emilyj@fb.org | (office) | (cell)

Message

From: Paul Sapperstein [psapperstein@freedomworks.org]
Sent: 1/10/2018 7:45:01 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Patrick Hedger [phedger@freedomworks.org]
Subject: Re: Friday lunch and official invitation

Tate,

I'll give you a call in a few. I'll let Patrick answer your other questions.

Thanks!
Paul

On Wed, Jan 10, 2018 at 2:39 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Happy New Year, Patrick and Paul! Give me a shout about the April conference. [202-329-3948](tel:202-329-3948). Also, do you guys put out anything like this? <https://www.uschamber.com/speech/2018-state-american-business-address>

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Wednesday, December 6, 2017 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Paul Sapperstein <psapperstein@freedomworks.org>
Subject: Friday lunch and official invitation

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office **Ex. 6**

--

Paul Sapperstein
Executive Assistant
FreedomWorks

psapperstein@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 7/20/2018 6:01:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Call

Yeap! Can you send me some dates/times that would work for you all?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, July 20, 2018 1:46 PM
To: Aline DeLucia
Subject: Call

Can you go ahead and start polling for times to set up a call next week or the week after?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Thomas, Latosha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A405BD473FFF4B80B3065D03D9B48EB9-LATHOMAS]
Sent: 1/18/2018 3:48:04 PM
To: Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaec14283e8fc914-PFLEMI02]; Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Grantham, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12a3c2ed7158417fb0bb1b1b72a8cfb0-Grantham, Nancy]; jklippenstein@dfamilk.com; barbara.obrien@rosedmi.com; cwoodall@beef.org; pauls@fb.org; bpatterson@nfdc.org; jjonker@nmpf.org; apeterson@chickenusa.org; dwells@turkeyfed.org; astokes@pork.org; davisb@nppc.org; kbryan@unitedegg.com; pbredwell@uspoultry.org; dairyspot@milk4u.org; innovationcenter@usdairy.com; tammy.dennee@oregondairyfarmers.org; richard@aradc.org; ethomas@tfi.org; christinegeith@extension.org; barb@nasda.org; mkeogh@4cleanair.org; Cheatham, Reggie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c04c7b4fbf4d45108592282991c719cb-RCheatha]; Clark, Becki [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a906e07f1cd143b9a3c2ddab813b8140-Clark, Becki]; Indermark, Michele [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cf63a0730b3e4d89aa3b8ce9a5d9eab2-Indermark,]; Colip, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb142ab3fb174f0ea41a87668c7fb641-Mcolip]; Lowery, Brigid [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=da8c8861510148a6bdcd084192758505-Lowery, Brigid]; Benjamin, Kent [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b4ef714fe2d04e6991e769140ec001d0-Benjamin, Kent]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Levine, Carolyn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=468b48e304cf4c54a52bb7c83a54fd21-CLevin02]; Janifer, Pamela [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba92212a802543cd86faf7ae219d4c15-PJANIFER]; Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]; crichter@thepolicygroup.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=21ced5babfe3470ea063324eeaf776ce-crichter@thepolicygroup.com]; Andrew Walmsley [andreww@fb.org]; clehn@niseifarmersleague.com; Clay Detlefsen [cdetlefsen@nmpf.org]; tom.hebert@bayardridge.com; Scott Yager [syager@beef.org]; Michael Formica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=user6d63216b]; christopher_eyestone@seaboardcorp.com; courtney.bourgoin@sierraclub.org; baja@arizonabeef.org; pbray@arizonabeef.org
CC: tgablehouse@gcgllc.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65f51c17ae9d4a7687bab2c5cdc1b29a-tgablehouse@gcgllc.com]; Danielle Quist [danielleq@fb.org]; Hinda Mitchell [Hinda@InspirePRGroup.com]; Lisa Wallenda Picard [lpicard@turkeyfed.org]; Leslee Oden [LOden@turkeyfed.org]; Keith Williams [KeithWilliams@turkeyfed.org]; Tesoriero, Richard [Richard_Tesoriero@seaboardcorp.com]; Green, Ryan [ryan.green@nebraska.gov]; David Warner

[warnerd@nppc.org]; Phillip Assmus [passmus@4cleanair.org]; Sharpe, Kristinn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f440784f845946cca8b5102d93e8e1d0-Vazquez, Kristinn]; Heinemann, Kristina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e78d6b360384496d9463f49c17da7eb8-Heinemann, Kristina]; Mortensen, Ginah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=37eefa62d64f4934b1e1b8534297aae9-MORTENSEN, GINAH]; Frahm, Chad [Chad.Frahm@dairy.org]; Perrin, Rebecca [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=211732feff0c4770aebbe631f7a0e016-Perrin, Rebecca]; Regional Public Affairs Directors [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=df2f9cc7475345c9897ecec6e434647d-PADs]; Lincoln, Larry [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8248d03a1441414db7754db201ebec45-Lincoln, Larry]; Robertson, Duane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9ea0d43e9aa6435fae2546bf00aee0c2-Robertson, Joseph]; Weeks, Victor [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e014eab7d8984ab6b9eecbdc2437c10d-Weeks, Victor]; Mutter, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7446c126af5d4888a569472e8b53542b-Mutter, And]; D'Andrea, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=379464cfcda84ba48904082506c2c1d3-D'Andrea, Michael]; Philip, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f5b8f2bebd7a4ce797afe30d26646369-Philip, Jeff]; Miller, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=40bb39f199a74c5cb3956d35d6f468df-AMILLE06]

Subject: RE: EPA Animal Waste Reporting Outreach Call with Stakeholders

Hi All,

Just another reminder to please consolidate in conference rooms/offices if possible, so that we can limit the number of lines needed for this call. We want to make sure we don't run into a potential capacity issue. Also, please remember to mute your line while you're not speaking or asking a question. Thanks! Talk to you soon!

-----Original Appointment-----

From: Thomas, Latosha

Sent: Wednesday, January 17, 2018 10:39 AM

To: Thomas, Latosha; Gioffre, Patricia; Jennings, Kim; Bennett, Tate; Grantham, Nancy; jklippenstein@dfamilk.com; barbara.obrien@rosedmi.com; cwoodall@beef.org; pauls@fb.org; bpatterson@nfdc.org; jjonker@nmpf.org; apeterson@chickenusa.org; dwells@turkeyfed.org; astokes@pork.org; davisb@nppc.org; kbryan@unitedegg.com; pbredwell@uspoultry.org; dairyspot@milk4u.org; innovationcenter@usdairy.com;

tammy.dennee@oregondairyfarmers.org; richard@aradc.org; ethomas@tfi.org; christinegeith@extension.org; barb@nasda.org; mkeogh@4cleanair.org; Cheatham, Reggie; Clark, Becki; Indermark, Michele; Colip, Matthew; Lowery, Brigid; Benjamin, Kent; Nitsch, Chad; Levine, Carolyn; Janifer, Pamela; Sands, Jeffrey; Subramanian, Hema; Richardson, RobinH; Bowles, Jack; Barbery, Andrea; crichter@thepolicygroup.com; Andrew Walmsley; clehn@niseifarmersleague.com; Clay Detlefsen; tom.hebert@bayardridge.com; Scott Yager; Michael Formica; christopher_eyestone@seaboardcorp.com; courtney.bourgoin@sierraclub.org; baja@arizonabeef.org; pbray@arizonabeef.org

Cc: tgablehouse@gcgllc.com; Danielle Quist; Hinda Mitchell; Lisa Wallenda Picard; Leslee Oden; Keith Williams; Tesoriero, Richard; Green, Ryan; David Warner; Phillip Assmus; Sharpe, Kristinn; Heinemann, Kristina; Mortensen, Ginah; Frahm, Chad; Perrin, Rebecca; Regional Public Affairs Directors; Lincoln, Larry; Robertson, Duane; Weeks, Victor; Mutter, Andrew; D'Andrea, Michael; Philip, Jeffrey; Miller, Amy

Subject: EPA Animal Waste Reporting Outreach Call with Stakeholders

When: Thursday, January 18, 2018 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Ex. 6

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

The number of lines is limited, so it is recommend that participants consolidate call-in location if possible. Also, please remember to place your phone on mute while you're not speaking or asking a question. Thanks!

Message

From: Don Parrish [donp@fb.org]
Sent: 12/14/2017 8:10:51 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Got a minute

Sent from my iPhone

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 7/23/2018 8:14:00 PM
To: Jordan Dux [jordand@nefb.org]; Andrew Walmsley [andreww@fb.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: sorghum contacts

Thanks so much!!

From: Jordan Dux [mailto:jordand@nefb.org]
Sent: Monday, July 23, 2018 4:06 PM
To: Block, Molly <block.molly@epa.gov>; Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: sorghum contacts

Molly,

Here is our statement. Thanks! -Jordan

“Nebraska Farm Bureau supports efforts to expanded market opportunities for Nebraska agricultural commodities, including grain sorghum. EPA’s announcement that sorghum-based biofuel meets emission requirements allowing it to be recognized as an advanced biofuel under the Renewable Fuels Standard (RFS) is a win for Nebraska grain sorghum producers.”

Jordan D. Dux
Director of National Affairs
Nebraska Farm Bureau Federation

From: Block, Molly <block.molly@epa.gov>
Sent: Monday, July 23, 2018 9:41:15 AM
To: Andrew Walmsley
Cc: Jordan Dux; Bennett, Tate
Subject: RE: sorghum contacts

Thank you so much! Really appreciate it. I will make sure you get a copy of the release tomorrow as well.

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Monday, July 23, 2018 10:39 AM
To: Block, Molly <block.molly@epa.gov>
Cc: Nebraska Jordan Dux <jordand@nefb.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: sorghum contacts

Molly,

Thanks again. The following can be attributed to President Duvall:

“Farm Bureau applauds EPA’s approval of an RFS pathway for sorghum biofuel production. At a time when sorghum farmers--like many in U.S. agriculture--are facing tough economic times and uncertainty in key markets, new opportunities like this can go a long way in supporting their bottom line. This new pathway will create an important opportunity for rural America and our farm economy, while strengthening and diversifying U.S. homegrown energy sources.”

On Jul 20, 2018 5:12 PM, "Block, Molly" <block.molly@epa.gov> wrote:
Thanks! Have a good weekend!

Sent from my iPhone

On Jul 20, 2018, at 4:16 PM, Jordan Dux <jordand@nefb.org> wrote:

Molly,

Sorry for the delayed response. We are putting something together and will have it to you by Monday.

Let me know if you need anything else.

Thanks!

Jordan D. Dux
Director of National Affairs



Ex. 6 dir
cell
(402) 421-4427 fax

5225 S. 16th Street, Lincoln, NE 68512
P.O. Box 80299, Lincoln, NE 68501

<image002.png> <image003.png> <image004.png> <image005.png>
<image006.jpg>

From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, July 19, 2018 11:49 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jordan Dux <jordand@nefb.org>; andreww@fb.org
Subject: RE: sorghum contacts

Jordan and Andrew –

Thanks Tate! Nice to meet you (virtually). I’m sure Tate has already looped you in, but next Tuesday Acting EPA Administrator Wheeler is finalizing the sorghum oil pathway under RFS. I would love to include a quote from both Zippy Duvall and Steve Nelson.

I wanted to reach out in advance, so I wouldn’t need a final quote before 2:00 pm on Tuesday, July 24. Please let me know if you have any questions!

Best,
Molly

Molly Block
Press Secretary
Office of Public Affairs
U.S. Environmental Protection Agency

From: Bennett, Tate
Sent: Thursday, July 19, 2018 12:45 PM
To: Block, Molly <block.molly@epa.gov>
Cc: jordand@nefb.org; andreww@fb.org
Subject: Re: sorghum contacts

Adding Jordan and Andrew

On Jul 19, 2018, at 12:26 PM, Block, Molly <block.molly@epa.gov> wrote:

Thanks for connected me with the National Sorghum Producers and the senators staff.

I just reached out to all the House folks. Do you have contacts for Zippy and the Nebraska Farm Bureau? Thanks!

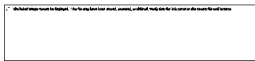
Molly

Delivery Report

From: postmaster@socma.com [postmaster@socma.com]
Sent: 12/14/2017 6:24:00 PM
To: mossd@socma.org
Subject: Undeliverable: EPA Seeks Input from State Partners on Lead and Copper Rule
Attachments: EPA Seeks Input from State Partners on Lead and Copper Rule

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: EPA Seeks Input from State Partners on Lead and Copper Rule
Sent: 12/14/2017 6:23:50 PM



Your message to mossd@socma.org couldn't be delivered.

mossd wasn't found at socma.org.

bennett.tate Action Required	Office 365	mossd Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 12/14/2017 6:23:50 PM
Sender Address: bennett.tate@epa.gov
Recipient Address: mossd@socma.org
Subject: EPA Seeks Input from State Partners on Lead and Copper Rule

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient mossd@socma.org not found by SMTP address lookup
DSN generated by: BN3PR15MB0786.namprd15.prod.outlook.com

Original Message Headers

Received: from MWHPR15CA0054.namprd15.prod.outlook.com (10.174.254.16) by
BN3PR15MB0786.namprd15.prod.outlook.com (10.165.80.14) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.302.9; Thu, 14 Dec 2017 18:23:59 +0000

Received: from DM3NAM03FT010.eop-NAM03.prod.protection.outlook.com
(2a01:111:f400:7e49::208) by MWHPR15CA0054.outlook.office365.com
(2603:10b6:301:4c::16) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.302.9 via Frontend
Transport; Thu, 14 Dec 2017 18:23:58 +0000
Authentication-Results: spf=none (sender IP is 208.70.210.139)
smtp.mailfrom=epa.gov; socma.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;socma.org; dmarc=fail action=none
header.from=epa.gov;
Received-SPF: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
Received: from asp.reflexion.net (208.70.210.139) by
DM3NAM03FT010.mail.protection.outlook.com (10.152.82.65) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id
15.20.302.6 via Frontend Transport; Thu, 14 Dec 2017 18:23:58 +0000
Received: (gmail 30526 invoked from network); 14 Dec 2017 18:23:57 -0000
Received: from unknown (HELO mail-cs-01.app.dca.reflexion.local) (10.81.19.1)
by 0 (rfx-gmail) with SMTP; 14 Dec 2017 18:23:57 -0000
Received: by mail-cs-01.app.dca.reflexion.local
(Reflexion email security v8.40.3) with SMTP;
Thu, 14 Dec 2017 13:23:57 -0500 (EST)
Received: (gmail 20389 invoked from network); 14 Dec 2017 18:23:57 -0000
Received: from unknown (HELO NAM01-SN1-obe.outbound.protection.outlook.com)
(207.46.163.116)
by 0 (rfx-gmail) with (AES256-SHA encrypted) SMTP; 14 Dec 2017 18:23:57 -0000
Received: from CY1PR15CA0027.namprd15.prod.outlook.com (10.163.14.37) by
BY2PR15MB0791.namprd15.prod.outlook.com (10.164.171.15) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.302.9; Thu, 14 Dec 2017 18:23:55 +0000
Received: from DM3NAM03FT045.eop-NAM03.prod.protection.outlook.com
(2a01:111:f400:7e49::204) by CY1PR15CA0027.outlook.office365.com
(2a01:111:e400:5283::37) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.302.9 via Frontend
Transport; Thu, 14 Dec 2017 18:23:55 +0000
Authentication-Results-Original: spf=none (sender IP is 208.70.210.160)
smtp.mailfrom=epa.gov; socma.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;socma.org; dmarc=fail action=none
header.from=epa.gov;
Received-SPF: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
Received: from asp.reflexion.net (208.70.210.160) by
DM3NAM03FT045.mail.protection.outlook.com (10.152.82.208) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id
15.20.302.6 via Frontend Transport; Thu, 14 Dec 2017 18:23:54 +0000
Received: (gmail 1281 invoked from network); 14 Dec 2017 18:23:52 -0000
Received: from unknown (HELO rtc-smb-05.app.dca.reflexion.local) (10.81.150.15)
by 0 (rfx-gmail) with SMTP; 14 Dec 2017 18:23:52 -0000
Received: by rtc-smb-05.app.dca.reflexion.local

(Reflezione email security v8.40.3) with SMTP;

Thu, 14 Dec 2017 13:23:52 -0500 (EST)

Received: (gmail 16882 invoked from network); 14 Dec 2017 18:23:52 -0000

Received: from unknown (HELO gcc01-dm2-obe.outbound.protection.outlook.com) (23.103.201.95)

by 0 (rfx-gmail) with (AES256-SHA encrypted) SMTP; 14 Dec 2017 18:23:52 -0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;

s=selector1-epa-gov;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;

bh=xw0h+htms7IjuAlqtvSI8FrNFob4tnK0+PnvEIZARlw=;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1510.namprd09.prod.outlook.com (10.173.191.144) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.302.9; Thu, 14 Dec 2017 18:23:50 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0302.017; Thu, 14 Dec 2017 18:23:50 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Gordon, Stephen" <gordon.stephen@epa.gov>

Subject: EPA Seeks Input from State Partners on Lead and Copper Rule

Thread-Topic: EPA Seeks Input from State Partners on Lead and Copper Rule

Thread-Index: AdN1A35n9LW4JUj3THymFE6YMZG28w==

Date: Thu, 14 Dec 2017 18:23:50 +0000

Message-ID:

<CY4PR09MB1509E55820B8169B0C2B1542960A0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

Authentication-Results-Original: spf=none (sender IP is)

smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

X-Microsoft-Exchange-Diagnostics-untrusted:

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X-MS-Office365-Filtering-Correlation-Id: 338b0106-96d2-492a-6fb3-08d5431fd791

X-Microsoft-Antispam-Untrusted:
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(201702281549075)(2017052603307);SRVR:CY4PR09MB1510;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1510;|BY2PR15MB0791;|BN3PR15MB0786;
z-microsoft-antispam-prvs:
<CY4PR09MB15106C844233FAA32E5A4A20960A0@CY4PR09MB1510.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(261320762254229)(21748063052155)(229425074694992);UriScan:(261320762254229)(2174
8063052155)(229425074694992);
x-exchange-antispam-report-cfa-test:
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0201501046)(3002001)(6041248)(20161123562025)(20161123564025)(201703131423075)(2017022815
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) (9101536074)(10201501046)(3002001)(3231023)(93006095)(93001095)(201708071742011);SRVR:BY
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z-forefront-prvs: 05214FD68E
X-Forefront-Antispam-Report-Untrusted:
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) (7696005)(66066001)(65686004)(6436002);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1510;H:CY4PR
09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
SpamDiagnosticOutput: 1:99
SpamDiagnosticMetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000_CY4PR09MB1509E55820B8169B0C2B1542960A0CY4PR09MB1509nampr___"
MIME-Version: 1.0
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1510
X-Rfx-Unknown-Address: Address <mossd@socma.org> is not protected.
Return-Path: bennett.tate@epa.gov
X-EOFAtributedMessage: 1
X-EOPTenantAttributedMessage: 4fd79211-5086-46fb-b10e-ae7d62c42bad:1
X-Matching-Connectors: 131577494348826445;(67ba2e54-37ef-4bab-0d8a-08d438cef394);()
X-MS-Exchange-Transport-CrossTenantHeadersStripped: DM3NAM03FT045.eop-
NAM03.prod.protection.outlook.com
X-Forefront-Antispam-Report-Untrusted:
CIP:208.70.210.160;IPV:NLI;CTRY:US;EFV:NLI;SFV:NSPM;SFS:(8156002)(2980300002)(428003)(199
004)(189003)(25786009)(106466001)(105586002)(99286004)(45126002)(55666002)(77096006)(2900
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02)(3846002)(260700001)(14454004)(6862004)(55016002)(5660300001)(966005)(33656002)(863620
01)(6506007)(4326008);DIR:INB;SFP:;SCL:1;SPVR:BY2PR15MB0791;H:asp.reflexion.net;FPR:;SPF:
None;PTR:outbound-mail-210-160.reflexion.net;A:1;MX:1;LANG:en;
X-Microsoft-Exchange-Diagnostics-untrusted:
1;DM3NAM03FT045;1;3wATJaqHGJY9KoxcldLr69pHbvwhiJLqyyO+93U/MDUjWdv4CAQRddcDFFV8xUkGRy5+f
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X-Microsoft-Exchange-Diagnostics-untrusted:

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Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 12/14/2017 6:23:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: EPA Seeks Input from State Partners on Lead and Copper Rule

EPA Seeks Input from State Partners on Lead and Copper Rule

12/14/2017

Contact Information:

(press@epa.gov)

WASHINGTON — Today, the U.S. Environmental Protection Agency (EPA) sent letters to state partners on forthcoming proposed regulatory revisions to the existing Lead and Copper Rule (LCR). These changes are intended to not only improve the protection of public health, but the effective implementation of the rule as well.

“Despite lead contaminated sites being an environmental threat to our country, EPA has not updated the Lead and Copper Rule in decades,” said EPA Administrator Scott Pruitt. “In keeping with our commitment to cooperative federalism, EPA is seeking input from state stakeholders on proposed revisions to properly address lead and ensure communities have access to safe drinking water.”

According to the Centers for Disease Control and Prevention, there is no level of exposure to lead that is safe – especially for children. Established in 1991, the LCR intends to reduce exposure to lead and copper through drinking water whether from corrosion control measures for lead service lines or transparency and public education.

The LCR is applicable to all community public water systems. It requires water systems to sample water from households with plumbing materials that contain lead or copper and take action to reduce exposure to these harmful metals in drinking water.

The letter from Office of Ground Water and Drinking Water invites partner organizations to a 60-day period that will kick off with a joint meeting followed by discussions with each of the groups on the proposed rule, including a range of state and professional groups.

Additional groups and the public will have opportunities to comment throughout the Lead and Copper rulemaking process. These letters are intended to focus on initial discussions, as part of the larger federalism consultation process.

For a full list of receiving entities, see the linked letter: <https://www.epa.gov/ground-water-and-drinking-water/lcr-federalism-consultation>

Contact Us to ask a question, provide feedback, or report a problem.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 7/19/2018 11:32:12 AM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Sorghum event at EPA on Tuesday 7/24

Hema and Tate,

Thanks for the invite. I running the traps for President Duval and we should be following up shortly.

Since I cannot make the event (will be in Minnesota), I want to make sure it was ok if someone else joined President Duvall?

Thanks again,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone:
Cell:
andreww@fb.org

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Wednesday, July 18, 2018 5:39 PM
To: Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Sorghum event at EPA on Tuesday 7/24

Hello Andrew,

Hope you are well. We'd like to invite you and Zippy Duvall to join Acting Administrator Wheeler at an announcement ceremony at EPA HQ next Tuesday the 24th for EPA's confirmation of the Sorghum Oil pathway.

The event will be at 5:00 pm on Tuesday, July 24th in the Administrator's office located in the William Jefferson Clinton North Building at 1200 Pennsylvania Ave NW.

If you have any questions, please feel free to reach out to me or Tate.

Thank you,
---Hema.
202-564-5041

Message

From: Don Parrish [donp@fb.org]
Sent: 2/28/2018 9:44:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: EPA Visit

Thank you.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, February 28, 2018 4:44 PM
To: Wisconsin Karen Gefvert
Cc: Sands, Jeffrey; Cheatham, Reggie; Jennings, Kim; Andrew Walmsley; Don Parrish; Subramanian, Hema; Dewey, Amy
Subject: Re: EPA Visit

Happy to accommodate you all! Copying Hema and Amy to help set this up.

On Feb 28, 2018, at 4:31 PM, Karen Gefvert <kgefvert@wfbf.com> wrote:

Good afternoon Jeff, Tate, Reggie and Kim,

I received your contact information from staff at the American Farm Bureau Federation. I work for the Wisconsin Farm Bureau and will be bringing a delegation of approximately 30 members and leaders to Washington DC in mid-March. We would like to try and schedule a visit with some staff from the agency to discuss environmental issues facing agriculture, such as:
CERCLA
WOTUS
Regulatory Reform

We are looking at a visit on Tuesday, March 20, 2018 in the early afternoon; noon-3:30pm is what we have open on our schedule. Please let me know if it is possible to set up a meeting with applicable staff to talk through EPA's roll in some of the above mentioned issues.

Thank you,

Karen

Karen Gefvert
Director of Governmental Relations
Wisconsin Farm Bureau Federation
Ex. 6 | kgefvert@wfbf.com
www.wfbf.com

A Voice for Farmers. A Vision for Agriculture. ®

Message

From: Julia Recko [juliad@fb.org]
Sent: 12/14/2017 6:23:59 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: EPA Seeks Input from State Partners on Lead and Copper Rule

I am out of the office until January 2018. If you have a question, need help with a project, or just want to connect to learn more about the Foundation and our ag literacy efforts please email Sydney Andrews at sydneya@fb.org or Christy Lilja at christyl@fb.org.

Don't forget to visit our website www.agfoundation.org. Sign up for the Enewsletter to receive the latest information from the Foundation!

Thank you!

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 7/19/2018 9:57:21 PM
To: Andrew Walmsley [andreww@fb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Nebraska Jordan Dux [jordand@nefb.org]
Subject: RE: sorghum contacts

Appreciate it!

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Thursday, July 19, 2018 5:52 PM
To: Block, Molly <block.molly@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nebraska Jordan Dux <jordand@nefb.org>
Subject: RE: sorghum contacts

Thanks Molly. We have a statement working through our clearance process. As soon as it gets cleared, I will send your way!

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] Ex. 6
Cell: [redacted] Ex. 6
andreww@fb.org

From: Block, Molly [mailto:block.molly@epa.gov]
Sent: Thursday, July 19, 2018 12:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nebraska Jordan Dux <jordand@nefb.org>; Andrew Walmsley <andreww@fb.org>
Subject: RE: sorghum contacts

Jordan and Andrew –

Thanks Tate! Nice to meet you (virtually). I'm sure Tate has already looped you in, but next Tuesday Acting EPA Administrator Wheeler is finalizing the sorghum oil pathway under RFS. I would love to include a quote from both Zippy Duvall and Steve Nelson.

I wanted to reach out in advance, so I wouldn't need a final quote before 2:00 pm on Tuesday, July 24. Please let me know if you have any questions!

Best,
Molly

Molly Block
Press Secretary
Office of Public Affairs
U.S. Environmental Protection Agency

From: Bennett, Tate
Sent: Thursday, July 19, 2018 12:45 PM
To: Block, Molly <block.molly@epa.gov>
Cc: jordand@nefb.org; andreww@fb.org
Subject: Re: sorghum contacts

Adding Jordan and Andrew

On Jul 19, 2018, at 12:26 PM, Block, Molly <block.molly@epa.gov> wrote:

Thanks for connected me with the National Sorghum Producers and the senators staff.

I just reached out to all the House folks. Do you have contacts for Zippy and the Nebraska Farm Bureau?
Thanks!

Molly

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 1/19/2018 8:51:01 PM
To: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
CC: Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Danielle Quist [daniellemq@fb.org]; Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaec14283e8fc914-PFLEMI02]; Thomas, Latosha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a405bd473fff4b80b3065d03d9b48eb9-LaThomas]; Hyman Moore, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7c106a41d3488788291a32a9e53d08-Hyman, Julie]; Cheatham, Reggie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c04c7b4fbf4d45108592282991c719cb-RCheatha]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Barrett Bles [barrettb@fb.org]
Subject: RE: CERCLA Call

Thank you all! Talk to you on Monday.

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Jan 19, 2018 3:49 PM, "Sands, Jeffrey" <sands.jeffrey@epa.gov> wrote:

Danielle and Andrew,

Would 1-2pm EST on Monday still work on your end to schedule a call? Thanks and appreciate you working within our timeframes.

Jeff

From: Jennings, Kim
Sent: Friday, January 19, 2018 3:23 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Andrew Walmsley <andreww@fb.org>
Cc: Danielle Quist <daniellemq@fb.org>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha

<Thomas.Latosha@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>
Subject: RE: CERCLA Call

I am booked on Tuesday, but from 1-2 pm is open on Monday.

Thanks,

Kim

Kim Jennings

Division Director || Regulations Implementation Division

U.S. Environmental Protection Agency || Office of Emergency Management

E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Bennett, Tate

Sent: Friday, January 19, 2018 3:12 PM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Andrew Walmsley <andreww@fb.org>

Cc: Danielle Quist <danielleg@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>

Subject: RE: CERCLA Call

Our office is flexible! Defer to OLEM.

From: Sands, Jeffrey

Sent: Friday, January 19, 2018 3:08 PM

To: Andrew Walmsley <andreww@fb.org>

Cc: Danielle Quist <danielleg@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>

Subject: RE: CERCLA Call

Thanks Andrew.

Those time provided will work for the Ag Advisors office. I will defer to the rest of the team to indicate their preferences on timing based on their schedules.

Jeff

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Friday, January 19, 2018 1:56 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Danielle Quist <danielleg@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>
Subject: RE: CERCLA Call

Jeff,

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The call-in information is below:

Call-in:

Passcode:

Sincerely,

Andrew

Andrew Walmsley

Director, Congressional Relations
American Farm Bureau Federation®

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]

Sent: Friday, January 19, 2018 12:19 PM

To: Andrew Walmsley

Cc: Danielle Quist; Jennings, Kim; Gioffre, Patricia; Thomas, Latosha; Bennett, Tate; Hyman Moore, Julie; Cheatham, Reggie; Subramanian, Hema

Subject: RE: CERCLA Call

Andrew,

It may be best if we were able to utilize your conference line given the time constraints. Could you please suggest a date/time to this group? We will work to confirm participation once that information is provided.

Best,
Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]

Sent: Thursday, January 18, 2018 4:31 PM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Danielle Quist <danielleg@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>

Subject: RE: CERCLA Call

Thank you Jeff and the whole EPA team.

We have a conference line we can utilize if it works on your end.

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®

Phone: Ex. 6

Cell: Ex. 6
andreww@fb.org

On Jan 18, 2018 4:23 PM, "Sands, Jeffrey" <sands.jeffrey@epa.gov> wrote:

Andrew and Danielle,

Appreciate you reaching out regarding further outreach on CERCLA. I am available to join a call but unfortunately do not have phone line capacity to hold as many as may be needed.

I looping program office staff to this request to 1) check on their availability to participate 2) see what they can do to put a call line together early next week to host a similar call with your state affiliates as we did back in November. Team OEM, could you please work with Andrew and Danielle to set up a call with Farm Bureau?

Thanks very much.

Best,

Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Thursday, January 18, 2018 3:49 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Danielle Quist <danielledq@fb.org>
Subject: CERCLA Call

Jeff,

I know you are swamped but I was wondering if you might have time for a call with our State Farm Bureau folks sometime next week? This would be similar to the previous call that y'all did with our folks on CERCLA back in November.

Thanks man,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

Message

From: Danielle Quist [danielleq@fb.org]
Sent: 1/19/2018 8:49:32 PM
To: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Andrew Walmsley [andreww@fb.org]
CC: Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaec14283e8fc914-PFLEMI02]; Thomas, Latosha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a405bd473fff4b80b3065d03d9b48eb9-LaThomas]; Hyman Moore, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7c106a41d3488788291a32a9e53d08-Hyman, Julie]; Cheatham, Reggie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c04c7b4fbf4d45108592282991c719cb-RCheatha]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Barrett Bles [barrettb@fb.org]
Subject: RE: CERCLA Call

That works for me.

Danielle Hallcom Quist
Senior Counsel for Public Policy
American Farm Bureau Federation
600 Maryland Avenue, SW Suite 1000W
Washington, DC 20024
Office: **Ex. 6**
Mobile:
danielleq@fb.org

From: Sands, Jeffrey [mailto:sands.jeffrey@epa.gov]
Sent: Friday, January 19, 2018 3:49 PM
To: Jennings, Kim; Bennett, Tate; Andrew Walmsley
Cc: Danielle Quist; Gioffre, Patricia; Thomas, Latosha; Hyman Moore, Julie; Cheatham, Reggie; Subramanian, Hema; Barrett Bles
Subject: RE: CERCLA Call

Danielle and Andrew,

Would 1-2pm EST on Monday still work on your end to schedule a call? Thanks and appreciate you working within our timeframes.

Jeff

From: Jennings, Kim
Sent: Friday, January 19, 2018 3:23 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Andrew Walmsley <andreww@fb.org>
Cc: Danielle Quist <danielleq@fb.org>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha

<Thomas.Latosha@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>

Subject: RE: CERCLA Call

I am booked on Tuesday, but from 1-2 pm is open on Monday.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Bennett, Tate

Sent: Friday, January 19, 2018 3:12 PM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Andrew Walmsley <andreww@fb.org>

Cc: Danielle Quist <danielleg@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>

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Subject: RE: CERCLA Call

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The call-in information is below:

Call-in:
Passcode:

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Director, Congressional Relations
American Farm Bureau Federation®
Phone:
Cell:
andreww@fb.org

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Subject: RE: CERCLA Call

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Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone:

Cell: Ex. 6
andreww@fb.org

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Best,

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To: Sands, Jeffrey <sands.jeffrey@epa.gov>
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Subject: CERCLA Call

Jeff,

I know you are swamped but I was wondering if you might have time for a call with our State Farm Bureau folks sometime next week? This would be similar to the previous call that y'all did with our folks on CERCLA back in November.

Thanks man,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 12/8/2017 2:06:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Annual meetings

Do you have a minute?

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, December 07, 2017 4:52 PM
To: Don Parrish
Subject: RE: Annual meetings

Appreciate you

From: Don Parrish [mailto:donp@fb.org]
Sent: Thursday, December 7, 2017 4:40 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Annual meetings

I will check...

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, December 07, 2017 1:29 PM
To: Don Parrish
Subject: FW: Annual meetings

Anything in the works for a 2018 calendar yet ☺?

From: Don Parrish [mailto:donp@fb.org]
Sent: Friday, November 3, 2017 11:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Annual meetings

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 3:37 PM
To: Don Parrish
Subject: Re: Annual meetings

Thanks!

On Nov 2, 2017, at 12:06 PM, Don Parrish <donp@fb.org> wrote:

I will check...

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 11:54 AM
To: Don Parrish
Subject: Annual meetings

Do you guys have a calendar for when all your guys' state annual meetings are?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 7/23/2018 5:06:15 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Call

Great! I will send that out to our members now. Thanks again.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, July 23, 2018 12:35 PM
To: Aline DeLucia
Subject: RE: Call

We can use our conference line:

Conference Line Ex. 6
Access Code Ex. 6

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, July 20, 2018 5:30 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Call

Yeap. I will go ahead and lock that in on Monday. Thanks!

Sent from my iPhone

On Jul 20, 2018, at 4:22 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I think the 26th at 11 AM would be best on our end. Does that work for you?

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, July 20, 2018 3:03 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call

Options:

July 26th – 9am to 12pm
July 27th – 12pm – 5pm

Thanks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, July 20, 2018 1:46 PM
To: Aline DeLucia
Subject: Call

Can you go ahead and start polling for times to set up a call next week or the week after?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Cheatham, Reggie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C04C7B4FBF4D45108592282991C719CB-RCHEATHA]
Sent: 1/19/2018 8:23:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Andrew Walmsley [andreww@fb.org]
CC: Danielle Quist [danielleq@fb.org]; Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaec14283e8fc914-PFLEMI02]; Thomas, Latosha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a405bd473fff4b80b3065d03d9b48eb9-LaThomas]; Hyman Moore, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7f7c106a41d3488788291a32a9e53d08-Hyman, Julie]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Barrett Bles [barrettb@fb.org]
Subject: RE: CERCLA Call

I can't do Monday afternoon due to a WH DRG meeting...it is not critical that I am present....the OEM team will take care of business.

Thanks

Reggie Cheatham, Director
Office of Emergency Management, USEPA
202.564.8003 (O); [Ex. 6] (M);
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202.564.0053

From: Bennett, Tate
Sent: Friday, January 19, 2018 3:12 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Andrew Walmsley <andreww@fb.org>
Cc: Danielle Quist <danielleq@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>
Subject: RE: CERCLA Call

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Sent: Friday, January 19, 2018 3:08 PM
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Cc: Danielle Quist <danielleq@fb.org>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Subramanian, Hema

<Subramanian.Hema@epa.gov>; Barrett Bles <barrettb@fb.org>

Subject: RE: CERCLA Call

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To: Sands, Jeffrey <sands.jeffrey@epa.gov>

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Subject: RE: CERCLA Call

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The call-in information is below:

Call-in:

Passcode:

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Director, Congressional Relations
American Farm Bureau Federation®

Phone:

Cell:

andreww@fb.org

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Sent: Friday, January 19, 2018 12:19 PM

To: Andrew Walmsley

Cc: Danielle Quist; Jennings, Kim; Gioffre, Patricia; Thomas, Latosha; Bennett, Tate; Hyman Moore, Julie; Cheatham, Reggie; Subramanian, Hema

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Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone:
Cell:
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**Director, Congressional Relations
American Farm Bureau Federation®**

Phone:

Cell:

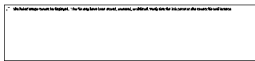
andreww@fb.org

Delivery Report

From: postmaster@fb.org [postmaster@fb.org]
Sent: 1/16/2018 7:53:37 PM
To: juliar@fb.org
Subject: Undeliverable: \$3 M in funding now available for locally-focused environmental education grants
Attachments: \$3 M in funding now available for locally-focused environmental education grants

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: \$3 M in funding now available for locally-focused environmental education grants
Sent: 1/16/2018 7:53:30 PM



Your message to juliar@fb.org couldn't be delivered.

juliar wasn't found at fb.org.

Bennett.Tate Action Required	Office 365	juliar Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/16/2018 7:53:30 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: juliar@fb.org
Subject: \$3 M in funding now available for locally-focused environmental education grants

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient juliar@fb.org not found by SMTP address lookup
DSN generated by: BN3PR0101MB1108.prod.exchangelabs.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 7:53:31 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	1/16/2018 7:53:31 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1512.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
3	1/16/2018 7:53:33 PM	gcc01-dm2-obe.outbound.protection.outlook.com	BY2NAM05FT023.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
4	1/16/2018 7:53:34 PM	BY2NAM05FT023.eop-nam05.prod.protection.outlook.com	SN2PR01CA0037.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
5	1/16/2018 7:53:34 PM	SN2PR01CA0037.prod.exchangelabs.com	BN3PR0101MB1108.prod.exchangelabs.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

Received: from SN2PR01CA0037.prod.exchangelabs.com (10.167.12.175) by BN3PR0101MB1108.prod.exchangelabs.com (10.161.219.143) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 19:53:34 +0000

Received: from BY2NAM05FT023.eop-nam05.prod.protection.outlook.com (2a01:111:f400:7e52::205) by SN2PR01CA0037.outlook.office365.com (2603:10b6:804:2::47) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.407.7 via Frontend Transport; Tue, 16 Jan 2018 19:53:34 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.121) smtp.mailfrom=epa.gov; fb.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com; fb.org; dmarc=permxerror action=none header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates 23.103.201.121 as permitted sender) receiver=protection.outlook.com; client-ip=23.103.201.121; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.121) by BY2NAM05FT023.mail.protection.outlook.com (10.152.100.160) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.428.12 via Frontend Transport; Tue, 16 Jan 2018 19:53:33 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=y8pcRcXy4Ov0g5thX6iQ86Ep8WKBW76vN9OW7cg+dgw=;

b=2G87rSDN21JkRox3/IvBDehrawL5kHsfzJcwaI598tPl+51Dfzj9gX01u/2iCved9j4tpzT0dQLrym9OTb66T6gG9pJgVjdyUnOL8LQSYhQ0RQTC01MYSm0/hI8LCP6G9mMzrqm7E9iW1EGDNf1GvCgXLH8tXn067mxwzRhzfW8=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 19:53:31 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 19:53:31 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: \$3 M in funding now available for locally-focused environmental education grants
Thread-Topic: \$3 M in funding now available for locally-focused environmental education grants
Thread-Index: AdOPAMtEQdPCEDOWQ/yLVwzn0pujCA==
Date: Tue, 16 Jan 2018 19:53:30 +0000
Message-ID: <CY4PR09MB1509F35BC915E62EC716577A96EA0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted: 1;CY4PR09MB1512;7;KbW/v6flwG5kNatm4rAlxDGRX2/N0rg4BCXOgNSUsC2u91aHsZ4rVhi42nQs4jdJPUtS76A ch8vtVIgQvVokcwxhNGu0PJz+FETROQkGO3vnA0FFueyXRluuKYZ8OaJK6mLNRnKb2hdBYnc6jm3XnLj1kdXFEwbp /ObzZJHXMM2/ccd78m3WolG1upJzoUwATLTjNCm0x0k5XBfn7a6N0+urTRZb+DkYJ9uAwhNjPO+J9TtqM5XjN0uJM 3FAJd4w
X-MS-Office365-Filtering-Correlation-Id: 55b2b18b-e011-42e7-a705-08d55d1ad335
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x-microsoft-antispam-prvs: <CY4PR09MB1512EE62B6F10E5C2EAF2BF696EA0@CY4PR09MB1512.namprd09.prod.outlook.com>
x-exchange-antispam-report-test: UriScan:(28532068793085)(239489716838649)(278428928389397)(261320762254229)(21748063052155)(5213294742642)(229425074694992);UriScan:(28532068793085)(239489716838649)(278428928389397)(261320762254229)(21748063052155)(5213294742642)(229425074694992);
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received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

X-Microsoft-Antispam-Message-Info-Original:

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SpamDiagnosticMetadata: NSPM

Content-Type: multipart/alternative;

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MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Return-Path: Bennett.Tate@epa.gov

X-EOFAattributedMessage: 0

X-EOFTenantAttributedMessage: 85bbc75f-c172-4368-9b82-c8bcfa263360:0

X-MS-Exchange-Transport-CrossTenantHeadersStripped: BY2NAM05FT023.eop-nam05.prod.protection.outlook.com

X-MS-Exchange-Transport-CrossTenantHeadersPromoted: BY2NAM05FT023.eop-nam05.prod.protection.outlook.com

X-Forefront-Antispam-Report:

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X-Microsoft-Exchange-Diagnostics:

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X-Microsoft-Antispam-Message-Info:

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X-Microsoft-Exchange-Diagnostics:

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X-MS-Exchange-CrossTenant-OriginalArrivalTime: 16 Jan 2018 19:53:33.4959

(UTC)

X-MS-Exchange-CrossTenant-Network-Message-Id: 55b2b18b-e011-42e7-a705-08d55dlad335

X-MS-Exchange-CrossTenant-Id: 85bbc75f-c172-4368-9b82-c8bcfa263360

X-MS-Exchange-CrossTenant-FromEntityHeader: Internet

X-MS-Exchange-Transport-CrossTenantHeadersStamped: BN3PR0101MB1108

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 1/16/2018 7:53:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: \$3 M in funding now available for locally-focused environmental education grants

- All-
-
- In case you missed it, EPA's Office of Environmental Education last week announced the agency is currently accepting applications for our environmental education grant programs until March 15, 2018. **There are new agricultural themes included in this year's grant description (including conservation practices and integrated pest management practices)**, so we wanted to be sure and flag this potential opportunity for your organization.

More information is provided below and let us know if you have any questions.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

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News Releases from Headquarters > Office of the Administrator (AO)

Up to \$3 M in funding now available for locally-focused environmental education grants

01/08/2018

Contact Information:

EPA Press Office (press@epa.gov)

WASHINGTON – EPA is pleased to announce that up to \$3 million in funding for locally-focused environmental education grants will be available this week under the 2018 EE Local Grant Program. EPA will award three to four grants in each of EPA's ten Regions, for no less than \$50,000 and no more than \$100,000 each, for a total of 30-35 grants nationwide. Proposals are due March 15, 2018. The Requests for Proposals will be posted on www.grants.gov later this week.

In addition to other environmental topics, the 2018 EE Local Grant Program includes support for projects that reflect the intersection of environmental issues and agricultural best-practices, conservation of natural resources, food waste management, and natural disaster preparedness.

Funded projects will increase public awareness of those topics and help participants to develop the skills needed to make informed decisions. A Request for Proposals (also called a Solicitation Notice) containing details will be issued by each of the ten EPA Regions.

"By recognizing these locally-based learning and awareness opportunities, the Environmental Protection Agency is taking both a local and national leadership role in promoting sound agricultural conservation practices, environmental disaster preparedness, adequate food waste management and other important environmental best-practices," **said Administrator Scott Pruitt**. "Environmental education starts locally in our own backyards, classrooms and in the fields of farmers who work the land directly, and I'm proud to play a role in enhancing such learning opportunities."

Through this grant program, EPA intends to provide financial support for projects that design, demonstrate; and/or disseminate environmental education practices, methods, or techniques, as described in this notice, that will serve to increase environmental and conservation literacy, and encourage behavior that will benefit the environment in the local community/ies in which they are located.

Since 1992, EPA has distributed between \$2 million and \$3.5 million in annual grant funding under this program, supporting more than 3700 grants.

Proposals are due by March 15, 2018. The full solicitation notices will be posted later this week at www.grants.gov and at <http://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice>.

Find background on the EE Grants Program and resources for applicants at <http://www.epa.gov/education/environmental-education-ee-grants>.

[Contact Us](#) to ask a question, provide feedback, or report a problem.

Message

From: Subramanian, Hema [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65E089600E8B4724A2E85997849BD208-SUBRAMANIAN, HEMA]
Sent: 7/23/2018 4:30:05 PM
To: Emily Jordan [emilyj@fb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Sorghum event at EPA on Tuesday 7/24

Thanks Emily, I will call shortly.
---Hema.

From: Emily Jordan [mailto:emilyj@fb.org]
Sent: Monday, July 23, 2018 12:20 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Sorghum event at EPA on Tuesday 7/24

Hello Hema and Tate-

On behalf of President Duvall, thanks so much for the invitation to tomorrow's event. Are there any security details we need to know about? I am finalizing if there will be another guest with him but please let me know if there's anything else I can provide.

Best,
Emily Jordan | Executive Assistant
American Farm Bureau Federation®
emilyj@fb.org | **Ex. 6** (office) | **Ex. 6** (cell)

From: Subramanian, Hema <Subramanian.Hema@epa.gov>
Sent: Thursday, July 19, 2018 9:12 AM
To: Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Emily Jordan <emilyj@fb.org>
Subject: RE: Sorghum event at EPA on Tuesday 7/24

Great, thank you Andrew! Sorry we'll miss having you there, but yes for sure, another person can accompany Mr. Duvall.

---Hema.

From: Andrew Walmsley [mailto:andreww@fb.org]
Sent: Thursday, July 19, 2018 8:56 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Emily Jordan <emilyj@fb.org>
Subject: RE: Sorghum event at EPA on Tuesday 7/24

Hema,

Just heard back from the powers that be over here...President Duvall should be able to attend. Emily Jordan, cc'd, will follow up on Monday.

Thank you again!

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] Ex. 6
Cell: [redacted] Ex. 6
andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]
Sent: Wednesday, July 18, 2018 5:39 PM
To: Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Sorghum event at EPA on Tuesday 7/24

Hello Andrew,

Hope you are well. We'd like to invite you and Zippy Duvall to join Acting Administrator Wheeler at an announcement ceremony at EPA HQ next Tuesday the 24th for EPA's confirmation of the Sorghum Oil pathway.

The event will be at 5:00 pm on Tuesday, July 24th in the Administrator's office located in the William Jefferson Clinton North Building at 1200 Pennsylvania Ave NW.

If you have any questions, please feel free to reach out to me or Tate.

Thank you,
---Hema.
202-564-5041

Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 12/6/2017 6:53:14 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Paul Sapperstein [psapperstein@freedomworks.org]; Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Friday lunch and official invitation

Hi all,

We're glad to hear that Friday works! If you could send Adam's information listed below, I can make sure he's cleared through the security system at the WH. Below are also directions to the Mess. The Administrator and Tate will meet Adam at the Mess at 1:15PM.

Thanks!

Info Needed for WAVES

First Last Legal Name
DOB
SSN
City/State of residence on ID

Directions to WH Mess

You can enter through the White House guard gate located at 17th & State. You will walk straight until you hit a second guard gate on your left. That gate will direct you to the Mess. Once in the Mess, you can let the host know that you are there to dine with the Administrator and they will direct you to his table.

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: Bennett, Tate
Sent: Wednesday, December 6, 2017 11:33 AM
To: Paul Sapperstein <psapperstein@freedomworks.org>; Patrick Hedger <phedger@freedomworks.org>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Friday lunch and official invitation

Great. Copying Hayley who can fill you in on the details both regarding Friday and on our scheduling process. Here is the events form I was mentioning. Do you mind completing it and getting it back to us?

Thanks.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Paul Sapperstein [<mailto:psapperstein@freedomworks.org>]
Sent: Wednesday, December 6, 2017 11:10 AM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Friday lunch and official invitation

Good Morning Tate,

Adam is available for lunch on Friday, just let me know the details and he'll be there.

Thanks!
Paul

On Wed, Dec 6, 2017 at 11:02 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office **Ex. 6**

--
Paul Sapperstein
Executive Assistant
FreedomWorks

psapperstein@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Don Parrish [donp@fb.org]
Sent: 1/18/2018 1:21:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: info

Emily Jordan Ex. 6

Don R Parrish
American Farm Bureau Federation®

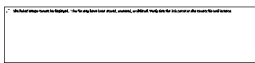
Ex. 6
donp@fb.org

Delivery Report

From: postmaster@fb.org [postmaster@fb.org]
Sent: 1/16/2018 8:17:59 PM
To: juliar@fb.org
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM



Your message to juliar@fb.org couldn't be delivered.

juliar wasn't found at fb.org.

Bennett.Tate Action Required	Office 365	juliar Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/16/2018 8:17:46 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: juliar@fb.org
Subject: EPA fact sheets hazardous substances from animal waste

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient juliar@fb.org not found by SMTP address lookup
DSN generated by: BLUPR01MB1620.prod.exchangelabs.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1511.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
3	1/16/2018 8:17:52 PM	gcc01-dm2-obe.outbound.protection.outlook.com	CO1NAM05FT019.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
4	1/16/2018 8:17:55 PM	CO1NAM05FT019.eop-nam05.prod.protection.outlook.com	BY2PR01CA0020.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
5	1/16/2018 8:17:56 PM	BY2PR01CA0020.prod.exchangelabs.com	BLUPR01MB1620.prod.exchangelabs.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

Received: from BY2PR01CA0020.prod.exchangelabs.com (10.163.25.30) by BLUPR01MB1620.prod.exchangelabs.com (10.162.212.14) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:56 +0000

Received: from CO1NAM05FT019.eop-nam05.prod.protection.outlook.com (2a01:111:f400:7e50::209) by BY2PR01CA0020.outlook.office365.com (2a01:111:e400:5262::30) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.407.7 via Frontend Transport; Tue, 16 Jan 2018 20:17:55 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.108) smtp.mailfrom=epa.gov; fb.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com; fb.org; dmarc=permezzor action=none header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates 23.103.201.108 as permitted sender) receiver=protection.outlook.com; client-ip=23.103.201.108; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.108) by CO1NAM05FT019.mail.protection.outlook.com (10.152.96.127) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.428.12 via Frontend Transport; Tue, 16 Jan 2018 20:17:52 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=X7FGGCgmObVQxWaYop1DYWGtYLvcqLrclzaMwFge/v8=;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>
Subject: EPA fact sheets hazardous substances from animal waste
Thread-Topic: EPA fact sheets hazardous substances from animal waste
Thread-Index: AdOPBTFjQVjIwTpgSN6lu3P82tdF+A==
Date: Tue, 16 Jan 2018 20:17:46 +0000
Message-ID: <CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09ME1509.namprd09.prod.outlook.com>
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X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
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x-microsoft-antispam-prvs: <CY4PR09MB15113C5B4E7F2DAC95EA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>
x-exchange-antispam-report-test: UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);
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x-forefront-prvs: 0554E1F54F
X-Forefront-Antispam-Report-Untrusted: SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002)(189003)(199004)(7276002)(7736002)(7406005)(7336002)(7416002)(6116002)(5660300001)(74316002)(790700001)(3846002)(99936001)(7366002)(39060400002)(6862004)(99286004)(6200100001)(106356001)(8936002)(25786009)(8676002)(81156014)(81166006)(68736007)(66066001)(33656002)(4326008)(97736004)(105586002)(8666007)(9686003)(236005)(14454004)(55016002)(6436002)(4743002)(86362001)(606006)(3280700002)(59450400001)(3660700001)(2900100001)(7696005)(53936002)(2906002)(102836004)(76576003)(316002)(478600001)(6506007)(72206003)(77096006)(54906003)(

6306002) (54896002) (8656006) (26005); DIR: OUT; SFP: 1102; SCL: 1; SRVR: CY4PR09MB1511; H: CY4PR09MB1509.namprd09.prod.outlook.com; FFR: ; SPF: None; PTR: InfoNoRecords; MX: 1; A: 1; LANG: en;

received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

X-Microsoft-Antispam-Message-Info-Original:

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MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511

Return-Path: Bennett.Tate@epa.gov

X-EOFAattributedMessage: 0

X-EOFTenantAttributedMessage: 85bbc75f-c172-4368-9b82-c8bcfa263360:0

X-MS-Exchange-Transport-CrossTenantHeadersStripped: CO1NAM05FT019.eop-nam05.prod.protection.outlook.com

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X-Forefront-Antispam-Report:

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Subject: EPA fact sheets hazardous substances from animal waste
Attachments: CERCLA EPCRA Factsheet FINAL.PDF; CERCLA EPCRA Factsheet FINAL (SPANISH).pdf

All-

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of these fact sheets and FAQs is to provide an overview and basic information for those who are impacted by this new requirement.

If you have any questions, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

As always, our office is happy to be a resource as well.

Tate

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Requisitos de reportes para emisiones al aire de sustancias peligrosas provenientes de desechos animales en las granjas conforme a CERCLA y EPCRA

Generalidades

Hay dos leyes ambientales, la Ley de Responsabilidad, Compensación y Respuesta Ambiental Comprensiva (CERCLA, por sus siglas en inglés) y la Ley de Planificación para Emergencias y Derecho a Saber de la Comunidad (EPCRA, por sus siglas en inglés) que exigen reportar emisiones de una sustancia peligrosa que exceda una cantidad reportable en un periodo de 24 horas. El propósito de la notificación es para que los funcionarios federales, estatales y locales evalúen la necesidad de una respuesta de emergencia a fin de mitigar los efectos de la emisión a la comunidad.

Debido a una decisión judicial reciente, pronto se les exigirá a algunas granjas (incluidos ranchos, operaciones ganaderas y/u operaciones animales) reportar las emisiones al aire de sustancias peligrosas provenientes de desechos animales según CERCLA.

¿Por qué debo reportar?

Anteriormente, la EPA eximía a las granjas de reportar emisiones al aire de sustancias peligrosas provenientes de desechos animales según CERCLA, y solo las operaciones concentradas de gran envergadura para alimentar animales (CAFO, por sus siglas en inglés) estaban sujetas a reportes conforme a EPCRA, que es una ley separada pero relacionada.

Hubo grupos de ciudadanos que objetaron la validez de la regla de la EPA, y la Corte de Apelaciones de los EE. UU. correspondiente al Circuito DC anuló dicha regla de la EPA el 11 de abril de 2017. Por lo tanto, ya no es aplicable la exención reglamentaria de la EPA.

A causa de la decisión judicial, se exigirá a las granjas con operaciones animales que emiten ciertas cantidades de sustancias peligrosas que reporten estas emisiones al aire incluso a partir del 22 de enero de 2018.

¿Cuándo tengo que reportar?

Se espera que se emita la orden judicial el 22 de enero de 2018. Las granjas no deben reportar hasta que se emita la orden judicial.

¿Debo presentar un informe de CERCLA?

Se exige reportar cuando las emisiones de sustancias peligrosas (como amoníaco o sulfuro de hidrógeno) provenientes de desechos animales alcancen o excedan sus cantidades reportables dentro de un periodo de 24 horas. Para ver una lista completa de sustancias peligrosas conforme a CERCLA, consulte el enlace de Recursos en inglés en:

www.epa.gov/animalwaste.

¿Qué sustancias se deben reportar?

El amoníaco (NH₃) y el sulfuro de hidrógeno (H₂S) son sustancias peligrosas comunes emitidas por los desechos animales que se exige reportar si se emiten al aire en cantidades que superen o igualen la cantidad reportable de 100 lbs dentro de un periodo de 24 horas. Si una granja emite cualquier otra sustancia peligrosa sobre sus cantidades reportables designadas dentro de un periodo de 24 horas, deben reportarse aquellas también.

¿Cómo estimo las emisiones?

¿Por qué no puede la EPA decirme cuántos animales se requiere reportar?

La EPA reconoce que será difícil para los agricultores estimar las emisiones porque no hay una metodología generalmente aceptada para estimar estas emisiones en este momento.

Hay muchos factores que influyen en las emisiones:

- ubicación geográfica;
- condiciones ambientales;
- prácticas administrativas (por ej, forraje, guano);
- características de los animales (por ej. número, especie, etapa de vida);
- condiciones operativas; y
- prácticas generales de gestión.

Debido a las interacciones complejas de estos factores, no pueden estandarizarse las emisiones basándose exclusivamente en el número y tipo de animales que haya en cada operación animal. Por ejemplo, hay muchas situaciones donde las operaciones con menos animales tienen mayores emisiones que las operaciones con mayor número de la misma especie animal.

La EPA está trabajando para desarrollar metodologías destinadas a estimar las emisiones de una amplia variedad de operaciones para así informar mejor sobre estimar emisiones provenientes de desechos animales. Sin embargo, no se terminará dicha labor antes del mandato judicial para que los agricultores reporten.

Enero 2018

Para asistir a los agricultores con los requisitos de reportar, la EPA ha puesto recursos a disposición en su sitio web que pueden ser útiles para estimar las emisiones. También puede usar otros modelos para estimar emisiones o puede estimar cantidades de emisiones basándose en:

- Datos anteriores de emisiones;
- Estimados de ingeniería;
- Su conocimiento de las operaciones de la instalación y el historial de emisiones; o
- Su óptimo criterio profesional.

Se exige a los propietarios y operadores de instalaciones reportar solo un estimado; no se requieren datos de monitoreo. Además, no se exige a los agricultores reducir las emisiones. Los agricultores deben conservar una copia de los cálculos para referencia futura. Para obtener más información, vea el enlace de Recursos en:

www.epa.gov/animalwaste.

¿Cómo reporto según CERCLA?

Para cumplir con los requisitos de reportes de CERCLA en cuanto a emisiones al aire de sustancias peligrosas provenientes de desechos animales, en vez de reportar todos los días, las granjas pueden seguir un proceso simplificado de reportes que se conoce como “reportes de emisiones continuas”. Esto exige que el propietario u operador de la instalación siga los pasos descritos en la columna a la derecha.

¿Con qué frecuencia debo estimar las emisiones?

Si usted usa el proceso de reportes de emisiones continuas, debe revisar las emisiones de la granja una vez al año. También deberá estimar las emisiones después de que haya cambios considerables en las operaciones que puedan causar aumentos estadísticamente significativos en las emisiones.

¿Debo presentar un informe según EPCRA?

La EPA interpreta la ley como que excluye a las granjas que usan sustancias en “operaciones agrícolas de rutina” de los reportes según la sección 304 de la EPCRA. Esto abarca operaciones de rutina en las granjas, operaciones de alimentación de animales, criaderos de plantas, otras operaciones de horticultura y acuicultura. Para obtener más información, vea: www.epa.gov/epcra/question-and-answer-epcra-reporting-requirements-air-releases-hazardous-substances-animal.

¿Deben cumplir las granjas que tienen animales mantenidos principalmente fuera de una estructura cerrada y pastando en pastizales, con reportar emisiones de sustancias peligrosas provenientes de desechos animales conforme a CERCLA?

Sí, en caso de que la instalación tenga emisiones sobre la cantidad reportable. La EPA considera toda propiedad contigua con propietario común como instalación única para fines de reportar. Con el objeto de determinar si tiene una emisión reportable, una persona debe identificar todas las fuentes de emisiones de sustancias peligrosas, identificar las cantidades

Proceso de reportes de emisiones continuas según CERCLA

Paso 1: Proporcione al Centro Nacional de Respuesta (National Response Center, NRC, por sus siglas en inglés) una notificación inicial de emisiones continuas por correo electrónico (farms@uscg.mil) o por teléfono (1-800-424-8802). Un propietario u operador puede enviar una notificación por correo electrónico abarcando múltiples granjas.

Su mensaje de correo electrónico debe identificar que esta es una notificación inicial de emisiones continuas e incluir:

- Nombre de la granja
- Ubicación de la granja (por ej., nombre de la ciudad/pueblo y estado)
- Nombre(s) de la(s) sustancia(s) peligrosa(s) emitida (s) (amoníaco y/o sulfuro de hidrógeno)

Nota: El NRC no exige información personalmente identificable, como la dirección de una residencia privada. Una ubicación genérica (nombre de la ciudad/pueblo y estado) puede ser suficiente.

Recibirá un mensaje de correo electrónico del NRC con un solo número de identificación (CR-ERNS) para su(s) granja(s). Incluya el número de CR-ERNS en el informe de seguimiento mencionado en el Paso 2.

Paso 2: Dentro de un plazo de 30 días de la notificación al NRC, presente una notificación inicial por escrito a la Oficina Regional de la EPA correspondiente al área donde ocurre la emisión (vea www.epa.gov/epcra/cr-erns-regional-contacts). Use el Formulario de reportes de emisiones continuas.

Paso 3: Presente una sola vez un informe de seguimiento en el primer aniversario a la Oficina Regional de la EPA.

Enero 2018

que se emiten de cada fuente y sumar las cantidades emitidas de la instalación. Al hacer esta determinación, las granjas deben incluir todas las emisiones de la instalación, incluso emisiones de desechos animales provenientes de animales que se mantienen principalmente fuera de una estructura cerrada.

Recursos adicionales

- Envíe por correo electrónico comentarios o sugerencias sobre materiales de orientación a: CERCLA103.guidance@epa.gov
- Contactos regionales: www.epa.gov/epcra/cr-ems-regional-contacts
- Formularios de reportes de emisiones continuas: www.epa.gov/animalwaste
- Centro Nacional de Respuesta: 800-424-8802 o farms@useg.mil

¿Tiene alguna pregunta?

- Vea la orientación de CERCLA y EPCRA para obtener más información en inglés: www.epa.gov/animalwaste
- Llame al Centro de Información sobre EPCRA, RMP y Petróleo al: 1-800-424-9346

CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

Overview

Two environmental laws, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning and Community Right-to-Know Act (EPCRA), require reporting releases of a hazardous substance that exceeds a reportable quantity within a 24-hour period. The purpose of the notification is for federal, state, and local officials to evaluate the need for an emergency response to mitigate the effects of the release to the community.

Due to a recent court decision, some farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under CERCLA.

Why do I need to report?

Previously, EPA exempted farms from reporting hazardous substance air releases from animal waste under CERCLA, and only large concentrated animal feeding operations (CAFOs) were subject to EPCRA reporting, which is a separate but related law.

Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017. Therefore, EPA's regulatory exemption no longer applies.

As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as January 22, 2018.

When do I need to report?

The Court is expected to issue its order on January 22, 2018. Farms do not have to report until the Court issues its mandate.

Do I need to submit a CERCLA report?

Reporting is required when releases of hazardous substances (like ammonia or hydrogen sulfide) from animal waste meet or exceed their reportable quantities within a 24-hour period. For a complete list of CERCLA hazardous substances, please see the Resources link at: www.epa.gov/animalwaste.

What substances need to be reported?

Ammonia (NH₃) and hydrogen sulfide (H₂S) are common hazardous substances emitted from animal waste that require reporting if released to the air in amounts greater than or equal to their reportable quantity of 100 lbs within a 24-hour period. If a farm releases any other hazardous substances above their designated reportable quantities within a 24-hour period, those need to be reported as well.

How do I estimate releases?

To help you comply with the reporting requirements, EPA has made resources available on its website that may be helpful in estimating emissions. You may also use other models for estimating emissions or you may estimate quantities of releases by relying on:

- Past release data;
- Engineering estimates;
- Your knowledge of the facility's operations and release history; or
- Your best professional judgment.

Why Can't EPA Tell Me How Many Animals Require Reporting?

EPA recognizes it will be challenging for farmers to estimate releases because there is no generally accepted methodology for estimating these emissions at this time.

Many factors influence emissions:

- geographic location;
- environmental conditions;
- management practices (e.g. feed, manure);
- animal characteristics (e.g. number, species, life stage);
- operating conditions; and
- general management practices.

Due to the complex interactions of these factors, emissions cannot be standardized based solely on the number and type of animals at each animal operation. For example, there are many scenarios when operations with fewer animals will have higher emissions than operations with greater numbers of the same species of animals.

EPA is working on developing methodologies to estimate emissions from a wide variety of operations and thus better inform emission estimates from animal waste. However, that work will not be completed prior to the Court's mandate that farms report.

Facility owners and operators are required to report an estimate only—monitoring data is not required. Additionally, farmers are not required to reduce emissions. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: www.epa.gov/animalwaste.

How do I report for CERCLA?

To comply with CERCLA reporting requirements for air releases of hazardous substances from animal waste, instead of reporting every day, farms may follow a streamlined reporting process known as “continuous release reporting.” This requires the facility owner or operator to follow the steps outlined in the column to the right.

How often do I need to estimate emissions?

If you use the continuous release reporting process, you need to review emissions from the farm once a year. You’ll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.

Do I need to submit an EPCRA report?

EPA interprets the statute to exclude farms that use substances in “routine agricultural operations” from reporting under EPCRA section 304. This encompasses routine operations at farms, animal feeding operations, nurseries, other horticultural operations, and aquaculture. For more information, see: www.epa.gov/epcra/question-and-answer-epcra-reporting-requirements-air-releases-hazardous-substances-animal.

Do farms that have animals that reside primarily outside of an enclosed structure and graze on pastures, need to comply with reporting releases of hazardous substances from animal wastes under CERCLA?

Yes, if the facility has releases above the reportable quantity. EPA considers all contiguous property under common ownership to be a single facility for reporting purposes. For purposes of determining whether you have a reportable release, a person must identify all of the sources of hazardous substances releases, identify the quantities that are emitted from each source, and add up the quantities released for the facility. In making this determination, farms should include all releases from the facility, including releases from animal waste due to animals that reside primarily outside of an enclosed structure.

Additional Resources

- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Continuous Release Reporting Forms: www.epa.gov/animalwaste
- National Response Center: 800-424-8802 or farms@uscg.mil

Questions?

- See the CERCLA and EPCRA guidance for more information: www.epa.gov/animalwaste
- Call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346

CERCLA Continuous Release Reporting Process

Step 1: Provide the National Response Center (NRC) with an initial continuous release notification by email (farms@uscg.mil) or by phone (1-800-424-8802). An owner or operator can send one email notification for multiple farms.

Your email should identify that this is an initial continuous release notification and include:

- Name of the farm
- Location of the farm (e.g., name of city/town and state)
- Name(s) of the hazardous substance(s) released (ammonia and/or hydrogen sulfide)

Note: The NRC does not require personally identifiable information, such as an address for a private residence. A generic location (name of city/town and state) may be sufficient.

You will receive an email from the NRC with a single identification number (CR-ERNS) for your farms(s). Include the CR-ERNS number on the follow-up report discussed in Step 2.

Step 2: Within 30 days of the NRC notification, submit an initial written notification to the EPA Regional Office for the area where the release occurs (see www.epa.gov/epcra/cr-erns-regional-contacts). Use the Continuous Release Reporting Form.

Step 3: Submit a one-time first anniversary follow-up report to the EPA Regional Office.

If there are significant changes at your operation that could result in a change in emissions, additional reporting may be necessary.

Message

From: Sands, Jeffrey [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B2AA28629ADE4AFB8D5EC12A8AAABA54-SANDS, JEFF]
Sent: 1/5/2018 8:44:04 PM
To: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
CC: Bode, Denise A (53804) [dabode@michaelbeststrategies.com]
Subject: RE: Newtrient Follow Up

Hi Kevin,

Apologies for the delay in getting back in touch.

Regarding your inquiry on eRINs, I would imagine that the most appropriate person would be housed in Air and Radiation-Office of Transportation and Air Quality. I will check on finding out who the most appropriate person in that office for you to meet with would be and get back to you as quickly as I can.

Thanks.

Jeff

From: Swanson, Kevin O (59578) [mailto:koswanson@michaelbeststrategies.com]
Sent: Friday, January 5, 2018 12:30 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient Follow Up

Hi Tate, Jeff and Stephen:

Hope you had a nice holiday season and New Year. I was hoping to follow up on my note regarding Newtrient's work on the eRIN issue. Is there someone at EPA that has been working on this that would you would recommend speaking with? As we discussed in our meeting, one of the core components of Newtrients's work, is trying to find enhanced avenues for the deployment of nutrient management technologies on dairy farms including digesters. Newtrient has been following the issue of the electronic pathway for RINs also known as "eRINs" very closely. Finding a solution to better account for eRINs may be a way that could help increase the economic viability of digester technology on dairy farms. Newtrient would be interested in discussing with the right person at EPA who is working on that issue for the Administrator.

Thank you for any help you may be able to provide here.

Best regards,

Kevin O. Swanson
Senior Associate



From: Swanson, Kevin O (59578)
Sent: Thursday, December 21, 2017 4:14 PM
To: Bennett.Tate@epa.gov; 'Sands, Jeffrey' (sands.jeffrey@epa.gov)
Cc: Bode, Denise A (53804)
Subject: Newtrient Follow Up

Hi Tate and Jeff:

We met in November with our client Newtrient to discuss some the work they are doing to create an economically viable solution to non-point source pollution from dairy operations via the creation of water quality trading marketplace. They have been making good headway on that front especially in Wisconsin and Vermont. One of the core components of Newtrients's work, is trying to find enhanced avenues for the deployment of nutrient management technologies on dairy farms including digesters. Newtrient has been following the issue of the electronic pathway for RINs also known as "eRINs" very closely. Finding a solution to better account for eRINs may be a way that could help increase the economic viability of digester technology on dairy farms. Newtrient would be interested in discussing with the right person at EPA who is working on that issue for the Administrator. Would it be possible for you to point us in the right direction or connect us? Thank you very much for your consideration. We look forward to keeping you updated as Newtrient continues to progress with their work.

Best regards and Happy Holidays,

Kevin & Denise

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

Ex. 6



[my bio](#) | [our firm](#) | [vCard](#)

Email Disclaimer

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

Message

From: Don Parrish [donp@fb.org]
Sent: 1/18/2018 8:39:08 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: do you have a minute?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Patrick Hedger [phedger@freedomworks.org]
Sent: 12/6/2017 4:02:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Paul Sapperstein [psapperstein@freedomworks.org]
Subject: Friday lunch and official invitation
Attachments: FreedomWorks_Restore_Liberty_2018_Scott_Pruitt.pdf

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office **Ex. 6**



Phone: 202.783.3870
Fax: 202.942.7649

www.freedomworks.org

400 North Capitol Street, NW
Suite 765
Washington, DC 20001

November 3, 2017

The Honorable Scott Pruitt
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator Pruitt,

I want to cordially invite you to speak at FreedomWorks' Restore Liberty conference. Each year, FreedomWorks hosts a private, off-the-record meeting with our board of directors, top investors, and others who are interested in making freedom work again. Past speakers include Judge Andrew Napolitano, Steve Forbes, Glenn Beck, and Senators Ted Cruz, Rand Paul, Mike Lee, and Ben Sasse. If your schedule permits, I hope you will consider joining the conversation.

Restore Liberty will be held April 5 through 8, 2018 in Naples, Florida. If you are willing, I know our guests would be deeply appreciative of an opportunity to hear from you on the rollback of burdensome regulations at EPA under your leadership.

What: FreedomWorks' Annual Investor Retreat: Restore Liberty

When: April 5-8, 2018

Where: The Ritz Carlton Golf Resort
2600 Tiburon Dr, Naples, FL 34109

Audience: We expect 150 attendees for this year's Restore Liberty program. Our audience is both educated and politically savvy. Many attendees lean libertarian, but some are traditional conservatives. The average age is between 45-65, approximately 55% male and 45% female.

In the meantime, please don't hesitate to reach out if you have any questions or would like additional details. I can be reached by phone at (202)379-6584 or via email at abrandon@freedomworks.org.

Thank you for the consideration. Let's make freedom work.

In Liberty,

Adam Brandon
President

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 7/23/2018 2:39:08 PM
To: Block, Molly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=60d0c681a16441a0b4fa16aa2dd4b9c5-Block, Moll]
CC: Nebraska Jordan Dux [jordand@nefb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: sorghum contacts

Molly,

Thanks again. The following can be attributed to President Duvall:

"Farm Bureau applauds EPA's approval of an RFS pathway for sorghum biofuel production. At a time when sorghum farmers--like many in U.S. agriculture--are facing tough economic times and uncertainty in key markets, new opportunities like this can go a long way in supporting their bottom line. This new pathway will create an important opportunity for rural America and our farm economy, while strengthening and diversifying U.S. homegrown energy sources."

On Jul 20, 2018 5:12 PM, "Block, Molly" <block.molly@epa.gov> wrote:
Thanks! Have a good weekend!

Sent from my iPhone

On Jul 20, 2018, at 4:16 PM, Jordan Dux <jordand@nefb.org> wrote:

Molly,

Sorry for the delayed response. We are putting something together and will have it to you by Monday.

Let me know if you need anything else.

Thanks!

Jordan D. Dux
Director of National Affairs



Ex. 6 dir
cell
(402) 421-4427 fax

5225 S. 16th Street, Lincoln, NE 68512
P.O. Box 80299, Lincoln, NE 68501

<image002.png> <image003.png> <image004.png> <image005.png>

<image006.jpg>

From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, July 19, 2018 11:49 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jordan Dux <jordand@nefb.org>; andrew@fb.org
Subject: RE: sorghum contacts

Jordan and Andrew –

Thanks Tate! Nice to meet you (virtually). I'm sure Tate has already looped you in, but next Tuesday Acting EPA Administrator Wheeler is finalizing the sorghum oil pathway under RFS. I would love to include a quote from both Zippy Duvall and Steve Nelson.

I wanted to reach out in advance, so I wouldn't need a final quote before 2:00 pm on Tuesday, July 24. Please let me know if you have any questions!

Best,
Molly

Molly Block
Press Secretary
Office of Public Affairs
U.S. Environmental Protection Agency

From: Bennett, Tate
Sent: Thursday, July 19, 2018 12:45 PM
To: Block, Molly <block.molly@epa.gov>
Cc: jordand@nefb.org; andrew@fb.org
Subject: Re: sorghum contacts

Adding Jordan and Andrew

On Jul 19, 2018, at 12:26 PM, Block, Molly <block.molly@epa.gov> wrote:

Thanks for connected me with the National Sorghum Producers and the senators staff.

I just reached out to all the House folks. Do you have contacts for Zippy and the Nebraska Farm Bureau? Thanks!

Molly

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 7/18/2018 5:46:46 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: can u call me when you have a chance

Tate – give me a call when you can. I am available until 4pm ish. Thanks

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 11/21/2017 7:08:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Weathers farm

I will be sporadically checking email Monday, November 20, 2017 through Wednesday, November 22, 2017

Ex. 6

Message

From: Laws, Elliott [ELaws@crowell.com]
Sent: 12/2/2017 7:59:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

I am currently out of the office on business and personal travel. I will get back to you as quickly as possible. Thank you for your patience. If you need to speak with someone immediately contact Sharon Johnson-Harrell at sjohnson-harrell@crowell.com; Ex. 6

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 12/15/2017 4:55:53 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: U.S. Senate Confirms Matt Leopold to Serve as EPA General Counsel

Thanks – glad to see you guys get a couple confirmed last few weeks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 10:54 AM
To: Bennett, Tate
Cc: Gordon, Stephen
Subject: U.S. Senate Confirms Matt Leopold to Serve as EPA General Counsel

ICYMI



U.S. Senate Confirms Matt Leopold to Serve as EPA General Counsel

WASHINGTON — U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt praised the U.S. Senate’s action to confirm Matt Leopold to serve as general counsel for the for EPA.

“Matt Leopold has tremendous experience in environmental litigation and is committed to the rule of law,” **said Administrator Scott Pruitt**. “I want to thank Leader McConnell and Chairman Barrasso for their assistance in ensuring Mr. Leopold’s confirmation, and I look forward to working with Matt to maintain the integrity and lawfulness of the Agency.”

On October 25, 2017, the U.S. Senate Committee on Environment and Public Works, led by U.S. Senator John Barrasso (R-WY), advanced Matt Leopold’s nomination out of committee.

If you would rather not receive future communications from US EPA, Office of Public Engagement, let us know by clicking [here](#).
US EPA, Office of Public Engagement, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

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Message

From: Paul Sapperstein [psapperstein@freedomworks.org]
Sent: 12/6/2017 9:27:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Patrick Hedger [phedger@freedomworks.org]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Parissa Sedghi [psedghi@freedomworks.org]
Subject: Re: Friday lunch and official invitation
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Tate,

Attached is the completed form. Please let me know if you have any questions or need additional details.

Best,
Paul

On Wed, Dec 6, 2017 at 11:33 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Great. Copying Hayley who can fill you in on the details both regarding Friday and on our scheduling process. Here is the events form I was mentioning. Do you mind completing it and getting it back to us?

Thanks.

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Paul Sapperstein [mailto:psapperstein@freedomworks.org]
Sent: Wednesday, December 6, 2017 11:10 AM
To: Patrick Hedger <phedger@freedomworks.org>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Re: Friday lunch and official invitation

Good Morning Tate,

Adam is available for lunch on Friday, just let me know the details and he'll be there.

Thanks!

Paul

On Wed, Dec 6, 2017 at 11:02 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office **Ex. 6**

--

Paul Sapperstein

Executive Assistant

FreedomWorks

psapperstein@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

--

Paul Sapperstein
Executive Assistant
FreedomWorks

psapperstein@freedomworks.org

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.



Meeting Request Form for Administrator Scott Pruitt

Today's Date: 12/6/2017

Meeting Date: April 5-8, 2018

Meeting Time: We are flexible as to his speaking slot on April 6th or 7th.

Requested Location (if offsite, please list address, parking instructions, etc.):

The Ritz Carlton Golf Resort
2600 Tiburon Dr, Naples, FL 34109

Requestor: FreedomWorks

Purpose of the Meeting: To highlight FreedomWorks 2017 accomplishments and share our vision for 2018. Topics of discussion will include: entitlement and welfare reform, FreedomWorks Foundation's Regulatory Action Center, Tax Reform, and the 2018 midterm elections.

Background on the Meeting: Each year, FreedomWorks hosts a private, off-the-record meeting with our board of directors, top investors, and others who are interested in making freedom work again. More information can be found at fwrestoreliberty.com passcode: fwrl2018

Role of the Administrator: Administrator Pruitt would give a 20-minute speech followed by a Q&A segment. The topic would be the rollback of onerous EPA regulations during his tenure and discussing the importance of citizen involvement in the comment periods.

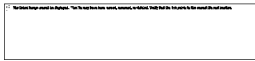
Attendees: We expect 150 attendees for this year's Restore Liberty program. Our audience is both educated and politically savvy. Many attendees lean libertarian, but some are traditional conservatives. The average age is between 45-65, approximately 55% male and 45% female.

Point of Contact: Parissa Sedghi psedghi@freedomworks.org or Paul Sapperstein psapperstein@freedomworks.org

From: postmaster@socma.com [postmaster@socma.com]
Sent: 12/4/2017 3:01:52 PM
To: mossd@socma.org
Subject: Undeliverable: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements
Attachments: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

Your message

To: Bennett, Tate
CC: Gordon, Stephen; Dewey, Amy; Tanner, Lee
Subject: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements
Sent: 12/4/2017 3:01:42 PM



Your message to mossd@socma.org couldn't be delivered.

mossd wasn't found at socma.org.

bennett.tate	Office 365	mossd
Action Required		Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 12/4/2017 3:01:42 PM
Sender Address: bennett.tate@epa.gov
Recipient Address: mossd@socma.org
Subject: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient mossd@socma.org not found by SMTP address lookup
DSN generated by: MWHPR15MB1773.namprd15.prod.outlook.com

Original Message Headers

Received: from CY1PR15CA0020.namprd15.prod.outlook.com (10.163.14.30) by
MWHPR15MB1773.namprd15.prod.outlook.com (10.174.255.14) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.282.5; Mon, 4 Dec 2017 15:01:51 +0000

Received: from BY2NAM03FT023.eop-NAM03.prod.protection.outlook.com
(2a01:111:f400:7e4a::204) by CY1PR15CA0020.outlook.office365.com
(2a01:111:e400:5283::30) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.282.5 via Frontend
Transport; Mon, 4 Dec 2017 15:01:50 +0000

Authentication-Results: spf=none (sender IP is 208.70.210.149)
smtp.mailfrom=epa.gov; socma.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;socma.org; dmarc=none action=none
header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

Received: from asp.reflexion.net (208.70.210.149) by
BY2NAM03FT023.mail.protection.outlook.com (10.152.84.226) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id
15.20.282.5 via Frontend Transport; Mon, 4 Dec 2017 15:01:49 +0000

Received: (qmail 19500 invoked from network); 4 Dec 2017 15:01:49 -0000

Received: from unknown (HELO mail-cs-02.app.dca.reflexion.local) (10.81.19.2)
by 0 (rfx-qmail) with SMTP; 4 Dec 2017 15:01:49 -0000

Received: by mail-cs-02.app.dca.reflexion.local
(Reflexion email security v8.40.3) with SMTP;
Mon, 04 Dec 2017 10:01:49 -0500 (EST)

Received: (qmail 18549 invoked from network); 4 Dec 2017 15:01:49 -0000

Received: from unknown (HELO NAM02-SN1-obe.outbound.protection.outlook.com)
(216.32.180.24)

by 0 (rfx-qmail) with (AES256-SHA encrypted) SMTP; 4 Dec 2017 15:01:49 -0000

Received: from BLUPR15CA0036.namprd15.prod.outlook.com (10.163.78.46) by
DM5PR15MB1771.namprd15.prod.outlook.com (10.174.246.141) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.260.4; Mon, 4 Dec 2017 15:01:47 +0000

Received: from DM3NAM03FT054.eop-NAM03.prod.protection.outlook.com
(2a01:111:f400:7e49::202) by BLUPR15CA0036.outlook.office365.com
(2a01:111:e400:52ba::46) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.282.5 via Frontend
Transport; Mon, 4 Dec 2017 15:01:46 +0000

Authentication-Results-Original: spf=none (sender IP is 208.70.210.142)
smtp.mailfrom=epa.gov; socma.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;socma.org; dmarc=none action=none
header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

Received: from asp.reflexion.net (208.70.210.142) by
DM3NAM03FT054.mail.protection.outlook.com (10.152.83.223) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id
15.20.282.5 via Frontend Transport; Mon, 4 Dec 2017 15:01:46 +0000

Received: (qmail 19279 invoked from network); 4 Dec 2017 15:01:46 -0000
Received: from unknown (HELO rtc-smb-05.app.dca.reflexion.local) (10.81.150.15)
by 0 (rfx-qmail) with SMTP; 4 Dec 2017 15:01:46 -0000
Received: by rtc-smb-05.app.dca.reflexion.local
(Reflexion email security v8.40.3) with SMTP;
Mon, 04 Dec 2017 10:01:46 -0500 (EST)
Received: (qmail 17413 invoked from network); 4 Dec 2017 15:01:45 -0000
Received: from unknown (HELO gcc01-dm2-obe.outbound.protection.outlook.com)
(23.103.201.119)
by 0 (rfx-qmail) with (AES256-SHA encrypted) SMTP; 4 Dec 2017 15:01:45 -0000
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
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h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.282.5; Mon, 4 Dec 2017 15:01:42 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0282.012; Mon, 4 Dec 2017 15:01:42 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>, "Dewey, Amy"
<Dewey.Amy@epa.gov>, "Tanner, Lee" <Tanner.Lee@epa.gov>
Subject: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and
No Need for Additional Federal Requirements
Thread-Topic: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal
and No Need for Additional Federal Requirements
Thread-Index: AdNtD5hEqn/0xjpuTViSLcMalsjIpQ==
Date: Mon, 4 Dec 2017 15:01:42 +0000
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<CY4PR09MB15090C02D869C160C05F2806963C0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
z-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
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X-MS-Office365-Filtering-Correlation-Id: 0d3aad9b-93d4-4c56-d2c0-08d53b27f298

X-Microsoft-Antispam-Untrusted:

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) (201702281549075) (2017052603286);SRVR:CY4PR09MB2231;

X-MS-TrafficTypeDiagnostic: CY4PR09MB2231:|DM5PR15MB1771:|MWHPR15MB1773:

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x-microsoft-antispam-prvs:

<CY4PR09MB2231240C080F188CEBC0EF1B963C0@CY4PR09MB2231.namprd09.prod.outlook.com>

x-exchange-antispam-report-test:

UriScan:(261320762254229)(227612066756510)(21748063052155)(229425074694992);UriScan:(2613
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x-exchange-antispam-report-cfa-test:

BCL:0;PCL:0;RULEID:(6040450)(2401047)(8121501046)(5005006)(93006095)(93001095)(3002001)(1
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x-forefront-prvs: 051158ECBB

X-Forefront-Antispam-Report-Untrusted:

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9.prod.outlook.com;FPP:;SFP:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

SpamDiagnosticOutput: 1:99

SpamDiagnosticMetadata: NSPM

Content-Type: multipart/alternative;

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MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB2231

X-Rfx-Unknown-Address: Address <mossd@socma.org> is not protected.

Return-Path: bennett.tate@epa.gov

X-EOPAttributedMessage: 1

X-EOPTenantAttributedMessage: 4fd79211-5086-46fb-b10e-ae7d62c42bad;1

X-Matching-Connectors: 131568733067714331;(67ba2e54-37ef-4bab-0d8a-08d438cef394);()

X-MS-Exchange-Transport-CrossTenantHeadersStripped: DM3NAM03FT054.eop-
NAM03.prod.protection.outlook.com

X-Forefront-Antispam-Report-Untrusted:

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X-Microsoft-Exchange-Diagnostics-untrusted:

1; DM3NAM03FT054; 1; cHUxgFPQ+S4HvFouYI+jvolP0qt3fwaKGhe4yeYqmtYiHUZdJhYokDtuvOULk7X8AB/xPGRxdlx7evyrtqMSfaL8KhMvIwWtHuLRdS4V4EzBwnHHEE/DWxd+/LXgV5EN

X-Microsoft-Antispam-Untrusted:

UriScan: ; BCL: 0; PCL: 0; RULEID: (5600026) (4604075) (4605076) (4534020) (1401041) (1405041) (1406041) (121220051038) (121220052038) (121220053038) (121220054038) (121220055038) (71702078); SRVR: DM5PRI5MB1771;

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X-Microsoft-Exchange-Diagnostics-untrusted:

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X-MS-Exchange-Transport-CrossTenantHeadersStamped: DM5PR15MB1771

X-MS-Exchange-Transport-CrossTenantHeadersStripped: BY2NAM03FT023.eop-
NAM03.prod.protection.outlook.com

X-Forefront-Antispam-Report: CIP:208.70.210.149;IPV:NLI;CTRY:US;EFV:NLI;

X-Microsoft-Exchange-Diagnostics:

1;BY2NAM03FT023;1:3N9RkK8TzM933c7PfZIrDT2Iza1DWTYs02B6y0KFC83TXXw/gUESQMbSoP6NUkupPk9UuWC
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X-Microsoft-Antispam:

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(1406041)(121220051038)(121220052038)(121220053038)(121220054038)(121220055038)(71702078)
;SRVR:MWHPR15MB1773;

X-Microsoft-Exchange-Diagnostics:

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LacXlrvhhmxJRD8dKtZLQRw==

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 12/4/2017 3:01:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
Subject: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

ICYMI, this announcement was made by EPA on Friday. Let us know if you have any questions and please flag with us any statements/press your organizations may have subsequently put out. -Tate with Administrator Pruitt's Office

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

12/01/2017

Contact Information:

press@epa.gov

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

“After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities,” **said EPA Administrator Scott Pruitt**. “Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based.”

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in the Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations, as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining: the management of hazardous substances at such facilities; federal and state regulatory

controls on that management and federal and state financial responsibility requirements; and, the payment experience of the Fund in responding to releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT)**. "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," said **Arizona Governor Doug Ducey**. "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," said **Idaho Governor Butch Otter**. "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," said **Nevada Governor Brian Sandoval**. "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," said **Jim Ogsbury, executive director of the bipartisan Western Governors' Association**. "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," said **Todd Parfitt, director of Wyoming Department of Environmental Quality**.

A pre-publication version of this action may be viewed at: <https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes>

[Contact Us](#) to ask a question, provide feedback, or report a problem.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 12/7/2017 8:24:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: U.S. Senate Confirms Susan Bodine to Lead EPA Enforcement Office

Congrats!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, December 07, 2017 2:19 PM
To: Bennett, Tate
Cc: Gordon, Stephen; Dewey, Amy
Subject: U.S. Senate Confirms Susan Bodine to Lead EPA Enforcement Office

CONTACT: press@epa.gov

U.S. Senate Confirms Susan Bodine to Lead EPA Enforcement Office

WASHINGTON (December 7, 2017) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt praised the U.S. Senate’s action to confirm, by voice vote, Susan Bodine, to serve as the assistant administrator for EPA’s Office of Enforcement and Compliance Assurance (OECA). Bodine’s confirmation to serve as the Agency’s lead enforcer is vital to Administrator Pruitt’s commitment to return the Agency to the rule of law and aggressively pursue those who violate environmental laws.

“Susan Bodine has dedicated her career to public service and improving human health and the environment,” **said Administration Scott Pruitt.** “I want to thank Leader McConnell and Chairman Barrasso for continuing to provide leadership in helping shepherd Susan’s confirmation through the Senate. I look forward to working with Susan to ensure stakeholders across the country are in compliance with the law and that polluters continue to be held accountable.”

On July 17, 2017, the U.S. Senate Committee on Environment and Public Works, led by U.S. Senator John Barrasso (R-WY), advanced Susan Bodine’s nomination out of committee.



If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
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Bennett.Tate@epa.gov

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Message

From: Smith, Zachery [zacherysmith@consolenergy.com]
Sent: 12/16/2017 1:01:38 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Page 2

Thanks for sharing Tate. Hope all is well

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 6:43 AM
To: Smith, Zachery; jnullins@nma.org; RNolan@nma.org
Subject: Page 2

"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 7/20/2018 9:12:49 PM
To: Jordan Dux [jordand@nefb.org]
CC: Andrew Walmsley [andreww@fb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: sorghum contacts

Thanks! Have a good weekend!

Sent from my iPhone

On Jul 20, 2018, at 4:16 PM, Jordan Dux <jordand@nefb.org> wrote:

Molly,

Sorry for the delayed response. We are putting something together and will have it to you by Monday.

Let me know if you need anything else.

Thanks!

Jordan D. Dux
Director of National Affairs



Ex. 6 dir
cell
(402) 421-4427 fax

5225 S. 16th Street, Lincoln, NE 68512
P.O. Box 80299, Lincoln, NE 68501

<image002.png> <image003.png> <image004.png> <image005.png>
<image006.jpg>

From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, July 19, 2018 11:49 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jordan Dux <jordand@nefb.org>; andreww@fb.org
Subject: RE: sorghum contacts

Jordan and Andrew –

Thanks Tate! Nice to meet you (virtually). I'm sure Tate has already looped you in, but next Tuesday Acting EPA Administrator Wheeler is finalizing the sorghum oil pathway under RFS. I would love to include a quote from both Zippy Duvall and Steve Nelson.

I wanted to reach out in advance, so I wouldn't need a final quote before 2:00 pm on Tuesday, July 24. Please let me know if you have any questions!

Best,
Molly

Molly Block
Press Secretary
Office of Public Affairs
U.S. Environmental Protection Agency

From: Bennett, Tate
Sent: Thursday, July 19, 2018 12:45 PM
To: Block, Molly <block.molly@epa.gov>
Cc: jordand@nefb.org; andrew@fb.org
Subject: Re: sorghum contacts

Adding Jordan and Andrew

On Jul 19, 2018, at 12:26 PM, Block, Molly <block.molly@epa.gov> wrote:

Thanks for connected me with the National Sorghum Producers and the senators staff.

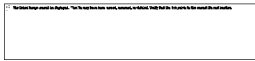
I just reached out to all the House folks. Do you have contacts for Zippy and the Nebraska Farm Bureau? Thanks!

Molly

From: postmaster@croplife.org [postmaster@croplife.org]
Sent: 11/16/2017 6:29:31 PM
To: mcallister.ray@croplife.org
Subject: Undeliverable: EMBARGOED UNTIL 2 PM- EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"
Attachments: EMBARGOED UNTIL 2 PM- EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: EMBARGOED UNTIL 2 PM- EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"
Sent: 11/16/2017 6:29:26 PM



Your message to mcallister.ray@croplife.org couldn't be delivered.

mcallister.ray wasn't found at croplife.org.

Bennett.Tate Action Required	Office 365	mcallister.ray Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 11/16/2017 6:29:26 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: mcallister.ray@croplife.org
Subject: EMBARGOED UNTIL 2 PM- EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient mcallister.ray@croplife.org not found by SMTP address lookup
DSN generated by: DB5PR03MB1734.eurprd03.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
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3	11/16/2017 6:29:29 PM	gcc01-dm2-obe.outbound.protection.outlook.com	VE1EUR01FT057.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
4	11/16/2017 6:29:30 PM	VE1EUR01FT057.eop-EUR01.prod.protection.outlook.com	AM4PR03CA0009.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
5	11/16/2017 6:29:31 PM	AM4PR03CA0009.eurprd03.prod.outlook.com	DB5PR03MB1734.eurprd03.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

Received: from AM4PR03CA0009.eurprd03.prod.outlook.com

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(2a01:111:e400:c57f::21) with Microsoft SMTP Server (version=TLS1_2,
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Nov 2017 18:29:31 +0000

Received: from VE1EUR01FT057.eop-EUR01.prod.protection.outlook.com

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(2a01:111:e400:7a67::19) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.239.5 via Frontend
Transport; Thu, 16 Nov 2017 18:29:30 +0000

Authentication-Results: spf=none (sender IP is 23.103.201.91)

smtp.mailfrom=epa.gov; croplife.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;croplife.org; dmarc=none action=none
header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

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s=selector1-epa-gov;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by

CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0218.015; Thu, 16 Nov 2017 18:29:26 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
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801101) (100110300095) (100000802101) (100110100095) (100000803101) (100110400095) (100000804101) (100110200095) (100000805101) (100110500095);SPVR:CY4PR09MB1512;

x-forefront-prvs: 0493852DA9

X-Forefront-Antispam-Report-Untrusted:
SFV:NSPM;SFS:(10019020)(376002)(346002)(199003)(189002)(25786009)(3280700002)(65686004)(2900100001)(9686003)(99286004)(790700001)(6116002)(3846002)(8666007)(66066001)(6506006)(77096006)(6862004)(39060400002)(72206003)(478600001)(189998001)(97736004)(102836003)(316002)(8656006)(2906002)(86362001)(6436002)(68736007)(5660300001)(7416002)(7406005)(50986999)(7276002)(54356999)(81166006)(7696004)(606006)(6200100001)(33656002)(106356001)(105586002)(236005)(6306002)(4326008)(55016002)(54896002)(53936002)(8936002)(101416001)(7366002)(74316002)(14454004)(81156014)(3660700001)(7336002)(561944003)(7736002)(217873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1512;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

spamdiasnosticoutput: 1:99

spamdiasnosticmetadata: NSPM

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boundary="___000___CY4PR09MB150979D983304BB2CD530E3D962E0CY4PR09MB1509nampr___"

MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Return-Path: Bennett.Tate@epa.gov

X-EOFAtributedMessage: 0

X-EOFTenantAttributedMessage: 415alc40-15d6-431a-b3c9-6ae456a7fba7:0

X-MS-Exchange-Transport-CrossTenantHeadersStripped: VE1EUR01FT057.eop-
EUR01.prod.protection.outlook.com

X-MS-Exchange-Transport-CrossTenantHeadersPromoted: VE1EUR01FT057.eop-
EUR01.prod.protection.outlook.com

X-Forefront-Antispam-Report: CIP:23.103.201.91;IPV:NLI;CTRY:;EFV:NLI;

X-Microsoft-Exchange-Diagnostics:
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JNTr+1Kdwyqqojwrl111c1BjMarYUpeJP7J1seOPL57PhfvbGFj4qKLC+

X-Microsoft-Antispam:
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1;DB5PR03MB1734;3:5Jq+FoHhhtdKhL+gRtOVWpQ03JRmtZN/60PqFaLo401ecxKJ/9G4UrOBEInxCvF
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Xdw===

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 11/16/2017 6:29:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: EMBARGOED UNTIL 2 PM- EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

WASHINGTON – The U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (the agencies) are proposing to amend the effective date of the 2015 rule defining "waters of the United States." The agencies are proposing that the 2015 rule would not go into effect until two years after today's action is finalized and published in the Federal Register. This amendment would give the agencies the time needed to reconsider the definition of "waters of the United States."

"Today's proposal shows our commitment to our state and tribal partners and to providing regulatory certainty to our nation's farmers, ranchers and businesses," said EPA Administrator Scott Pruitt. "This step will allow us to minimize confusion as we continue to receive input from across the country on how we should revise the definition of the 'waters of the United States.'"

The 2015 rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. Implementation of the 2015 rule is currently on hold as a result of the Sixth Circuit's nationwide stay of the rule, but that stay may be affected by a pending Supreme Court case. The 2015 rule is also stayed in 13 states due to a North Dakota district court ruling. EPA and the Army are taking this action to provide certainty and consistency to the regulated community.

"The Army, together with the Army Corps of Engineers, propose this rule with EPA to help continue to provide clarity and predictability to the regulated public during the rule making process. We are committed to implementing the Clean Water Act Section 404 regulatory program as transparently as possible for the regulated public," said Mr. Ryan Fisher, Acting Assistant Secretary of the Army (Civil Works).

This action follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.

The agencies' proposal is separate from the two-step process the agencies propose to take to reconsider the 2015 rule. The comment period for the Step 1 rule closed in September and the agencies are currently working to review the comments received from the public. The agencies are also in the process of holding listening sessions with stakeholders as we work to develop a proposed Step 2 rule that would revise the definition of "waters of the United States."

The agencies will be collecting public comment on this proposal for 21 days after publication in the Federal Register and plan to move quickly to take final action in early 2018.

Additional information on this proposal and how to comment: www.epa.gov/wotus-rule

Elizabeth Tate Bennett

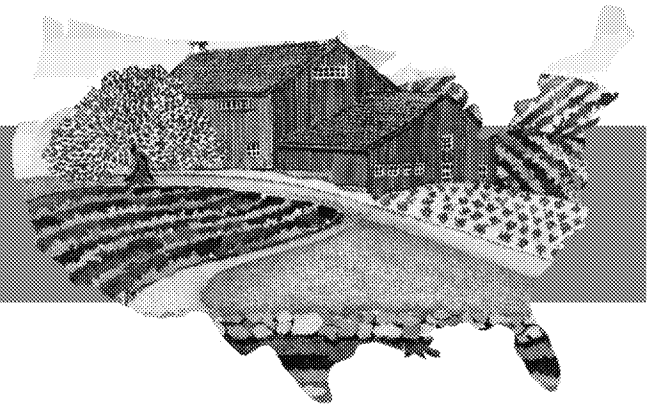
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Barb Glenn [carly@nasda.org]
Sent: 7/17/2018 5:28:05 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Please Join Us for the 2018 NASDA Annual Meeting!

Exploring Our Nation's Roots

2018 NASDA ANNUAL MEETING

Hartford, Connecticut | September 9-12



REGISTER TODAY

We invite you to attend the 2018 Annual Meeting of the National Association of State Departments of Agriculture. Not only will the chief agricultural officials from across the U.S. gather to have critical policy discussions on emerging food and agriculture issues, but attendees will be immersed in the culture of Connecticut's rich heritage and diverse agriculture industry.

Make plans to travel to Hartford, CT, September 9 -12. You won't want to miss it!

// We look forward to sharing Connecticut's rich and diverse agricultural economy with other state departments of agriculture, partners and federal employees. *//*

— Steve Reviczky, NASDA President &
Connecticut Commissioner of Agriculture

Join leading agriculture policymakers to hear from amazing keynote speakers, gain insight on emerging legislative and regulatory issues, expand your networking opportunities, and more.

Early Bird Registration Fees are:

NASDA Members, State Staff, Affiliates & Federal Employees: \$675 (\$75 savings)

NASDA Partners, Local Partners & Industry Partners \$775 (\$75 savings)

Spouses & Guests \$450 (\$50 savings)

One-Day Registration: \$275 (\$25 savings)

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4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

No. I am not attending.

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cvent

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 11/16/2017 6:29:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: EMBARGOED UNTIL 2 PM- EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

I am out of the office until Monday, Nov. 20. For assistance prior to Nov. 20, please call Ex. 6 or email Amanda Culp at amanda@nasda.org.

Message

From: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Sent: 11/14/2017 11:50:01 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
CC: Steven P. Rowe (steven.rowe@newtrient.com) [steven.rowe@newtrient.com]; Bruce Knight (bknight@stratconserve.com) [bknight@stratconserve.com]; Bode, Denise A (53804) [dabode@michaelbeststrategies.com]
Subject: Thank you & follow up

Tate, Stephen & Jeff:

We wanted to follow up and thank you for meeting with Steve Rowe, CEO of Newtrient. We appreciated your thoughtful questions regarding Newtrient's objectives and taking the time to learn about the breadth of Newtrient's work.

We are very excited about Newtrient's technology catalogue and its environmental services marketplace concept to provide voluntary and measurable reductions in non-point source pollution from dairy operations. We believe this type of effort aligns well with Administrator Pruitt's goals to achieve pollution reductions in an economically viable manner. As we discussed, Newtrient also believes that this concept can be applied to other agricultural sectors. We hope you found Newtrient's mission intriguing and we look forward to continuing to work with you and the EPA.

Please feel free to call on Steve as a resource for questions or needs within the dairy sector. Newtrient's board represents over half the milk produced in the country.

We will be sure to keep posted on Newtrient's progress. If you would like to receive any of the materials we handed out electronically, please let us know. Similarly, if there are any other folks within EPA that you recommend we meet with, we would greatly appreciate an introduction. Thank you again for your time.

Best,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

Ex. 6



[my bio](#) | [our firm](#) | [vCard](#)

Email Disclaimer

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sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

Message

From: Harry Alford [halford@nationalbcc.org]
Sent: 7/17/2018 5:13:05 PM
To: Kay DeBow [kdebow@nationalbcc.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE:

Never mind Tate, we have it!

Harry C. Alford
President/CEO
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015

Ex. 6

www.Nationalbcc.org

From: Harry Alford
Sent: Tuesday, July 17, 2018 1:11 PM
To: Kay DeBow <kdebow@nationalbcc.org>
Cc: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Subject: RE:

Tate,
Please send a short Bio on the Administrator. Thanks,

Harry C. Alford
President/CEO
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015

Ex. 6

www.Nationalbcc.org

From: Kay DeBow
Sent: Tuesday, July 17, 2018 1:01 PM
To: Harry Alford <halford@nationalbcc.org>
Subject: FW:

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

From: Kay DeBow
Sent: Tuesday, July 17, 2018 1:01 PM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Cc: Beach, Christopher <beach.christopher@epa.gov>
Subject: RE:

yes

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, July 17, 2018 12:59 PM
To: Tanner, Lee <Tanner.Lee@epa.gov>; Kay DeBow <kdebow@nationalbcc.org>
Cc: Beach, Christopher <beach.christopher@epa.gov>
Subject:

Is Harry introducing the Admin? Just wanted to double check.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

Message

From: Heidi McAuliffe [hmcauliffe@paint.org]
Sent: 11/7/2017 10:20:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Invitation for Administrator Pruitt

Dear Ms. Bennett,

I attended the coalition meeting this morning with Administrator Pruitt and was fortunate enough to sit right next to him. During the conversation, he mentioned that he had visited many sites around the country and had learned a great deal about the efforts that farmers and manufacturers must make in order to comply with environmental regulations. I would like to invite the Administrator to visit with the paint and coatings industry.

The coatings industry employs over 280,000 people in over 46,000 establishments across the country. This includes manufacturing facilities, research and development locations, distribution and storage sites, retail outlets and applicators. Our manufacturing facilities are subject to permits, a myriad of air quality regulations and even more pollution prevention requirements. Prior to actually making a coatings product, our companies must navigate the processes under TSCA and in many cases, the pesticide regulations for registration of active ingredients. These are only a few examples of the regulations applicable to our sites. We would relish the opportunity to show Administrator Pruitt our industry and talk with him about practical regulatory solutions.

ACA's Board of Directors are the CEO's of the paint industry. They will be meeting in April in Indianapolis, Indiana, prior to the American Coatings Show, our premier trade show. If Administrator Pruitt is available for a lunchtime meeting on November 9, it would be a great opportunity for such a discussion. Alternatively, I am happy to facilitate a visit to a paint manufacturing facility at any of our locations.

I welcome your assistance in this process and hope that we will be able to find a time that will work for the Administrator. Please let me know your thoughts on the best path forward. I am happy to provide a formal letter of invitation at any time.

Please do not hesitate to contact me. I look forward to talking with you.

Best regards,

Heidi K. McAuliffe ▪ American Coatings Association ▪ Vice President, Government Affairs

Ex. 6

hmcauliffe@paint.org | www.paint.org

901 New York Ave. NW, Suite 300 West ▪ Washington, DC 20001

Coatings protect. Coatings preserve. Coatings provide.

Message

From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]
Sent: 11/29/2017 7:39:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Bodine, Susan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8c2cc6086fcc44c3be6b5d32b262d983-Bodine, Sus]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
Subject: RE: Friday

I totally understand and appreciate you trying to make it work. Hopefully there will be other opportunities. All my best, Brooks

Brooks M. Smith

troutman sanders

Direct: Ex. 6

brooks.smith@troutman.com

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, November 29, 2017 11:50 AM
To: Smith, Brooks M. <Brooks.Smith@troutmansanders.com>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Friday

Hey Brooks- apologies but we won't be able to accommodate a visit this late in the game on Friday, but maybe another time. Your folks are welcome to attend the larger event at Couser Farms in Nevada IF they RSVP to Stephen at Gordon.Stephen@epa.gov and provide ID/ Business Cards/ Company names. Info below:

Farmer Town Hall with EPA Administrator Scott Pruitt

Friday, December 1, 2017

1:00 P.M. (Arrive no later than 12:45 P.M.)

Bill Couser Farm
20243 620th Ave
Nevada, Iowa

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

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Message

From: Don Parrish [donp@fb.org]
Sent: 11/3/2017 3:54:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Annual meetings
Attachments: 2017 State Annual Meetings.xlsx

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 3:37 PM
To: Don Parrish
Subject: Re: Annual meetings

Thanks!

On Nov 2, 2017, at 12:06 PM, Don Parrish <donp@fb.org> wrote:

I will check...

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 11:54 AM
To: Don Parrish
Subject: Annual meetings

Do you guys have a calendar for when all your guys' state annual meetings are?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

<u>State</u>	<u>From</u>	<u>To</u>
Alabama	12/3/2017	12/4/2017
Alaska	11/2/2017	11/4/2017
Arizona	11/1/2017	11/3/2017
Arkansas	11/29/2017	12/1/2017
California	12/3/2017	12/6/2017
Colorado	11/16/2017	11/19/2017
Connecticut	11/17/2017	11/17/2017
Delaware	11/28/2017	11/30/2017
Florida	10/30/2017	11/1/2017
Georgia	12/3/2017	12/5/2017
Hawaii	10/24/2017	10/25/2017
Idaho	12/5/2017	12/7/2017
Illinois	12/2/2017	12/6/2017
Indiana	12/7/2017	12/9/2017
Iowa	12/5/2017	12/7/2017
Kansas	12/3/2017	12/5/2017
Kentucky	11/29/2017	12/2/2017
Louisiana	6/29/2017	7/2/2017
Maine	11/18/2017	11/19/2017
Maryland	12/3/2017	12/5/2017
Massachusetts	11/30/2017	12/1/2017
Michigan	11/28/2017	11/30/2017
Minnesota	11/16/2017	11/19/2017
Mississippi	12/1/2017	12/3/2017
Missouri	12/3/2017	12/5/2017
Montana	11/12/2017	11/15/2017
Nebraska	12/3/2017	12/5/2017
Nevada	11/16/2017	11/18/2017
New Hampshire	11/10/2017	11/10/2017
New Jersey	11/13/2017	11/14/2017
New Mexico	11/16/2017	11/18/2017
New York	12/4/2017	12/6/2017
North Carolina	12/3/2017	12/6/2017
North Dakota	11/17/2017	
Ohio		
Oklahoma	11/10/2017	11/12/2017
Oregon	12/6/2017	12/7/2017
Pennsylvania	11/13/2017	11/15/2017
Puerto Rico		
Rhode Island	11/16/2017	
South Carolina	11/30/2017	12/2/2017
South Dakota	11/17/2017	11/19/2017
Tennessee	12/2/2017	12/5/2017
Texas	12/2/2017	12/4/2017
Utah	11/16/2017	11/17/2017
Vermont	11/3/2017	11/4/2017

Virginia	11/28/2017	11/30/2017
Washington	11/14/2017	11/15/2017
West Virginia	11/10/2017	11/12/2017
Wisconsin	12/1/2017	12/4/2017
Wyoming	11/16/2017	11/18/2017

Message

From: Traci Kraus [traci.kraus@cummins.com]
Sent: 11/8/2017 4:35:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Follow up- Cummins

Hi Tate,

Hope all is well. I wanted to follow up and see if you needed any additional info from us to schedule a visit for Administrator Pruitt to Cummins.

We can also provide a formal invitation from our CEO, Tom Linebarger, who met with the Administrator in September if that would be helpful.

Please let me know if there is anything else I can do.

Thanks so much!

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6

From: Traci Kraus
Sent: Wednesday, September 27, 2017 10:42 AM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Follow up- Cummins

Hi Tate,

Thanks so much for your help! I have attached the form. Please let me know if you need additional information.

Thank you,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW

Suite 1100N
Washington, DC 20004

Ex. 6

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, September 27, 2017 10:33 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Traci Kraus <traci.kraus@cummins.com>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Follow up- Cummins

External Sender

Hi Traci! Good to hear from you. Do you mind filling out this form and sending it back to us? We will be sure to let you know the next time we are in IN!

Tate

From: Ferguson, Lincoln
Sent: Tuesday, September 26, 2017 12:02 PM
To: Traci Kraus <traci.kraus@cummins.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Follow up- Cummins

Hi Traci –

Thanks so much for following up. I want to introduce you to Tate, who heads our Office of Public Engagement. She is going to be the best point of contact to set up a possible tour. I know the Administrator really enjoyed meeting Brian and others at the EMA meeting last week. We'll be in touch soon!

Thanks,
Lincoln

Lincoln Ferguson
Senior Advisor to the Administrator
U.S. EPA

Ex. 6

From: Traci Kraus [<mailto:traci.kraus@cummins.com>]
Sent: Tuesday, September 26, 2017 9:52 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Follow up- Cummins

Hi Lincoln,

My name is Traci Kraus and I lead government relations for Cummins energy and environment issues. My colleague Brian Mormino mentioned that following last week's meeting between Engine Manufacturers Association principals and

Administrator Pruitt that the Administrator was interested in visiting Cummins and learning more about our natural gas engines.

I wanted to follow up with you to invite the Administrator to see our headquarters in Columbus, IN where we can give him a tour of our tech center, natural gas engine test facility, and all of the other exciting work we do.

Please let me know if there is a formal channel through which I should be extending this invite, but I wanted to make sure I closed the loop with you.

Thanks so much for your help!

Best,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6

Message

From: Leach, Clint [jcleach@scda.sc.gov]
Sent: 11/21/2017 7:26:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Adam Piper [apiper@ruleoflawdefensefund.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Weathers farm

Correct; it was the farm of Jim Roquemore. Will be back in touch with his email.

Clint Leach

Assistant Commissioner

South Carolina Department of Agriculture

Office:

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, November 21, 2017 2:25 PM
To: Leach, Clint; Adam Piper
Cc: Gordon, Stephen
Subject: RE: Weathers farm

The email for our host (we are sending out holiday notes) at the farm we visited. It was not the Commissioners farm, correct? Sorry, I'm having a hard time locating the location (too many farm stops!).

From: Leach, Clint [mailto:jcleach@scda.sc.gov]
Sent: Tuesday, November 21, 2017 2:22 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Weathers farm

Tate – good afternoon. What exactly are you looking for?

Clint Leach

Assistant Commissioner

South Carolina Department of Agriculture

Office:

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, November 21, 2017 2:09 PM
To: Bennett, Tate
Cc: Gordon, Stephen; Leach, Clint
Subject: Re: Weathers farm

Clint should. I don't.

Get [Outlook for iOS](#)

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, November 21, 2017 2:07:54 PM
To: Adam Piper

Cc: Gordon, Stephen
Subject: Weathers farm

Do you have a good email address?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

Message

From: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Sent: 10/27/2017 7:08:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Meeting Request - Newtrient

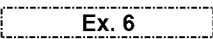
Tate,

No worries at all. I'm glad we could get some time with you. We'd be happy to meet then. I can send you a list of attendees next week. Please let me know if there are any special access instructions or points of contact we should be aware for entering the building.

Thanks,

Kevin O. Swanson

Senior Associate

 Ex. 6 | michaelbeststrategies.com



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, October 27, 2017 2:54 PM
To: Swanson, Kevin O (59578)
Subject: Re: Meeting Request - Newtrient

I'm so sorry! Is 5:30 too late?

On Oct 27, 2017, at 1:07 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

Hi Tate,

Was hoping to follow up with you on a meeting time for Monday 11/6. We're can make anytime the afternoon between 1-6pm work.

Thanks again,

Kevin O. Swanson

Senior Associate

 Ex. 6 | michaelbeststrategies.com

<image001.png>

From: Swanson, Kevin O (59578)
Sent: Tuesday, October 24, 2017 4:42 PM
To: 'Bennett, Tate'
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient


Hi Tate,

No worries at all and thanks for your willingness to meet. We can do the afternoon of Monday the 6th any time between 1-6pm. Let us know what works best for you.

Best,

Kevin O. Swanson

Senior Associate

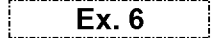
 michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, October 24, 2017 4:20 PM
To: Swanson, Kevin O (59578)
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

Hi there! Sorry for the delay and thanks for following up with me. Somehow I missed your initial e-mail. What time on the 6th would be best for you? Sorry, I know you initially asked for the 7th, but do you still have availability that Monday?

Looking forward to it.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578) [<mailto:koswanson@michaelbeststrategies.com>]
Sent: Tuesday, October 24, 2017 4:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>
Subject: RE: Meeting Request - Newtrient

Hello Tate:

I was hoping to follow up on Ken Wagner's recommendation below that we meet with you to introduce what our client, Newtrient, is working on with the dairy industry to address their non-point source emissions. We would appreciate the opportunity to meet with you and learn more about EPA's stakeholder outreach efforts in this area. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson
Senior Associate

Ex. 6

michaelbeststrategies.com

<image001.png>

From: Swanson, Kevin O (59578)
Sent: Wednesday, October 18, 2017 5:18 PM
To: 'Bennett.Tate@epa.gov'
Cc: Bode, Denise A (53804)
Subject: Meeting Request - Newtrient

Hello Tate:

I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

Ex. 6

michaelbeststrategies.com

<image001.png>

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, September 20, 2017 at 9:02 AM
To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate
Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com; dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
US Environmental Protection Agency

Ex. 6
wagner.kenneth@epa.gov

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Message

From: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Sent: 10/27/2017 6:06:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Bode, Denise A (53804) [dabode@michaelbeststrategies.com]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Meeting Request - Newtrient

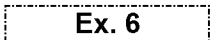
Hi Tate,

Was hoping to follow up with you on a meeting time for Monday 11/6. We're can make anytime the afternoon between 1-6pm work.

Thanks again,

Kevin O. Swanson

Senior Associate

 | michaelbeststrategies.com



From: Swanson, Kevin O (59578)
Sent: Tuesday, October 24, 2017 4:42 PM
To: 'Bennett, Tate'
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

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Best,

Kevin O. Swanson

Senior Associate

 | michaelbeststrategies.com



From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
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Subject: RE: Meeting Request - Newtrient

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Looking forward to it.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578) [<mailto:koswanson@michaelbeststrategies.com>]
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Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson

Senior Associate

Ex. 6

michaelbeststrategies.com



From: Swanson, Kevin O (59578)
Sent: Wednesday, October 18, 2017 5:18 PM
To: 'Bennett.Tate@epa.gov'
Cc: Bode, Denise A (53804)
Subject: Meeting Request - Newtrient

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Best regards,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

Ex. 6

michaelbeststrategies.com



From: "Bennett, Tate" <Bennett.Tate@epa.gov>

Date: Wednesday, September 20, 2017 at 9:02 AM

To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>

Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Wagner, Kenneth

Sent: Wednesday, September 20, 2017 8:42 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com; dabode@beststrategies.com

Subject: Newtrient

Tate:

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Let me know if you need anything from me.

Ken

Kenneth E. Wagner

Senior Advisor to the Administrator

For Regional and State Affairs

US Environmental Protection Agency

Ex. 6

wagner.kenneth@epa.gov

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Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 10/24/2017 3:30:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: HollyFrontier meeting request

Promise this will be the last time I bug you about this (or at least for a month)

Our CEO is making a last minute trip to DC – he’s available all afternoon if the Administrator has a free minute just to say hello.

Best
Blake

From: Barfield, Blake
Sent: Monday, October 23, 2017 9:57 AM
To: Tate Bennett (bennett.tate@epa.gov)
Subject: RE: HollyFrontier meeting request

Do you think we could set up a call with George and the Administrator in the interim of waiting for a meeting until December timeframe?

From: Barfield, Blake
Sent: Friday, October 20, 2017 9:19 AM
To: 'Bennett, Tate'
Subject: RE: HollyFrontier meeting request

Thx. around all day if you’d like to chat

Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, October 19, 2017 4:22 PM
To: Barfield, Blake
Subject: Re: HollyFrontier meeting request

I'll give you a shout later too.

Sent from my iPad

On Oct 19, 2017, at 3:42 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Thanks, Hayley.

I’ve enclosed the meeting request form. We’d asked about 10/31 and 11/3 which I realize are coming up quickly. Happy to meet when convenient for the Administrator if he has time in the near future.

Thanks again.

Blake

Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Thursday, October 19, 2017 3:33 PM
To: Barfield, Blake; Bennett, Tate
Subject: RE: HollyFrontier meeting request

Blake,

Attached is the form that Tate mentioned. If you could provide me with further info, I would be happy to get back to you within a week if that's not too late. Also, feel free to send future requests directly to me/Tate. Ryan gets a lot of messages so he may have missed this one.

Thanks!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Barfield, Blake [<mailto:Blake.Barfield@HollyFrontier.com>]
Sent: Thursday, October 19, 2017 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: HollyFrontier meeting request

We sent it to RJ.

Happy to fill out a form – don't believe we have yet.

No apology necessary!

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Thursday, October 19, 2017 3:14 PM
To: Barfield, Blake
Cc: Ford, Hayley
Subject: Re: HollyFrontier meeting request

Who did you send your original, official meeting request to? Hayley our scheduling guru is CC'd and can send you the internal official meeting request form if you haven't already filled it out. Sorry- we cannot locate your original request and apologize if there was a mistake on our end.

On Oct 19, 2017, at 2:17 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Tate:

Hope you're well; good visiting earlier this week.

Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.

Thanks

Blake

—

Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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<EPA Administrator Pruitt External Meeting Request Form - HollyFrontier Corp..docx>

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Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 11/6/2017 10:36:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: 2015 WOTUS Extension

Thanks so much, Tate!

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Sunday, November 05, 2017 7:39 PM
To: Bennett, Tate
Cc: Sands, Jeffrey; Gordon, Stephen
Subject: 2015 WOTUS Extension

Good evening. Given your interest in this issue, I wanted to provide you with a quick update.

In order to provide regulatory certainty, EPA and the Department of the Army have sent a proposed rule to the Office of Management and Budget for interagency review that would amend the effective date associated with the 2015 Clean Water Rule to give the agencies time to consider the two-step process proposing to rescind and revise the 2015 rule.

Background

The 2015 rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. Implementation of the 2015 rule is currently on hold as a result of the Sixth Circuit's nationwide stay of the rule. The 2015 rule is also stayed in 13 states due to a District of North Dakota court ruling. EPA and the Army are taking this action to provide certainty and consistency to the regulated community. Once the interagency review is complete, EPA will issue the proposal for public review and comment. More information: <https://www.epa.gov/wotus-rule>

Let us know if you have any questions.

Tate

Tate Bennett
Associate Administrator for Public Engagement
Office of the Administrator
US EPA

Message

From: William Rodger [willr@fb.org]
Sent: 10/16/2017 4:24:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

Happy to. Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, October 16, 2017 12:15 PM
To: William Rodger
Cc: Dewey, Amy
Subject: FW: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

Hey Will! If you all do any tweets or ANYTHING on your own, can you please flag it for me ASAP? Thank you!

From: William Rodger [mailto:willr@fb.org]
Sent: Monday, October 16, 2017 11:39 AM
To: Dewey, Amy <Dewey.Amy@epa.gov>
Subject: RE: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

That's pretty damned huge. I'll see if we can't get a release out.

ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

"The days of regulation through litigation are over," – EPA Administrator Scott Pruitt

WASHINGTON – In fulfilling his promise to end the practice of regulation through litigation that has harmed the American public, EPA Administrator Scott Pruitt issued an Agency-wide directive today designed to end "sue and settle" practices within the Agency, providing an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements.

"The days of regulation through litigation are over," **said EPA Administrator Scott Pruitt.** "We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress. Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle."

Over the years, outside the regulatory process, special interest groups have used lawsuits that seek to force federal agencies – especially EPA – to issue regulations that advance their interests and priorities, on their specified timeframe. EPA gets sued by an outside party that is asking the court to compel the Agency to take certain steps, either through change in a statutory duty or enforcing timelines set by the law, and then EPA will acquiesce through a consent decree or settlement agreement, affecting the Agency's obligations under the statute.

More specifically, EPA either commits to taking an action that is not a mandatory requirement under its governing statutes or agrees to a specific, unreasonable timeline to act. Oftentimes, these agreements are reached with little to no public input or transparency. That is regulation through litigation, and it is inconsistent with the authority that Congress has granted and the responsibility to operate in an open and fair manner.

“Sue and settle” cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.

With today’s directive, Administrator Pruitt is ensuring the Agency increase transparency, improve public engagement, and provide accountability to the American public when considering a settlement agreement or consent decree by:

1. Publishing any notices of intent to sue the Agency within 15 days of receiving the notice;
2. Publishing any complaints or petitions for review in regard to an environmental law, regulation, or rule in which the Agency is a defendant or respondent in federal court within 15 days of receipt;
3. Reaching out to and including any states and/or regulated entities affected by potential settlements or consent decrees;
4. Publishing a list of consent decrees and settlement agreements that govern Agency actions within 30 days, along with any attorney fees paid, and update it within 15 days of any new consent decree or settlement agreement;
5. Expressly forbidding the practice of entering into any consent decrees that exceed the authority of the courts;
6. Excluding attorney’s fees and litigation costs when settling with those suing the Agency;
7. Providing sufficient time to issue or modify proposed and final rules, take and consider public comment; and
8. Publishing any proposed or modified consent decrees and settlements for 30-day public comment, and providing a public hearing on a proposed consent decree or settlement when requested.

From: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]
Sent: 11/16/2017 4:33:53 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: EPA Announces Appointment of Alexandra Dunn to Region 1 Administrator

Great news for America, including Region 1.
Thanks

Sent from my iPhone

On Nov 16, 2017, at 11:22 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

EPA Announces Appointment of Alexandra Dunn to Region 1 Administrator

11/16/2017

Contact Information:
(press@epa.gov)

WASHINGTON (November 16, 2017) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt announced the appointment of Alexandra Dapolito Dunn to become Regional Administrator for Region 1. With over two decades of experience in environmental law, legislation, policy, and regulatory affairs, Ms. Dunn will oversee federal environmental protection efforts in: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Alexandra Dunn currently serves as executive director and general counsel for the Environmental Council of States (ECOS), a national nonprofit, nonpartisan organization committed to helping state agencies improve environment outcomes for Americans. Since 2014, Ms. Dunn has helped state governments improve water infrastructure, air pollution control, site cleanup, chemical management, and economic development. Prior to joining ECOS, Ms. Dunn served as executive director and general counsel for the Association of Clean Water Administrators.

Ms. Dunn has also been published in the areas of the ethics of community advocacy, environmental justice, urban sustainability, water quality, cooperative federalism, and the Clean Water Act. And, she taught environmental justice and human rights and the environment as dean of Environmental Law Programs at the Elisabeth Haub School of Law at Pace University. She also taught at the Columbus School of Law, Catholic University of America, where she currently serves as faculty adviser to the student Environmental Law Society. Ms. Dunn most recently taught environmental justice as an Adjunct Associate Professor of Law at the American University's Washington College of Law.

This October, Ms. Dunn was elected to the Board of Regents of the American College of Environmental Lawyers and she serves on the executive committee and board of directors of the

Environmental Law Institute. She has chaired the American Bar Association's (ABA) section of Environment, Energy, and Resources, its World Justice Task Force, and served on the ABA Presidential Force on Sustainable Development.

“Alexandra Dunn is exceptionally qualified to carry out administrative duties to lead our New England office,” **said EPA Administrator Scott Pruitt**. “Not only has she spent the last several years developing effective environmental policies for our state partners, but has also helped shape a number of aspiring environmental lawyers at one of the nation's leading environmental law programs. Her service to others will be key to helping implement this administration's positive environmental agenda for our northeast region.”

Her nomination is receiving high accolades from across the region:

Janet Coit, Director, Rhode Island Department of Environmental Management: “As the head of a state environmental agency, I hoped for the appointment of an EPA regional administrator with expertise in environmental laws and issues and sensitivity to the importance of the special relationship between the states and the USEPA. Alex Dunn has mastery and understanding of both and tremendous relevant experience to bring to bear to her role as Regional Administrator. She is an excellent choice and will bring a constructive and informed approach to New England, a place where there is strong federal-state partnership and a collaborative approach to our important environmental protection work with USEPA.”

John Cruden, president, American College of Environmental Lawyers: “Alexandra Dunn is a superb administrator with exceptional environmental expertise. She can be counted on to push to advance the environment, work collaboratively with the States in her Region, and support career officials doing their important work.”

Andrew Fisk, executive director, Connecticut River Conservancy: “Alexandra is a committed environmental attorney with a solid record of experience that will serve her well. She understands the important role of citizen organizations in improving the quality of our environment. We look forward to working with her to build on New England's proud tradition of environmental protection.”

Scott Fulton, president, Environmental Law Institute: “I strongly support Alexandra Dunn's appointment as Regional Administrator for EPA Region 1. She is a terrific talent and an extremely capable leader, with demonstrated ability to work effectively with a diverse array of stakeholders and interests. Her appointment makes for a great day for EPA and the good people of New England.”

Robert J. Klee, Commissioner, Connecticut Department of Energy and Environmental Protection: “I want to congratulate Alexandra on her nomination to become the next EPA Region 1 Administrator. She is a consensus builder who is well respected by many in the environmental community thanks to her extensive background and knowledge of environmental law and policy. I look forward to working with her in this new role on the issues that matter most to Connecticut residents, such as water quality in our lakes, rivers, and Long Island Sound, ozone and transport of pollutants from upwind to downwind regions, and climate change mitigation and adaptation. It is imperative that the federal government and states work together to address our most pressing environmental issues - and I have full confidence that Alex will continue to build upon decades of positive interactions between EPA Region 1 and our New England States.”

Amanda C. Leiter, professor, American University Washington College of Law: “I am thrilled to learn of Ms. Dunn's appointment. For the past few years, she has taught environmental

justice as an adjunct professor in American University Washington College of Law's summer program. Students gave the course very positive reviews and regularly commented on Professor Dunn's depth of knowledge about the subject area and her willingness to make herself available outside of class hours. My colleagues and I will be sorry to lose her from AU, but we are very pleased she will be bringing her extensive background in and deep commitment to environmental justice to EPA Region 1."

Paul Mercer, Commissioner, Maine Department of Environmental Protection: "Alexandra Dapolito Dunn has a demonstrated ability to work as a partner and facilitator for the States. She also has the breadth and depth of knowledge of the environmental issues faced by the Region 1 States. We look forward to working with Alexandra to continue progress making our water and air cleaner through practical and cost-effective strategies."

Julie Moore, Secretary, Vermont Agency of Natural Resources: "The partnership between EPA and state environmental agencies is incredibly important. Through her work at ECOS, Alexandra has been committed to building and strengthening this relationship and I look forward to her continued support in this new capacity."

Robert R. Scott, Commissioner, New Hampshire Department of Environmental Services: "Alexandra is a great choice for Regional Administrator. She has vast experience in working on environmental issues and well understands the needs and perspective of the states. She helped champion the recasting of the EPA-State relationship through Cooperative Federalism at the **Environmental Council of the States and now will be in a position to advance those principles even further.**"

Susan Sullivan, executive director, New England Interstate Water Pollution Control Commission: "Ms. Dunn is a consummate professional and her years of working on behalf of the states at the Environmental Council of the States and the Association of Clean Water Administrators will serve her well in her new role. NEIWPC, our member states, and EPA have had a long history of working well together. I look forward to continuing this strong relationship with Ms. Dunn and her Region 1 staff."

Martin Suuberg, Commissioner, Massachusetts Department of Environmental Protection: "Alex Dunn has significant experience in environmental law and has been a strong environmental advocate for states during her years of service with ECOS. The Commonwealth looks forward to continuing our work with her in this new role as Region 1 Administrator."

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

[Click here](#) to complete a three question customer experience survey.

Message

From: Carly Grether [carly@nasda.org]
Sent: 11/14/2017 5:45:56 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: How was the 2017 NASDA Annual Meeting?



NASDA Annual Meeting Feedback Survey

Dear Elizabeth,

Thank you for attending the 2017 NASDA Annual Meeting. We still want your feedback! It is valuable to us as we plan future events! Please take a few minutes to give us your feedback on this event. To begin, click the link below.

[Click here to respond](#)

Sincerely,

Carly Grether

NASDA

carly@nasda.org



4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

#NASDAis100

Message

From: Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]
Sent: 10/19/2017 3:57:39 PM
To: marock@up.com
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Pruitt visit to Omaha

Mike,

Good morning. We connected with Tony this morning for a walk-through of tomorrow. Thank you so much for providing that contact. Seems all is squared away for the Administrator's visit.

I will be there ahead of the Administrator tomorrow afternoon and have arranged to connect with Tony when I arrive. Kindly let me know if there is anything further you need from us.

Finally, I just want to confirm there have been no changes to the attendee list you provided previously.

Thank you so much,

Millan Hupp
Director of Scheduling and Advance

Ex. 6

Sent from my iPhone

On Oct 17, 2017, at 8:54 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hi Mike!

Thanks for getting this back to me and for facilitating this meeting. The Administrator is looking forward to visiting Union Pacific's HQ and meeting Mr. Fritz. Our Advance Team will likely take it from here with Tony.

I look forward to seeing you in D.C. sometime soon. Thanks again.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Mike Rock [<mailto:MAROCK@up.com>]

Sent: Tuesday, October 17, 2017 9:12 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: Pruitt visit to Omaha

Tate, here is the information you were looking for regarding Friday's meeting. Please let me know if you need anything else. If you could send me a list of the people who will be attending the meeting with the Administrator, that would be great.

Mike

Date - Friday, October 20, 2017

Time - 3:30 p.m.

Place - Union Pacific Headquarters - 1400 Douglas Street - Omaha, Nebraska

We have made arrangements to use the garage in the headquarters' building. It is on N 15th Street between Douglas and Dodge Streets. Douglas street is a one way street as is 15th. They will come down Douglas and make a left onto 15th. (15th is a short street) Our garage is on the right across from the Residence Inn

Union Pacific Police contact

Tony Paulsen - [Ex. 6] - email - tpaulse@up.com

Attendees

Lance Fritz - Chairman, President, and CEO - Union Pacific

Cameron Scott - Executive Vice President and Chief Operating Officer - Union Pacific

Scott Moore - Senior Vice President Corporate Relations - Union Pacific

Mike Rock - Vice President External Relations - Union Pacific

Our folks will be coming back from a field visit so they won't be in coat and tie - just FYI.

Mike Rock contact information - [Ex. 6] - email - marock@up.com

Items of Discussion

Clean Power Plan

Waters of the U.S.

Railroad Tie Combustion Rule (burning them vs. landfill)

Overall permit reform

=====
Mike Rock
Vice President, External Relations
Union Pacific

[Ex. 6]

**

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**

Message

From: Clay, Kathryn [KClay@aga.org]
Sent: 10/31/2017 2:59:42 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: methane

I apologize I am just seeing this now – please let me know if I should give you a call now, seeing that it's gotten late. You can reach me at Ex. 6 until midnight or anytime tomorrow morning.

Kathryn Clay | Vice President, Policy

American Gas Association

400 N. Capitol St., NW | Washington, DC | 20001

P: Ex. 6 kclay@aga.org

The American Gas Association represents more than 200 local energy companies committed to the safe and reliable delivery of clean natural gas to more than 69 million customers throughout the nation.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, October 30, 2017 6:42 PM
To: Clay, Kathryn <KClay@aga.org>
Subject: methane

Hi Kathryn-

Do you mind giving me a shout when you get this? 202-329-3948. Thanks!

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6
Bennett.Tate@epa.gov

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 11/3/2017 7:04:41 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Hawai'i issue

Thanks, John.

One of the concerns of Hawai'i Farm Bureau is that the legislature goes back in in January. At last count, there were about 16 anti-pesticide bills pending and if something like this gets underway it might have the effect of simply ginning up support for those efforts in the state legislature

Paul Schlegel
Director, Energy and Environment Team

Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

From: Konkus, John [mailto:konkus.john@epa.gov]
Sent: Friday, November 03, 2017 2:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Paul Schlegel <pauls@fb.org>
Subject: RE: Hawai'i issue

I know what this is. Stand by Paul and I'll be in touch. Thank you all.

From: Bennett, Tate
Sent: Friday, November 3, 2017 2:54 PM
To: Paul Schlegel <pauls@fb.org>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: RE: Hawai'i issue
Importance: High

Are your ears burning. I was actually about to call you on something else. Will do later today if that's ok?

Copying John Konkus who can investigate. He's watches over all-things grants and will appreciate hearing more from you on this.

John- our grant RFP hasn't gone out yet so I don't think it's originating in an OPEEE program.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, November 3, 2017 2:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Hawai'i issue

Tate –

I wanted to bring an item to your attention to see if you or someone there might be able to help.

Hawai'i Farm Bureau just brought to our attention a grant EPA has either just awarded or is considering that looks like it is funding an anti-pesticide campaign in that state. Here is the link:

https://www.epa.gov/sites/production/files/2017-10/documents/ejsg_2017_project_summaries.pdf. It's on about page 5 of the document but I've pasted it in below as well.

GMOs and pesticides are very controversial topics in Hawai'i and Kaua'i particularly. I'm trying to get more information that might be helpful to Hawai'i Farm Bureau. Could you steer me in the right direction as to whom I could talk to about this?

Thanks,

Paul

Paul Schlegel

Director, Energy and Environment Team

Direct:

Ex. 6

Cell:

Email: pauls@fb.org

Recipient: Kaua'i Environmental Health Network (newer grantee)

Project Title: The Kanawai Community Engagement Project Project

Location: Waimea, HI (underrepresented state)

Project Partners: Kekaha Hawaiian Home Lands Association, Kekaha Community Garden, Po'ai Wai Ola: West Kaua'i Watershed Alliance

Project Type: Pesticide Education

Environmental Statute(s): Clean Water Act; Federal Insecticide, Fungicide, and Rodenticide Act

Project Description: The Kānāwai Community Engagement Project will provide opportunities for west Kaua'i residents to learn about and protect against impacts to water quality and public health due to toxic pesticide use by large agricultural companies working in the local area. The project will educate community members on the CWA, FIFRA, and local watersheds through exchanges with local water experts, Hawaiian cultural practitioners, policymakers and state agency conservationists. Project activities include: 1) Engaging at least 150 residents through a Neighborhood Door-to-Door Education effort 2) Conducting walking tours and trainings, and 3) Developing a First Draft of a Community Collaboration Plan of Action.

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 11/3/2017 7:02:28 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Hawai'i issue

Am around. Happy to talk when it works for you

Paul Schlegel
Director, Energy and Environment Team
Direct: [REDACTED]
Cell: **Ex. 6**
Email: pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, November 03, 2017 2:54 PM
To: Paul Schlegel <pauls@fb.org>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: RE: Hawai'i issue
Importance: High

Are your ears burning. I was actually about to call you on something else. Will do later today if that's ok?

Copying John Konkus who can investigate. He's watches over all-things grants and will appreciate hearing more from you on this.

John- our grant RFP hasn't gone out yet so I don't think it's originating in an OPEEE program.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, November 3, 2017 2:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Hawai'i issue

Tate –

I wanted to bring an item to your attention to see if you or someone there might be able to help.

Hawai'i Farm Bureau just brought to our attention a grant EPA has either just awarded or is considering that looks like it is funding an anti-pesticide campaign in that state. Here is the link:
https://www.epa.gov/sites/production/files/2017-10/documents/ejsg_2017_project_summaries.pdf. It's on about page 5 of the document but I've pasted it in below as well.

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Thanks,

Paul

Paul Schlegel
Director, Energy and Environment Team
Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

Recipient: Kaua'i Environmental Health Network (newer grantee)

Project Title: The Kanawai Community Engagement Project Project

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Message

From: Mike Rock [MAROCK@up.com]
Sent: 10/16/2017 1:41:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Pruitt visit to Omaha

Tate, thanks for reaching out and letting me know your connection to Mary. She's a great person.

Our CEO will not be in Omaha on Thursday. Actually, he will be here in DC. Also, looking at our senior teams' schedule for Thursday, I'm not sure who all will be there. Let me double check that, but my sense is our team is not around that day.

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6 - Fax

▼ "Bennett, Tate" ---10/16/2017 09:33:37 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:33 AM
Subject: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

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**

Message

From: David Edmund Black [DAVIDBLACK@UP.COM]
Sent: 10/16/2017 1:20:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EPA Visit to Omaha

Morning Tate! The best person to contact is my former boss, Mike Rock

Ex. 6

Cheers!

David Edmund Black

Union Pacific | Economic & Industrial Development - Ports
24125 Old Aldine Westfield Road | Spring, TX | 77373

Ex. 6

| E: davidblack@up.com | UPRR.com

On Oct 15, 2017, at 10:20 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Hey David! Wanted to let you know that Administrator Pruitt will in Omaha next Friday and is interested in meeting with UP leadership. Do you mind helping me navigate the best way to set up a potential meeting, if possible?

Hope this finds you well--- Mark says hello. Tate

**

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**

Message

From: Jennifer Butler [butler@spn.org]
Sent: 7/13/2018 2:53:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: David Stevenson [davidstevenson1948@gmail.com]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Meeting Request

Will do - We will be at the north building at 10:45 am to allow for time to get through security. Here is the final list of meeting participants:

- Buckeye Institute, Ohio - Joe Nichols
- Caesar Rodney Institute, Delaware - David Stevenson
- Center for the American Experiment, Minnesota - Isaac Orr
- Independence Institute, Colorado - Brit Naas
- Mackinac Center for Public Policy, Michigan - Jason Hayes
- Montana Policy Institute - Brent Mead
- Property and Environment Research Center, nationwide - Hannah Downey
- Sutherland Institute, Utah - Matt Anderson
- Thomas Jefferson Institute, Virginia - Michael Thompson
- Washington Policy Center - Todd Myers
- Jennifer Butler, State Policy Network

Thank you for all your help!

Jennifer Butler
State Policy Network
Ex. 6
Butler@spn.org

Sent from my iPad

On Jul 13, 2018, at 7:28 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Thank you. I am no longer able to join, but please ask for Alex Dominguez or Clint Woods at security.

On Jul 13, 2018, at 7:18 AM, David Stevenson <davidstevenson1948@gmail.com> wrote:

Elizabeth,
A good question has come up from a Daily Caller reporter that we might discuss Monday. In 2014 President Obama sent out an EO requiring all agencies integrate climate resilience considerations in international development programs. I haven't seen it rescinded in any President Trump EO's, and it never came up in the transition. Thanks.

Dave Stevenson

Sent from [Mail](#) for Windows 10

From: [Bennett, Tate](#)
Sent: Monday, July 9, 2018 1:08 PM

To: [David Stevenson](#)
Cc: [Jennifer Butler](#); [Gordon, Stephen](#)
Subject: RE: Meeting Request

Monday.

From: David Stevenson [<mailto:davidstevenson1948@gmail.com>]
Sent: Monday, July 9, 2018 1:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jennifer Butler <butler@spn.org>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Meeting Request

Is that Monday or Tuesday. Thank you!
Dave Stevenson

Sent from [Mail](#) for Windows 10

From: [Bennett, Tate](#)
Sent: Monday, July 9, 2018 12:28 PM
To: [David Stevenson](#)
Cc: [Jennifer Butler](#); [Gordon, Stephen](#)
Subject: RE: Meeting Request

Also, please arrive a little early to get everyone security so we can start on time. I would plan to arrive at 10:45. Stephen (cc'd) or myself will be your points of contact at the desk.

From: Bennett, Tate
Sent: Monday, July 9, 2018 12:26 PM
To: 'David Stevenson' <davidstevenson1948@gmail.com>
Cc: Jennifer Butler <butler@spn.org>
Subject: RE: Meeting Request

Hi David. Staff from the Office of Air and myself can 11:00 AM – 11:30 AM at the EPA north building. Does that work for you? Also, do you mind sending me a list of attendees when it gets closer?

From: David Stevenson [<mailto:davidstevenson1948@gmail.com>]
Sent: Friday, July 6, 2018 8:52 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jennifer Butler <butler@spn.org>
Subject: Meeting Request

Elizabeth Tate
Bennett
8
Associate Administrator for Public Engagement

7/7/2018

The State Policy Network has a group flying in for meetings in DC on July 16 – 17 to follow up issues of interest with key departments. Obviously, the EPA is playing a major role in successful changes that affect the states. We would like to hear suggestions of how we can help you move our shared agenda forward. A list of attendees is shown

below. Jennifer Butler, copied on this email, is handling the logistics and can coordinate the meeting time/date. Tuesday afternoon might be best for us. Some areas of interest:

- 1) Status reports on major Administrative Procedures in the Air and Radiation Division;
 - A) Clean Power Plan
 - B) Endangerment Finding
 - C) Ozone Standards
 - D) SNAP regulations for mobile air conditioning refrigerants
 - E) "Good Neighbor" initiative along with its impact on petitions to force upwind states to do more.
- 2) Todd Myers from Washington has been working on getting state grants to become block grants with John Konkus, so a meeting with him would be helpful.

We certainly understand the recent resignation of Administrator Pruitt may complicate our visit, but would appreciate anything you can do to facilitate the meeting.

Here is the list of people coming into town and will be present for the meeting:

- Buckeye Institute, Ohio - Joe Nichols
- Caesar Rodney Institute, Delaware - David Stevenson
- Center for the American Experiment, Minnesota - Isaac Orr
- Independence Institute, Colorado - Brit Naas
- Mackinac Center for Public Policy, Michigan - Jason Hayes
- Montana Policy Institute - Brent Mead
- Property and Environment Research Center, nationwide - Hannah Downey
- Sutherland Institute, Utah - Matt Anderson
- Thomas Jefferson Institute, Virginia - Michael Thompson
- Washington Policy Center - Todd Myers
- Jennifer Butler, State Policy Network

David T. Stevenson
Director, Center for Energy Competitiveness
Caesar Rodney Institute
EPA Transition Team Member
Cell 302-236-2050

Sent from [Mail](#) for Windows 10

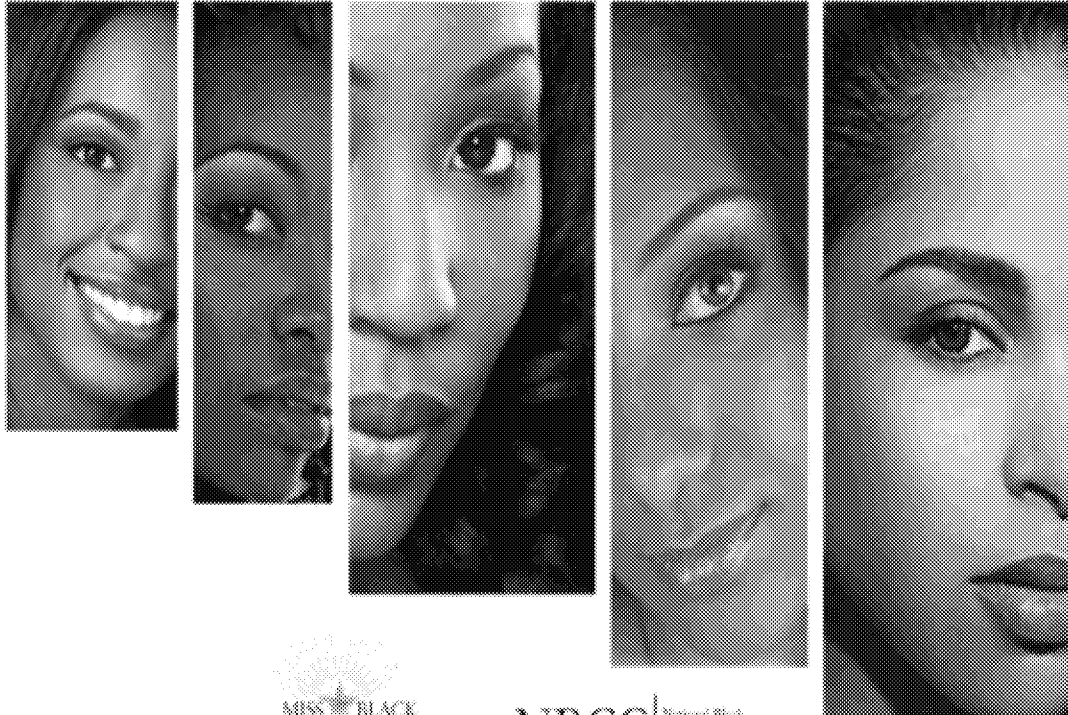
Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 7/12/2018 2:49:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Would You Like To Meet Miss Black America Past And Present?

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 10/19/2017 8:33:00 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, EI]
Subject: RE: HollyFrontier meeting request
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Blake,

Attached is the form that Tate mentioned. If you could provide me with further info, I would be happy to get back to you within a week if that's not too late. Also, feel free to send future requests directly to me/Tate. Ryan gets a lot of messages so he may have missed this one.

Thanks!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Barfield, Blake [mailto:Blake.Barfield@HollyFrontier.com]
Sent: Thursday, October 19, 2017 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: HollyFrontier meeting request

We sent it to RJ.

Happy to fill out a form – don't believe we have yet.

No apology necessary!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, October 19, 2017 3:14 PM
To: Barfield, Blake
Cc: Ford, Hayley
Subject: Re: HollyFrontier meeting request

Who did you send your original, official meeting request to? Hayley our scheduling guru is CC'd and can send you the internal official meeting request form if you haven't already filled it out. Sorry- we cannot locate your original request and apologize if there was a mistake on our end.

On Oct 19, 2017, at 2:17 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Tate:

Hope you're well; good visiting earlier this week.

Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.

Thanks

Blake

--

Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Mike Rock [MAROCK@up.com]
Sent: 10/16/2017 3:18:01 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Pruitt visit to Omaha

Are you available now?

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 11:15:45 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Date: 10/16/2017 11:15 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Good on our end. Do you have time for a call today just to go to logistics? Happy to work around your schedule.

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 11:11 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

We can make 3:30 work. Are you ok with that time on your end?

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 10:11:28 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Date: 10/16/2017 10:11 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Thank you, sir!

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 10:09 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

OK, give me an hour or so, and I will get back to you.

=====
Mike Rock
Vice President, External Relations
Union Pacific
Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:56:15 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:56 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

=====

Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

**

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**

Message

From: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Sent: 11/6/2017 9:56:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Meeting Request - Newtrient

Hi Tate,

We look forward to meeting you and Jeff in a few minutes. I can give you a call when we are in the lobby.

Thanks,

Kevin O. Swanson

Senior Associate

Ex. 6 | michaelbeststrategies.com



From: Swanson, Kevin O (59578)
Sent: Tuesday, October 31, 2017 10:18 AM
To: 'Bennett, Tate'
Subject: RE: Meeting Request - Newtrient

Tate,

Happy to. I sent one over few minutes ago. I also saw that Jeff Sands accepted the invite which is perfect because we were looking to touch base with him as well. We are excited to learn more about the stakeholder education programs that you are working on. As a bit of background, Newtrient has been encouraged to participate in the Lake Champlain Basin Program and will be looking at their grant opportunities to further fund their work in VT. We look forward to sharing the work that Newtrient has done there as well as Wisconsin. In terms of attendees for the meeting we will be bringing:

Steve Rowe, CEO, Newtrient
Denise Bode, Partner, Michael Best Strategies
Clay Detlefsen, National Milk
Paul Bleiberg, National Milk
Bruce Knight, Strategic Conservation Solutions
Kevin Swanson, Michael Best Strategies

Please let me know if you have any further questions.

Best,

Kevin O. Swanson

Senior Associate

Ex. 6 | michaelbeststrategies.com



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, October 31, 2017 9:07 AM
To: Swanson, Kevin O (59578)
Subject: Re: Meeting Request - Newtrient

Not sure if I asked but could you send a calendar invite? Also, 1200 PA Ave NW North Building.

On Oct 27, 2017, at 3:09 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:


Tate,

No worries at all. I'm glad we could get some time with you. We'd be happy to meet then. I can send you a list of attendees next week. Please let me know if there are any special access instructions or points of contact we should be aware for entering the building.

Thanks,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<[image001.png](#)>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Friday, October 27, 2017 2:54 PM

To: Swanson, Kevin O (59578)

Subject: Re: Meeting Request - Newtrient

I'm so sorry! Is 5:30 too late?

On Oct 27, 2017, at 1:07 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

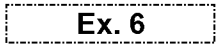
Hi Tate,

Was hoping to follow up with you on a meeting time for Monday 11/6. We're can make anytime the afternoon between 1-6pm work.

Thanks again,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<[image001.png](#)>

From: Swanson, Kevin O (59578)

Sent: Tuesday, October 24, 2017 4:42 PM

To: 'Bennett, Tate'

Cc: Bode, Denise A (53804); Gordon, Stephen

Subject: RE: Meeting Request - Newtrient

Hi Tate,

No worries at all and thanks for your willingness to meet. We can do the afternoon of Monday the 6th any time between 1-6pm. Let us know what works best for you.

Best,

Kevin O. Swanson

Senior Associate

Ex. 6

michaelbeststrategies.com

<image001.png>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, October 24, 2017 4:20 PM
To: Swanson, Kevin O (59578)
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

Hi there! Sorry for the delay and thanks for following up with me. Somehow I missed your initial e-mail. What time on the 6th would be best for you? Sorry, I know you initially asked for the 7th, but do you still have availability that Monday?

Looking forward to it.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578) [<mailto:koswanson@michaelbeststrategies.com>]
Sent: Tuesday, October 24, 2017 4:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>
Subject: RE: Meeting Request - Newtrient

Hello Tate:

I was hoping to follow up on Ken Wagner's recommendation below that we meet with you to introduce what our client, Newtrient, is working on with the dairy industry to address their non-point source emissions. We would appreciate the opportunity to meet with you and learn more about EPA's stakeholder outreach efforts in this area. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson
Senior Associate

Ex. 6

michaelbeststrategies.com

<image001.png>

From: Swanson, Kevin O (59578)
Sent: Wednesday, October 18, 2017 5:18 PM
To: 'Bennett.Tate@epa.gov'
Cc: Bode, Denise A (53804)
Subject: Meeting Request - Newtrient

Hello Tate:

I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

Ex. 6

michaelbeststrategies.com

<image001.png>

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, September 20, 2017 at 9:02 AM
To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com;
dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
US Environmental Protection Agency

Ex. 6

wagner.kenneth@epa.gov

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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 11/16/2017 7:36:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Got it thanks

Sent from my iPhone

On Nov 16, 2017, at 11:35 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Knowing of your interest in this issue, I just wanted to make you aware of the below announcement. Hope all is well. -Tate

EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

WASHINGTON – The U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (the agencies) are proposing to amend the effective date of the 2015 rule defining "waters of the United States." The agencies are proposing that the 2015 rule would not go into effect until two years after today's action is finalized and published in the Federal Register. This amendment would give the agencies the time needed to reconsider the definition of "waters of the United States."

"Today's proposal shows our commitment to our state and tribal partners and to providing regulatory certainty to our nation's farmers, ranchers and businesses," said EPA Administrator Scott Pruitt. "This step will allow us to minimize confusion as we continue to receive input from across the country on how we should revise the definition of the 'waters of the United States.'"

The 2015 rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. Implementation of the 2015 rule is currently on hold as a result of the Sixth Circuit's nationwide stay of the rule, but that stay may be affected by a pending Supreme Court case. The 2015 rule is also stayed in 13 states due to a North Dakota district court ruling. EPA and the Army are taking this action to provide certainty and consistency to the regulated community.

"The Army, together with the Army Corps of Engineers, propose this rule with EPA to help continue to provide clarity and predictability to the regulated public during the rule making process. We are committed to implementing the Clean Water Act Section 404 regulatory program as transparently as possible for the regulated public," said Mr. Ryan Fisher, Acting Assistant Secretary of the Army (Civil Works).

This action follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.

The agencies' proposal is separate from the two-step process the agencies propose to take to reconsider the 2015 rule. The comment period for the Step 1 rule closed in September and the agencies are currently working to review the comments received from the public. The agencies are also in the process

of holding listening sessions with stakeholders as we work to develop a proposed Step 2 rule that would revise the definition of “waters of the United States.”

The agencies will be collecting public comment on this proposal for 21 days after publication in the Federal Register and plan to move quickly to take final action in early 2018.

Additional information on this proposal and how to comment: www.epa.gov/wotus-rule

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: postmaster@croplife.org [postmaster@croplife.org]
Sent: 11/16/2017 7:35:46 PM
To: mcallister.ray@croplife.org
Subject: Undeliverable: EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"
Attachments: EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"
Sent: 11/16/2017 7:35:40 PM



Your message to mcallister.ray@croplife.org couldn't be delivered.

mcallister.ray wasn't found at croplife.org.

Bennett.Tate Action Required	Office 365	mcallister.ray Recipient
		

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 11/16/2017 7:35:40 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: mcallister.ray@croplife.org
Subject: EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient mcallister.ray@croplife.org not found by SMTP address lookup
DSN generated by: AM4PR03MB1730.eurprd03.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
-----	------------	------	----	------

1	11/16/2017 7:35:40 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	map
2	11/16/2017 7:35:40 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
3	11/16/2017 7:35:43 PM	gcc01-dm2-obe.outbound.protection.outlook.com	HE1EUR01FT022.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
4	11/16/2017 7:35:46 PM	HE1EUR01FT022.eop-EUR01.prod.protection.outlook.com	AM4PR03CA0026.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
5	11/16/2017 7:35:46 PM	AM4PR03CA0026.eurprd03.prod.outlook.com	AM4PR03MB1730.eurprd03.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

Received: from AM4PR03CA0026.eurprd03.prod.outlook.com (2a01:111:e400:7a67::36) by AM4PR03MB1730.eurprd03.prod.outlook.com (2603:10a6:200:f::20) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.218.12; Thu, 16 Nov 2017 19:35:46 +0000

Received: from HE1EUR01FT022.eop-EUR01.prod.protection.outlook.com (2a01:111:f400:7e1f::200) by AM4PR03CA0026.outlook.office365.com (2a01:111:e400:7a67::36) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.239.5 via Frontend Transport; Thu, 16 Nov 2017 19:35:46 +0000

Authentication-Results: spf=none (sender IP is 23.103.201.128) smtp.mailfrom=epa.gov; croplife.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com;croplife.org; dmarc=none action=none header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.128) by HE1EUR01FT022.mail.protection.outlook.com (10.152.0.165) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.218.12 via Frontend Transport; Thu, 16 Nov 2017 19:35:43 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=enG5epxnP38d0QARfCxLPr8tglCYRi2TtgSGRgECIpg=;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by

CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0218.015; Thu, 16 Nov 2017 19:35:40 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: =?Windows-1252?Q?EPA_and_the_Army_Propose_to_Amend_the_Effective_Date_of_?=
=?Windows-1252?Q?the_2015_Rule_Defining_=?3Waters_of_the_United_States=94?=
Thread-Topic: =?Windows-1252?Q?EPA_and_the_Army_Propose_to_Amend_the_Effective_Date_of_?=
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Date: Thu, 16 Nov 2017 19:35:40 +0000
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<CY4PR09MB1509C78E53D96E4B7C319D25962E0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
z-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
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received-spf: None (protection.outlook.com: epa.gov does not designate
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Return-Path: Bennett.Tate@epa.gov

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X-EOPTenantAttributedMessage: 415alc40-15d6-431a-b3c9-6ae456a7fba7:0

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From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 11/16/2017 7:35:40 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Knowing of your interest in this issue, I just wanted to make you aware of the below announcement. Hope all is well. - Tate

EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

WASHINGTON – The U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (the agencies) are proposing to amend the effective date of the 2015 rule defining "waters of the United States." The agencies are proposing that the 2015 rule would not go into effect until two years after today's action is finalized and published in the Federal Register. This amendment would give the agencies the time needed to reconsider the definition of "waters of the United States."

"Today's proposal shows our commitment to our state and tribal partners and to providing regulatory certainty to our nation's farmers, ranchers and businesses," said EPA Administrator Scott Pruitt. "This step will allow us to minimize confusion as we continue to receive input from across the country on how we should revise the definition of the 'waters of the United States.'"

The 2015 rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. Implementation of the 2015 rule is currently on hold as a result of the Sixth Circuit's nationwide stay of the rule, but that stay may be affected by a pending Supreme Court case. The 2015 rule is also stayed in 13 states due to a North Dakota district court ruling. EPA and the Army are taking this action to provide certainty and consistency to the regulated community.

"The Army, together with the Army Corps of Engineers, propose this rule with EPA to help continue to provide clarity and predictability to the regulated public during the rule making process. We are committed to implementing the Clean Water Act Section 404 regulatory program as transparently as possible for the regulated public," said Mr. Ryan Fisher, Acting Assistant Secretary of the Army (Civil Works).

This action follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.

The agencies' proposal is separate from the two-step process the agencies propose to take to reconsider the 2015 rule. The comment period for the Step 1 rule closed in September and the agencies are currently working to review the comments received from the public. The agencies are also in the process of holding listening sessions with stakeholders as we work to develop a proposed Step 2 rule that would revise the definition of "waters of the United States."

The agencies will be collecting public comment on this proposal for 21 days after publication in the Federal Register and plan to move quickly to take final action in early 2018.

Additional information on this proposal and how to comment: www.epa.gov/wotus-rule

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Mike Rock [MAROCK@up.com]
Sent: 10/16/2017 3:11:07 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Pruitt visit to Omaha

We can make 3:30 work. Are you ok with that time on your end?

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 10:11:28 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Date: 10/16/2017 10:11 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Thank you, sir!

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 10:09 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

OK, give me an hour or so, and I will get back to you.

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:56:15 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:56 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

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**

Message

From: Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]
Sent: 10/19/2017 8:09:33 PM
To: Mike Rock [MAROCK@up.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Pruitt visit to Omaha

Of course. Attendees on our end are the following.

Lincoln Ferguson - Senior Advisor
Sarah Greenwalt - Senior Advisor to Water and Cross - Cutting Issues
Troy Lyons - Associate Administrator, Office of Congressional & Intergovernmental Relations
Jahan Wilcox and Michael Abboud will be traveling with us from our press shop but are unlikely to participate in the meeting.

Sent from my iPad

On Oct 19, 2017, at 11:25 AM, Mike Rock <MAROCK@up.com> wrote:

Millan, thanks for letting me know. I get in tomorrow morning. No changes in attendees on our side. If something changes, I'll let you know, but that is unlikely. Do you have a list of who all will be with the Administrator?

Mike

Mike Rock
Vice President - External Relations
Union Pacific

Ex. 6

On Oct 19, 2017, at 11:57 AM, Hupp, Millan <hupp.millan@epa.gov> wrote:

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Mike,

Good morning. We connected with Tony this morning for a walk-through of tomorrow. Thank you so much for providing that contact. Seems all is squared away for the Administrator's visit.

I will be there ahead of the Administrator tomorrow afternoon and have arranged to connect with Tony when I arrive. Kindly let me know if there is anything further you need from us.

Finally, I just want to confirm there have been no changes to the attendee list you provided previously.

Thank you so much,

Millan Hupp
Director of Scheduling and Advance

Ex. 6

Sent from my iPhone

On Oct 17, 2017, at 8:54 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hi Mike!

Thanks for getting this back to me and for facilitating this meeting. The Administrator is looking forward to visiting Union Pacific's HQ and meeting Mr. Fritz. Our Advance Team will likely take it from here with Tony.

I look forward to seeing you in D.C. sometime soon. Thanks again.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental
Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Mike Rock [<mailto:MAROCK@up.com>]

Sent: Tuesday, October 17, 2017 9:12 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: Pruitt visit to Omaha

Tate, here is the information you were looking for regarding Friday's meeting. Please let me know if you need anything else. If you could send me a list of the people who will be attending the meeting with the Administrator, that would be great.

Mike

Date - Friday, October 20, 2017

Time - 3:30 p.m.

Place - Union Pacific Headquarters - 1400 Douglas Street - Omaha, Nebraska

We have made arrangements to use the garage in the headquarters' building. It is on N 15th Street between Douglas and Dodge Streets. Douglas street is a one way street as is 15th. They will come down Douglas and make a left onto 15th. (15th is a short street) Our garage is on the right across from the Residence Inn

Union Pacific Police contact

Tony Paulsen - [Ex. 6]
[Ex. 6]

Attendees

Lance Fritz - Chairman, President, and CEO - Union Pacific
Cameron Scott - Executive Vice President and Chief Operating Officer - Union Pacific
Scott Moore - Senior Vice President Corporate Relations - Union Pacific
Mike Rock - Vice President External Relations - Union Pacific

Our folks will be coming back from a field visit so they won't be in coat and tie - just FYI.

Mike Rock contact information - [Ex. 6]
[Ex. 6]

Items of Discussion

Clean Power Plan
Waters of the U.S.
Railroad Tie Combustion Rule (burning them vs. landfill)
Overall permit reform

=====
Mike Rock
Vice President, External Relations
Union Pacific
[Ex. 6]

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**

**

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**

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 10/2/2017 2:33:41 PM
To: Brooks, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6f369a2ef33e4a87af349210a3915a57-BBrooks]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Danielle Quist [danielleg@fb.org]
CC: Don Parrish [donp@fb.org]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Davis, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7fca02d1ec544fbbbd6fb2e7674e06b2-Davis, Patr]
Subject: RE: farm bureau

Either works for me. Thanks!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] **Ex. 6**
Cell: [redacted] **Ex. 6**
andreww@fb.org

From: Brooks, Becky [mailto:Brooks.Beky@epa.gov]
Sent: Monday, October 02, 2017 10:23 AM
To: Bennett, Tate; Danielle Quist; Andrew Walmsley
Cc: Don Parrish; Gordon, Stephen; Davis, Patrick
Subject: RE: farm bureau

2:30 works for Patrick, as well.

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Bennett, Tate
Sent: Monday, October 02, 2017 10:21 AM
To: Brooks, Becky <Brooks.Beky@epa.gov>; Danielle Quist <danielleg@fb.org>; Andrew Walmsley <andreww@fb.org>
Cc: Don Parrish <donp@fb.org>; Gordon, Stephen <gordon.stephen@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Subject: RE: farm bureau

Good here. 2:30 would be ideal but can make 2 work.

From: Brooks, Becky
Sent: Monday, October 2, 2017 10:20 AM
To: Danielle Quist <danielleg@fb.org>; Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Don Parrish <donp@fb.org>; Gordon, Stephen <gordon.stephen@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Subject: RE: farm bureau

Are folks available at 2:00 tomorrow, October 3? If so, we can send out a meeting notice with the address and room number. Thanks. Becky

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Danielle Quist [mailto:danielleg@fb.org]
Sent: Thursday, September 28, 2017 6:05 PM
To: Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Don Parrish <donp@fb.org>; Gordon, Stephen <gordon.stephen@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Subject: Re: farm bureau

I am free all day Monday. Tuesday I am free before 10 a.m. and then after 2 p.m.

Thanks!

Sent from Danielle H. Quist's phone

On Sep 28, 2017, at 5:45 PM, Andrew Walmsley <andreww@fb.org> wrote:

I'm free most of Monday before 2:00 p.m.

Thanks!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Sep 28, 2017 5:36 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
Monday or Tuesday would be great for my team!

> On Sep 28, 2017, at 5:27 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:
>
> Hi Don, Danielle and Andrew,
>
> Thank you. I have copied Becky Brooks to find a convenient time for us to meet next week.
>
> Thanks,
>
> Patrick Davis
> Environmental Protection Agency
> Deputy Assistant Administrator, Office of Land and Emergency Management
> 202-564-3103 office
> Ex. 6 cell
>
> Information sent to this email address may be subject to FOIA.
>
> -----Original Message-----
> From: Don Parrish [mailto:donp@fb.org]

> Sent: Thursday, September 28, 2017 5:09 PM
> To: Bennett, Tate <Bennett.Tate@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
> Cc: Andrew Walmsley <andreww@fb.org>; Danielle Quist <danielleg@fb.org>
> Subject: RE: farm bureau
>
> Yes - I need to hand this off the Danielle and Andrew. And I can also attend.
>
> Don R Parrish
> American Farm Bureau Federation(r)
> Ex. 6
> donp@fb.org
>
>
> -----Original Message-----
> From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
> Sent: Thursday, September 28, 2017 3:26 PM
> To: Davis, Patrick
> Cc: Don Parrish
> Subject: Re: farm bureau
>
> You bet. Don, can your guys come chat with us on this?
>
>> On Sep 28, 2017, at 2:53 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:
>>
>> Hi Tate,
>>
>> Could you please help me schedule a meeting with the farm bureau to discuss cercla EPCRA ?
>>
>> Thanks,
>>
>> Patrick Davis
>> Environmental Protection Agency
>> Deputy Associate Director, Office of Land and Emergency Management
>> 202-564-3103 office
>> Ex. 6 cell
>>
>> Emails sent to this address may be subject to FOIA.
>>
>> Sent from my iPhone

Message

From: Danielle Quist [danielleq@fb.org]
Sent: 10/2/2017 2:20:55 PM
To: Brooks, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6f369a2ef33e4a87af349210a3915a57-BBrooks]; Andrew Walmsley [andreww@fb.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Don Parrish [donp@fb.org]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Davis, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7fca02d1ec544fbbbd6fb2e7674e06b2-Davis, Patr]
Subject: RE: farm bureau

I am available at that time.

Danielle Hallcom Quist
Senior Counsel for Public Policy
American Farm Bureau Federation
600 Maryland Avenue, SW Suite 1000W
Washington, DC 20024
Office: **Ex. 6**
Mobile:
danielleq@fb.org

From: Brooks, Becky [mailto:Brooks.Beky@epa.gov]
Sent: Monday, October 02, 2017 10:20 AM
To: Danielle Quist; Andrew Walmsley
Cc: Bennett, Tate; Don Parrish; Gordon, Stephen; Davis, Patrick
Subject: RE: farm bureau

Are folks available at 2:00 tomorrow, October 3? If so, we can send out a meeting notice with the address and room number. Thanks. Becky

Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762

From: Danielle Quist [mailto:danielleq@fb.org]
Sent: Thursday, September 28, 2017 6:05 PM
To: Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Don Parrish <donp@fb.org>; Gordon, Stephen <gordon.stephen@epa.gov>; Brooks, Becky <Brooks.Beky@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Subject: Re: farm bureau

I am free all day Monday. Tuesday I am free before 10 a.m. and then after 2 p.m.

Thanks!

Sent from Danielle H. Quist's phone

On Sep 28, 2017, at 5:45 PM, Andrew Walmsley <andreww@fb.org> wrote:

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Thanks!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: **Ex. 6**
Cell: **Ex. 6**
andreww@fb.org

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> Hi Don, Danielle and Andrew,

>

> Thank you. I have copied Becky Brooks to find a convenient time for us to meet next week.

>

> Thanks,

>

> Patrick Davis

> Environmental Protection Agency

> Deputy Assistant Administrator, Office of Land and Emergency Management

> 202-564-3103 office

> **Ex. 6** cell

>

> Information sent to this email address may be subject to FOIA.

>

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

> From: Don Parrish [<mailto:donp@fb.org>]

> Sent: Thursday, September 28, 2017 5:09 PM

> To: Bennett, Tate <Bennett.Tate@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>

> Cc: Andrew Walmsley <andreww@fb.org>; Danielle Quist <danielleg@fb.org>

> Subject: RE: farm bureau

>

> Yes - I need to hand this off the Danielle and Andrew. And I can also attend.

>

> Don R Parrish

> American Farm Bureau Federation(r)

> **Ex. 6**

> donp@fb.org

>

>

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

> From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

> Sent: Thursday, September 28, 2017 3:26 PM

> To: Davis, Patrick

> Cc: Don Parrish

> Subject: Re: farm bureau

>

> You bet. Don, can your guys come chat with us on this?

>

>> On Sep 28, 2017, at 2:53 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:

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>> Hi Tate,

>>
>> Could you please help me schedule a meeting with the farm bureau to discuss cercla EPCRA ?
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>> Thanks,
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>> Patrick Davis
>> Environmental Protection Agency
>> Deputy Associate Director, Office of Land and Emergency Management
>> 202-564-3103 office
>> Ex. 6 cell
>>
>> Emails sent to this address may be subject to FOIA.
>>
>> Sent from my iPhone

Message

From: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Sent: 10/18/2017 9:18:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Bode, Denise A (53804) [dabode@michaelbeststrategies.com]
Subject: Meeting Request - Newtrient
Attachments: About Newtrient -- 20896270 v1.PDF

Hello Tate:

I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

Ex. 6

michaelbeststrategies.com



From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, September 20, 2017 at 9:02 AM
To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate
Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com; dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
US Environmental Protection Agency

Ex. 6

wagner.kenneth@epa.gov

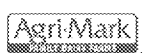
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Who is Newtrient?

Forward-looking dairy industry leaders driving to play an increasingly important role in supplying the world with healthy food, stimulating the rural economy, and effectively protecting the environment.



Select Milk



These dairy cooperatives represent 50+% of the milk produced in the U.S. representing 20,000+ dairy farms of all sizes.



Playing integral roles on Newtrient's Board of Managers, these two industry associations work on behalf of the entire dairy industry in terms of promotion, research, education, innovation, issues management, international trade and public policy.

Newtrient is a dairy driven venture focused on reducing the environmental footprint of dairy farming and making it economically viable to do so. **Newtrient** does this by advancing:

1. The state of manure management technologies
2. The marketplace for manure-based products
3. The adoption of environmental asset markets for voluntary, pollution prevention services

- I. Farmers are perfectly situated to
 - A. voluntarily protect the environment,
 - B. reduce the total cost of environmental protection,
 - C. receive economic value for the products and protections created

- II. Environmental Asset Markets Are the Key to unlocking the potential environmental and economic potential of agricultural by-product. Environmental Asset Markets shift government's role from environmental "cop" to economic stimulator using an environmental services marketplace:
 - A. Incentivizing the lowest cost pollution prevention to voluntarily act first, and
 - B. Directing some of those economic savings to the benefit of those obligated to incur higher cost pollution prevention efforts

- III. The Result:
 - A. Unleashed power of the marketplace
 - B. Increased application of technologies
 - C. Stimulated rural economies
 - D. Increased economic opportunity for farmers performing voluntary environmental protection actions
 - E. Reduced environmental protection costs for municipalities and other large sources
 - F. Aligning of incentives between regulators and the regulated community
 - G. Overall improved environmental protection

- I. Timely confluence of political change, technological opportunity and shift of focus from point sources to non-point sources of potential pollution
 - A. EPA's command & control model was built on the belief that environmental protection required "negative drivers" to force certain behaviors
 - B. Positive economic drivers, will result in both faster and less expensive environmental protection/improvement with the additional benefits of:
 - 1. Economic stimulation in rural (non-point source) America
 - 2. Cost reduction in urban (point source & stormwater) America
 - 3. Regulators welcomed rather than feared and avoided
 - 4. Farmers valued as the true protectors of the environment

- II. Manure is a largely neglected valuable resource
 - A. Manure's economic value is trapped
 - 1. Farmers are "price takers" for their products
 - 2. Commodity pricing
 - 3. Necessary cooperative structures
 - 4. Antiquated farm input supply chain
 - B. Antiquated concepts of environmental protection
 - 1. Command & Control works well in urban and point-source settings
 - 2. Command & Control is antithetical to rural outlook and non-point settings

- III. Newtrient's recently released Technology Catalog is a publicly available analysis of all relevant dairy manure management technologies in the U.S.
 - A. Open source: available to all
 - 1. Dairy farmers
 - 2. The rest of the barnyard
 - 3. Regulators
 - 4. Technology vendors and consultants
 - B. Designed to provide information and spur technological competition
 - C. Views manure management as a means to generate economic value



Newtrient: 10255 West Higgins Road, Suite 900 Rosemont, IL 60018 www.NEWTRIENT.com

Message

From: Ethan Mathews [emathews@croplifeamerica.org]
Sent: 9/29/2017 7:23:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: EPA meetings

Tate -

CLA is interested in attending the smart sectors meeting with the Administrator next week. We are fully supportive of the Agency's regulatory reform plans and would greatly appreciate the opportunity to attend this event.

Ethan Mathews
Director of Government Affairs
CropLife America emathews@croplifeamerica.org

Ex. 6 (o)
(m)

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 10/19/2017 7:16:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: HollyFrontier meeting request

Tate:

Hope you're well; good visiting earlier this week.

Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.

Thanks
Blake

--
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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Message

From: Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]
Sent: 10/18/2017 2:44:53 PM
To: lisa@lca.org
CC: McMurray, Forrest [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=344246fb2cb643bfab4f92fe016566e2-McMurray, F]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Louisiana Chemical Association Annual Meeting

Lisa,

Thank you so much for sending over Mr. Smith's contact info. Forrest McMurray, copied here, will be reaching out to schedule a time to do a walk-through with you all next week, likely on Thursday, October 26th.

Also copying Tate Bennett as she will be able to assist with any necessary talking points.

Kindly let us know if there is anything you need from us in the meantime.

Warm regards,

Millan Hupp
Director of Scheduling and Advance
Office of the Administrator
Ex. 6 Email: hupp.millan@epa.gov

From: Ford, Hayley
Sent: Monday, October 16, 2017 11:30 AM
To: Hupp, Millan <hupp.millan@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: FW: Louisiana Chemical Association Annual Meeting

Security POC at the Loews Hotel in New Orleans for Oct 26-27.

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Lisa Pulizzano [<mailto:Lisa@lca.org>]
Sent: Monday, October 16, 2017 11:26 AM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

Thanks for sending this – also, I am not sure the security protocol for Mr. Pruitt, but below is the information for the contact at the Loews. Let me know if you need anything from me!

Joel Smith
Director of Security

Loews New Orleans Hotel
300 Poydras Street
New Orleans, LA 70130

Ex. 6

Joel.Smith@loewshotels.com

Lisa Pulizzano
Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040, Baton Rouge, Louisiana 70825

Ex. 6



From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Friday, October 13, 2017 1:52 PM
To: Lisa Pulizzano <Lisa@lca.org>
Subject: RE: Louisiana Chemical Association Annual Meeting

Hi Lisa,

Wanted to get back to you on this. I think you could keep this broad and just name it "Getting Back to the Basics at EPA."

Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Lisa Pulizzano [<mailto:Lisa@lca.org>]
Sent: Thursday, October 5, 2017 12:39 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

I would imagine they are interested in the current EPA regulations, as well as any future regulations that may come out.

Thoughts?

Lisa Pulizzano

Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825

Ex. 6



From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]

Sent: Thursday, October 05, 2017 11:34 AM

To: Lisa Pulizzano <Lisa@lca.org>

Subject: RE: Louisiana Chemical Association Annual Meeting

Lisa,

Can you suggest what your members would like to hear about and potential titles for the speech? I can then bring to our team to confirm.

Thank you for offering a hotel room for the night before. Let me send through our Ethics office to confirm if we are able to accept and get back to you if that's ok.

Thank you!

Hayley Ford

Deputy White House Liaison

Office of the Administrator

Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

ford.hayley@epa.gov

Ex. 6

From: Lisa Pulizzano [<mailto:Lisa@lca.org>]

Sent: Thursday, October 5, 2017 12:08 PM

To: Ford, Hayley <ford.hayley@epa.gov>

Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

I hope you are doing well!!

I realize we are still a few weeks out, but do you by chance have a title in mind for the Administrator's speech? Also, would you know if the Administrator will need a room for Thursday night? We have some speaker rooms set aside at the Hotel if needed.

Thanks!

Lisa Pulizzano

Executive Director, LCIA and Director, Workforce Development & Education

Ex. 6



From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Wednesday, September 27, 2017 10:18 AM
To: Lisa Pulizzano <Lisa@lca.org>
Subject: RE: Louisiana Chemical Association Annual Meeting

Here you go!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Lisa Pulizzano [mailto:Lisa@lca.org]
Sent: Wednesday, September 27, 2017 11:15 AM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

Are you able to send a bio & headshot for the administrator?

Lisa Pulizzano
Executive Director, LCIA and Director, Workforce Development & Education

Ex. 6



From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Friday, September 22, 2017 4:18 PM
To: Lisa Pulizzano <Lisa@lca.org>
Cc: Greg Bowser <GREG@lca.org>
Subject: RE: Louisiana Chemical Association Annual Meeting

This sounds great and we should be able to make this work well. Please consider us confirmed for the keynote.

Our scheduling & advance team will be in touch as the date approaches for logistical questions. Let us know if you have any questions on your end before then!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Lisa Pulizzano [<mailto:Lisa@lca.org>]
Sent: Friday, September 22, 2017 11:48 AM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Greg Bowser <GREG@lca.org>
Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

Please find attached the Administrator's speaker request form – please let us know if you have any other questions.

Lisa Pulizzano
Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825

Ex. 6



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

From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Friday, September 22, 2017 10:10 AM
To: Greg Bowser <GREG@lca.org>
Cc: Lisa Pulizzano <Lisa@lca.org>
Subject: RE: Louisiana Chemical Association Annual Meeting

Hi Greg,

It would be most helpful if you could first complete the attached form with all details you have at this time. I will then look at requested times and we can determine what would work best. Our advance and public affairs team then may want to discuss logistical details and/or message/press.

Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North ford.hayley@epa.gov

Ex. 6

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

From: Greg Bowser [<mailto:GREG@lca.org>]
Sent: Friday, September 22, 2017 10:58 AM

To: 'Landry, Jeffrey' <LandryJ@ag.louisiana.gov>; Ford, Hayley <ford.hayley@epa.gov>

Cc: Lisa Pulizzano <Lisa@lca.org>

Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

We look forward to having the Administrator address our group in October. I look forward to discussing this event in detail with you. Please let me know when you are available to discuss. Thanks

Gregory M. Bowser

President

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825

Ex. 6

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

From: Landry, Jeffrey [mailto:LandryJ@ag.louisiana.gov]

Sent: Thursday, September 21, 2017 2:09 PM

To: Ford, Hayley <ford.hayley@epa.gov>

Cc: Greg Bowser <GREG@lca.org>

Subject: Re: Louisiana Chemical Association Annual Meeting

Please reach out to Greg Bowser who I have copied to this email.

Thanks

Jeff Landry

Attorney General

Sent from my iPhone

> On Sep 21, 2017, at 1:19 PM, Ford, Hayley <ford.hayley@epa.gov> wrote:

>

> Hello Attorney General Landry,

>

> I'm happy to let you know that the Administrator will be available to address this group. He appreciates the invitation and opportunity. Who should I communicate with regarding details and logistics? Specifically, exact timing and agenda for the event so we can build into his schedule?

>

> Thank you and we look forward to it!

>

> Hayley Ford

> Deputy White House Liaison

> Office of the Administrator

> Environmental Protection Agency

> Room: 3309C William Jefferson Clinton North ford.hayley@epa.gov

>

Ex. 6

>

>

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

> From: Landry, Jeffrey [mailto:LandryJ@ag.louisiana.gov]

> Sent: Monday, September 18, 2017 2:40 PM

> To: Ford, Hayley <ford.hayley@epa.gov>

> Subject: Re: Louisiana Chemical Association Annual Meeting

>
> Thank you so much. I believe it would be a great opportunity.
>
> Jeff Landry
> Attorney General
> Sent from my iPhone
>
> On Sep 18, 2017, at 12:42 PM, Ford, Hayley <ford.hayley@epa.gov<mailto:ford.hayley@epa.gov>> wrote:
>
> Hello Attorney General Landry,
>
> I work on the Administrator's scheduling team and Sam forwarded along your below invitation to Louisiana. We appreciate the opportunity. I wanted to let you know that we are reviewing the October schedule and will be in touch with you shortly regarding this request.
>
> Please let me know if you need anything in the meantime. Thank you!

>
> Hayley Ford
> Deputy White House Liaison
> Office of the Administrator
> Environmental Protection Agency
> Room: 3309C William Jefferson Clinton North
> ford.hayley@epa.gov<mailto:ford.hayley@epa.gov>

> **Ex. 6**
>
>

> Begin forwarded message:
> From: "Landry, Jeffrey"
> <LandryJ@ag.louisiana.gov<mailto:LandryJ@ag.louisiana.gov>>
> Date: September 15, 2017 at 1:59:08 PM EDT
> To: Samantha Dravis
> <davis.samantha@epa.gov<mailto:davis.samantha@epa.gov>>
> Cc: "Mule, Sarah"
> <MuleS@ag.louisiana.gov<mailto:MuleS@ag.louisiana.gov>>
> Subject: Louisiana Chemical Association Annual Meeting Sam

>
> Just following up on a conversation we had a month or so ago. He Louisiana Chemical Association is having their annual meeting Oct 26&27 in NOLA at the Loew's hotel.

>
> This is a meeting of the Managers that are responsible for operation the chemical facilities in Louisiana. They would like Scott to address the group either day.

> Can you let me know if he is still available?

>
> Jeff Landry
> Attorney General
> Sent from my iPhone

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>
> _____

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>

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The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. To reply to our e-mail administrator directly, please send an e-mail to postmaster@ag.state.la.us.

Message

From: Ethan Mathews [emathews@croplifeamerica.org]
Sent: 9/29/2017 7:19:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Hearing info
Attachments: 9.28.17 Questions - Michael Dourson Nomination Hearing.docx; ATT00001.txt

Tate -

Attached is info CLA is providing to members of the EPW committee in advance of the nominee hearing. We are particularly focused on the PRIA question. Let me know if you want to discuss.

Senate EPW Committee Hearing on the Nomination of Michael Dourson – EPA Assistant Administrator for the Office of Chemical Safety and Pollution Prevention

Wednesday, October 4, 2017, 10:00 AM, Room 406 of the Dirksen Senate Office Building

Preserving the risk-based regulatory model

Dr. Dourson: As you know, the U.S. follows a risk-based model in registration of pesticides – which we also see in the General Agreement on Tariffs and Trade (GATT) – which has proven to be the gold standard for much of the world. However, the European Union has been trending toward hazard-based regulation, in spite of its commitments in GATT and a consensus that the risk-based model is more science-based and protective of human health and the environment. To cite one example, the U.S. has refused to issue a ban on the use of neonicotinoid pesticides (neonics), while the European Commission continues to move in that direction and proposed earlier this year to ban neonics for all applications except greenhouses. To cite another example, the European Commission has taken an approach to registering pesticides (Regulation (EC) No. 1107/2009) that establishes several hazard-based “cut-off” criteria that essentially exclude certain categories of products from consideration, without performing a risk assessment. As you know, such a process is entirely contradictory to the risk-based model that is used in the United States?

Since EPA is the agency responsible for protecting the gold-standard of risk-based rulemaking, please provide your thoughts on how you, as the head of the EPA office that regulates pesticides, will defend that risk-based approach inherent in the agency’s regulatory decisions, domestically as well as on the international stage.

Process fouls, regulation by letter

EPA in recent past has imposed new requirements (for instance, additional label language relating to pollinators) through processes not authorized in the statute – Under your leadership, in what ways can we expect EPA to more strictly follow the law as written by Congress? And if substantial changes are warranted, will you tell us in Congress so WE can change the law, not bureaucrats?

FIFRA sufficiency

After a registrant spends tens of millions (or >100 m) on development, many millions on safety data, submits often times over one hundred studies on the safety of the product, AND goes through FQPA rulemaking (special examination of children’s risks, aggregate risk assessment, etc.) - can EPA actually communicate to the public that this pesticide product will not result in any unreasonable effects to the environment and human health? The Federal Food, Drug and Cosmetic Act says food must be “safe” but EPA seems reluctant to say the word – how will you ensure that EPA appropriately defends Agency decisions?

PRIA/OPP Funding Question

The Pesticide Registration Improvement Act (PRIA) was first enacted in 2003 and established a fee schedule for pesticide registration requests. It lists specific decision time periods for EPA to make a regulatory decision on

pesticide registration and tolerance actions submitted to the Agency. The goal of PRIA was to create a more predictable and effective evaluation system for affected pesticide decisions and couple the collection of individual fees with specific decision review periods. It also promoted shorter decision review periods for reduced-risk applications.

It has been tremendously successful, providing hundreds of millions of dollars in funding to EPA and providing product developers with clarity on timelines for agency actions and facilitating investment in research and development of new products. Importantly, it also has provided \$1 million annually in worker protection and pesticide safety training, funded by industry fees.

PRIA has been reauthorized twice since it was first enacted – in 2007 and 2012 – each time by unanimous consent. It has been supported by large and small manufacturers of agricultural and non-agricultural products, antimicrobial products, biotech companies, and biopesticides, as well as labor and environmental advocates. The current law expires on September 30, 2017. HR 1029, the Pesticide Registration Enhancement Act, which would reauthorize these authorities passed the House on March 20, 2017 and was reported by the Senate Agriculture Committee on June 29, 2017.

What would the impact be to worker protection programs if PRIA is not reauthorized?

Answer:

- The \$1 million annually that goes to program funding for worker protection safety and training – largely in cooperation with State Departments of Agriculture and Cooperative Extension Service -- would cease. Therefore those programs would either have to be funded with other EPA funds (difficult in a time of shrinking budgets), funded by our state partners, or terminated.

What would the impact be to EPA if PRIA is not reauthorized?

Answer:

- The loss of maintenance and registration fees would result in the elimination of 200 full-time-equivalent positions in EPA's Office of Pesticide Programs.
- The authority to collect product maintenance fees expires on 9/30/2017, resulting in an annual loss of resources of \$27.8 million. However, EPA's obligation to conduct registration review continues. Without additional resources, it will be impossible for EPA to comply with the 2022 review deadline.
- New registration applications submitted after 9/30/2017 have no completion deadlines. Companies will face tremendous uncertainty about whether to make new R&D investment in new products.

Pollinators

Science magazine described studies (February 5, 2016 issue) which finally confirmed what beekeepers and the United States Department of Agriculture (USDA) scientists had known for some time; that an invasive Asian bee parasite, which was first found in the U.S in 1987 is considered to be the "single most detrimental pest of honey bees and can magnify the role of viruses in bee health" according to USDA scientists. More evidence turned up when tests were done in Australia, the only major land mass that had not been invaded by those destructor mites. Australian farmers used a wide range of pesticides just like those in the U.S. and yet Australian bee

colonies were healthy and on the rise. Scientists finally figured out how these invasive destructor mite impacted bees. Given the importance of pollinators to agricultural production, Dr. Dourson, will you work to develop policies to control and eventually eradicate the invasive Asian Varroa destructor mites so as to protect the efforts of farmers and beekeepers?

(WICKER) Agriculture is vital to the economy and people of Mississippi. With farming comes crop pests and disease that must be managed. To do that, we need crop protection tools and I regularly hear from farmers that the access to new and innovative products has become more restrictive. Many of these delays and restrictions are due to concerns about honeybees even when the crops are wind pollinated (e.g. corn, cotton, sorghum, soybeans) and bees are not present. This policy is overly precautionary and not risk vs. benefit and has broken down a system of collaboration and friendship between beekeepers and farmers many of which have been in place for decades.

Will you commit to re-evaluating this policy put in place in the last Administration and bring balance and appropriate risk vs. benefit consideration back to the registration process?

ESA

Action is needed to minimize the threat to EPA's pesticide program posed by the federal government's inability so far to effectively integrate the requirements of the Federal Fungicide, Insecticide and Rodenticide Act and the Endangered Species Act. As it stands, the failure to reconcile these two statutes is a threat to US agriculture and is of no benefit to listed species or their habitats. What opportunities do you believe exist to improve these issues and allow the registration of pesticides while simultaneously protecting endangered species and their habitat?

Agricultural productivity

What is the appropriate role for EPA in improving the efficiency of American agriculture and the competitiveness of American agricultural products in world markets?

Public engagement & education on 'Risk'

The characterization of hazards and risks to human health and the environment can be very frightening and confusing for the American public, as well as policy makers. What can EPA do to improve the public understanding of the relative risks of the technologies it is called on to regulate?

Transparency

Transparency is essential to maintaining public trust in the EPA's review and regulation of chemical products. Whether EPA ultimately decides to authorize use of a chemical product or not, it is imperative that Agency decisions be based on sound science and that the review process is as transparent as possible. As Assistant

Administrator, how will you commit to basing regulatory decisions on studies and information that have been made available to the public?

NPDES

(FISCHER) I continue to be concerned about NPDES permit requirements for the application of pesticides to, over and near water. NPDES permits are duplicative and do not add any additional environmental protection beyond those provided via the EPA registration process. To the contrary, NPDES permits negatively impact the ability to protect people from mosquitoes that can vector the Zika Virus and other viruses, to control invasive aquatic plants that contribute to flooding, impede navigation and impact public safety, and many other important uses. As Assistant Administrator will you uphold the rigorous FIFRA pesticide registration process and work with Congress to eliminate these costly and duplicative permits?

Ethan Mathews

Director of Government Affairs

CropLife America emathews@croplifeamerica.org

Ex. 6

(o)

(m)

Message

From: Don Parrish [donp@fb.org]
Sent: 9/28/2017 2:19:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE:

You're the best!

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, September 28, 2017 10:08 AM
To: Don Parrish
Subject: Re:

You're fine. We love you so no worries

On Sep 28, 2017, at 10:01 AM, Don Parrish <donp@fb.org> wrote:

Thank you. And Sorry...

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: David Edmund Black [DAVIDBLACK@UP.COM]
Sent: 10/16/2017 2:33:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EPA Visit to Omaha

You betcha. Hope you both are well!

David Edmund Black

Union Pacific | Economic & Industrial Development - Ports
24125 Old Aldine Westfield Road | Spring, TX | 77373

Ex. 6

E: davidblack@up.com | UPRR.com



On Oct 16, 2017, at 9:09 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Thanks so much!

From: David Edmund Black [<mailto:DAVIDBLACK@UP.COM>]
Sent: Monday, October 16, 2017 9:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: EPA Visit to Omaha

Morning Tate! The best person to contact is my former boss, Mike Rock marock@up.com (202) 662-0130.

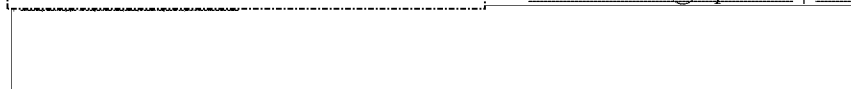
Cheers!

David Edmund Black

Union Pacific | Economic & Industrial Development - Ports
24125 Old Aldine Westfield Road | Spring, TX | 77373

Ex. 6

E: davidblack@up.com | UPRR.com



On Oct 15, 2017, at 10:20 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Hey David! Wanted to let you know that Administrator Pruitt will in Omaha next Friday and is interested in meeting with UP leadership. Do you mind helping me navigate the best way to set up a potential meeting, if possible?

Hope this finds you well--- Mark says hello. Tate

**

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**

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**

Message

From: Don Parrish [donp@fb.org]
Sent: 7/6/2018 9:24:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Council of Presidents

Tate

Could you give me a call on my cell?

Thanks
Don

Sent from [Mail](#) for Windows 10

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 7/9/2018 6:50:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Valeria Zavala [valeriaz@fb.org]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]
Subject: RE: AFBF Council of Presidents - July 11, 2018
Attachments: DaveRoss Bio.docx

Hi Valeria,

Please find Dave's bio attached and let me know if there's anything else you need from us. We're looking forward to it.

Thanks.

Andrea Drinkard
Communications Director
EPA Office of Water
Desk: 202.564.1601
Cell: Ex. 6

From: Bennett, Tate
Sent: Monday, July 09, 2018 2:43 PM
To: Valeria Zavala <valeriaz@fb.org>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: Re: AFBF Council of Presidents - July 11, 2018

Adding Andrea who can help.

On Jul 9, 2018, at 2:32 PM, Valeria Zavala <valeriaz@fb.org> wrote:

Good afternoon Hayley,

With the recent changes I understand that Mr. Dave Ross will participate in our Council of Presidents meeting on Wednesday. Don Parrish will be introducing him and what we need is a short bio for him.

Is this something you can send my way?

Thank you!

Valeria Zavala
Managing Director, Legislative Services
Public Affairs Department
American Farm Bureau Federation®
600 Maryland Ave S.W., Suite 1000W

Washington, D.C. 20024
Office: **Ex. 6**
Cell: **Ex. 6**
valeriaz@fb.org

From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Wednesday, June 27, 2018 2:33 PM
To: Valeria Zavala <valeriaz@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
Subject: RE: AFBF Council of Presidents - July 11, 2018

Hi Valeria,

Yes, Administrator Pruitt looks forward to it! Would you please complete the attached form so that we have other relevant info for the event?

Thank you!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: **Ex. 6**

From: Valeria Zavala [<mailto:valeriaz@fb.org>]
Sent: Wednesday, June 27, 2018 2:08 PM
To: Woodward, Cheryl <Woodward.Cheryl@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: AFBF Council of Presidents - July 11, 2018

Good afternoon,

We are very excited to know that Mr. Pruitt will join us July 11 at 10.30am.

Our meeting will take place at the Holiday Inn Capitol (550 C Street SW, Washington DC) in Capitol Ballroom.

Please let me know what information you need and how can I help you with his arrival.

Valeria Zavala
Managing Director, Legislative Services
Public Affairs Department
American Farm Bureau Federation®
600 Maryland Ave S.W., Suite 1000W
Washington, D.C. 20024
Office: **Ex. 6**
Cell: **Ex. 6**
valeriaz@fb.org

Dave Ross
Assistant Administrator for the Office of Water
U.S. Environmental Protection Agency

Dave Ross is the Assistant Administrator for the Office of Water at the U.S. Environmental Protection Agency. Dave has more than 20 years of experience working on water issues in both state government and the private sector. Prior to joining EPA in January 2018, Mr. Ross worked as the Director of the Environmental Protection Unit at the Wisconsin Department of Justice. During his tenure, he served as the lead environmental prosecutor for the State of Wisconsin and worked closely with the Wisconsin Department of Natural Resources on environmental and natural resources issues. Mr. Ross has also worked in the Wyoming Attorney General's Office representing the Water Quality Division of the Wyoming Department of Environmental Quality and as a partner in the land use and natural resources practice at an international law firm in Washington, D.C. Earlier in his career, he provided project management and environmental consulting services to the City of San Diego, California with a focus on designing, installing, and testing wastewater reclamation and repurification technologies. Mr. Ross received his J.D. and Masters in Environmental Law from Vermont Law School and graduated with a Bachelor of Arts from the University of Wisconsin-Madison.

Message

From: Don Parrish [donp@fb.org]
Sent: 10/2/2017 11:46:30 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: 2 Things

I will check on the Tennessee question and get back to you.

Sent from my iPhone

On Oct 1, 2017, at 7:25 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

- 1) <!--[if !supportLists]--><!--[endif]-->Lee says he is going to see you this week and will have an update for you re strategy.
- 2) <!--[if !supportLists]--><!--[endif]-->Do you have the name of actively engaged farmer in TN (maybe NOT on the board of TN farm bureau) that I can talk to briefly about dicamba? I'm working on an informal survey of potential responses/ labeling for the Administrator and I've hit all relevant states except TN.

Sorry to bother you!

Message

From: Jennifer Butler [butler@spn.org]
Sent: 7/6/2018 6:10:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: David Stevenson [davidstevenson1948@gmail.com]
Subject: Re: Meeting Request

Excellent - and thank you!

As you can understand we are trying to pack as many meetings as possible - so right now we have the following availability:

Monday, July 16 11:00 - 11:40am

Tuesday July 17:
8 - 9:30 am
Noon - 3:30 pm

Thanks again for responding in what must be a busy time!

Jennifer Butler
State Policy Network
Ex. 6
Butler@spn.org

Sent from my iPad

On Jul 6, 2018, at 10:52 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hi David-

Just want to let you know we will be happy to accommodate your request. Let me get back to you on Monday and we can discuss a time/ specifics.

Talk soon.

Tate

On Jul 6, 2018, at 8:51 AM, David Stevenson <davidstevenson1948@gmail.com> wrote:

Elizabeth Tate
Bennett
8
Associate Administrator for Public Engagement

7/7/201

The State Policy Network has a group flying in for meetings in DC on July 16 – 17 to follow up issues of interest with key departments. Obviously, the EPA is playing a major role in successful changes that affect the states. We would like to hear suggestions of how we can help you move our shared agenda forward. A list of attendees is shown below. Jennifer Butler, copied on this email, is handling the logistics and can coordinate

the meeting time/date. Tuesday afternoon might be best for us. Some areas of interest:

- 1) Status reports on major Administrative Procedures in the Air and Radiation Division;
 - A) Clean Power Plan
 - B) Endangerment Finding
 - C) Ozone Standards
 - D) SNAP regulations for mobile air conditioning refrigerants
 - E) "Good Neighbor" initiative along with its impact on petitions to force upwind states to do more.
- 2) Todd Myers from Washington has been working on getting state grants to become block grants with John Konkus, so a meeting with him would be helpful.

We certainly understand the recent resignation of Administrator Pruitt may complicate our visit, but would appreciate anything you can do to facilitate the meeting.

Here is the list of people coming into town and will be present for the meeting:

- Buckeye Institute, Ohio - Joe Nichols
- Caesar Rodney Institute, Delaware - David Stevenson
- Center for the American Experiment, Minnesota - Isaac Orr
- Independence Institute, Colorado - Brit Naas
- Mackinac Center for Public Policy, Michigan - Jason Hayes
- Montana Policy Institute - Brent Mead
- Property and Environment Research Center, nationwide - Hannah Downey
- Sutherland Institute, Utah - Matt Anderson
- Thomas Jefferson Institute, Virginia - Michael Thompson
- Washington Policy Center - Todd Myers
- Jennifer Butler, State Policy Network

David T. Stevenson
Director, Center for Energy Competitiveness
Caesar Rodney Institute
EPA Transition Team Member

Ex. 6

Sent from [Mail](#) for Windows 10

Message

From: Don Parrish [donp@fb.org]
Sent: 9/28/2017 12:48:40 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]

I have a question and request when you get a minute. Thanks.

Don R Parrish
American Farm Bureau Federation®

Ex. 6
donp@fb.org

Message

From: Jennifer Butler [butler@spn.org]
Sent: 7/9/2018 5:17:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: David Stevenson [davidstevenson1948@gmail.com]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Meeting Request

That's perfect - I will follow-up with the list of attendees.

Thank you!

Jennifer Butler
State Policy Network
Ex. 6
Butler@spn.org

Sent from my iPad

On Jul 9, 2018, at 1:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Monday.

From: David Stevenson [<mailto:davidstevenson1948@gmail.com>]
Sent: Monday, July 9, 2018 1:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jennifer Butler <butler@spn.org>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Meeting Request

Is that Monday or Tuesday. Thank you!
Dave Stevenson

Sent from [Mail](#) for Windows 10

From: [Bennett, Tate](#)
Sent: Monday, July 9, 2018 12:28 PM
To: [David Stevenson](#)
Cc: [Jennifer Butler](#); [Gordon, Stephen](#)
Subject: RE: Meeting Request

Also, please arrive a little early to get everyone security so we can start on time. I would plan to arrive at 10:45. Stephen (cc'd) or myself will be your points of contact at the desk.

From: Bennett, Tate
Sent: Monday, July 9, 2018 12:26 PM
To: 'David Stevenson' <davidstevenson1948@gmail.com>
Cc: Jennifer Butler <butler@spn.org>
Subject: RE: Meeting Request

Hi David. Staff from the Office of Air and myself can 11:00 AM – 11:30 AM at the EPA north building. Does that work for you? Also, do you mind sending me a list of attendees when it gets closer?

From: David Stevenson [mailto:davidstevenson1948@gmail.com]
Sent: Friday, July 6, 2018 8:52 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jennifer Butler <butler@spn.org>
Subject: Meeting Request

Elizabeth Tate Bennett
Associate Administrator for Public Engagement

7/7/2018

The State Policy Network has a group flying in for meetings in DC on July 16 – 17 to follow up issues of interest with key departments. Obviously, the EPA is playing a major role in successful changes that affect the states. We would like to hear suggestions of how we can help you move our shared agenda forward. A list of attendees is shown below. Jennifer Butler, copied on this email, is handling the logistics and can coordinate the meeting time/date. Tuesday afternoon might be best for us. Some areas of interest:

- 1) <!--[if !supportLists]--><!--[endif]-->Status reports on major Administrative Procedures in the Air and Radiation Division;
 - A) <!--[if !supportLists]--><!--[endif]-->Clean Power Plan
 - B) <!--[if !supportLists]--><!--[endif]-->Endangerment Finding
 - C) <!--[if !supportLists]--><!--[endif]-->Ozone Standards
 - D) <!--[if !supportLists]--><!--[endif]-->SNAP regulations for mobile air conditioning refrigerants
 - E) <!--[if !supportLists]--><!--[endif]-->"Good Neighbor" initiative along with its impact on petitions to force upwind states to do more.
- 2) <!--[if !supportLists]--><!--[endif]-->Todd Myers from Washington has been working on getting state grants to become block grants with John Konkus, so a meeting with him would be helpful.

We certainly understand the recent resignation of Administrator Pruitt may complicate our visit, but would appreciate anything you can do to facilitate the meeting.

Here is the list of people coming into town and will be present for the meeting:

- Buckeye Institute, Ohio - Joe Nichols
- Caesar Rodney Institute, Delaware - David Stevenson
- Center for the American Experiment, Minnesota - Isaac Orr
- Independence Institute, Colorado - Brit Naas
- Mackinac Center for Public Policy, Michigan - Jason Hayes
- Montana Policy Institute - Brent Mead
- Property and Environment Research Center, nationwide - Hannah Downey
- Sutherland Institute, Utah - Matt Anderson
- Thomas Jefferson Institute, Virginia - Michael Thompson
- Washington Policy Center - Todd Myers
- Jennifer Butler, State Policy Network

David T. Stevenson
Director, Center for Energy Competitiveness
Caesar Rodney Institute
EPA Transition Team Member

Ex. 6

Sent from Mail for Windows 10

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 7/5/2018 6:37:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Come For The Chicken & Waffles - Stay For The Networking!

July 5, 2018

NBCC

National
Black
Chamber of Commerce®

***A More Dynamic Economy: HOW TO TRANSFORM OUR ANALOGUE
ECONOMY WITH 21ST CENTURY SOLUTIONS***
Register Today

26th Annual Conference is Set to Roll!

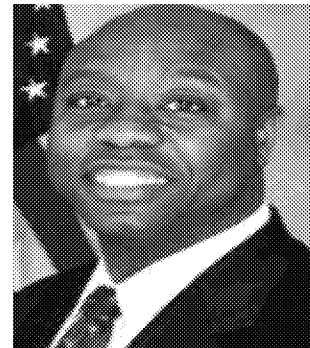
Let me introduce myself, I'm Courtney Reynolds from Louisiana and I am the Chairwoman of the National Black Chamber of Commerce. I would love to meet you at our annual conference. You'll meet people from all over the US, Cameroon, Nigeria and Columbia.

We've got a dynamic and vibrant meeting July 19- 21, 2018 in Washington, DC. Our meeting venues for Thursday and Friday are on Capitol Hill and our Saturday meeting is at Ben's Next Door on U Street (come for the chicken and waffles, stay for the networking).



We've added more subject matter experts to our speakers' list and the topics are geared to get you thinking about the possibilities of A More Dynamic Economy – How to Transform our Analogue Economy into 21st Century Solutions. Come for the networking, stay for the networking. Early bird registration expires Monday. (P.S. I'm bringing Louisiana pralines to share with ya'll.)

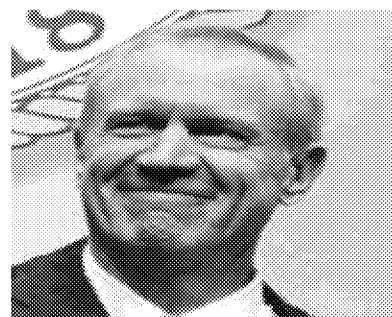
Senator Tim Scott on Opportunity Zones, Recipient of the NBCC 2018 Parren J. Mitchell Award



Butch Anthony, CEO of This Is It Bar-b-q & Seafood (available as Franchises) and author of *God has a Plan for the Underdog*.

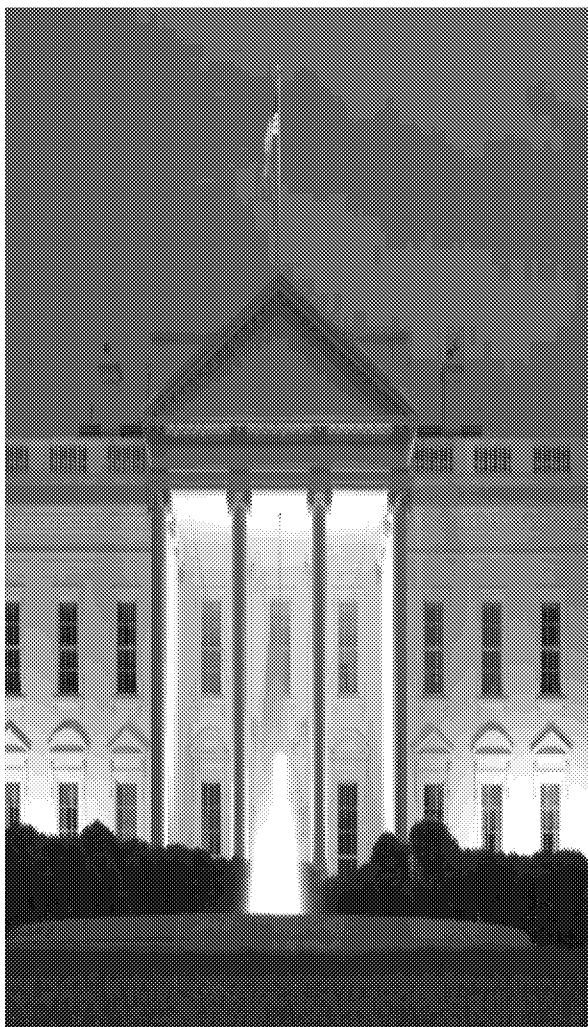


Governor Bruce Rauner of Illinois, Recipient of the NBCC 2018 Arthur A. Fletcher Lifetime Achievement Award





Toni Karnes, Program Manager for Dept. of Economic & Community Development, State Of Connecticut



Henry Childs, The White House Office of Public Liaison for Urban Revitalization

Thompson & Grace Medical City - Lagos, Nigeria. Thompson & Grace Medical City (TGMC) is a sustainable healthcare development model anchored on philosophy of work, live, play, heal and learn; business initiative by the Thompson & Grace Group (T&G) in Nigeria.



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe benett.tate@epa.gov](mailto:bennett.tate@epa.gov)

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 7/9/2018 4:53:53 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: National Black Chamber of Commerce Annual Conference Kicks off in Washington, DC

July 9, 2018



***National Black Chamber of Commerce Annual Conference
Kicks off in Washington, DC!***
Register Today

Speakers to Discuss Opportunity Zones, Illinois African American Fair Contracting Commission, Bonding Assistance and Negative Impact of Project Labor Agreements

Courtney Reynolds, NBCC Chairwoman. Please [join us](#) in Washington, DC. Early bird registration ends today!

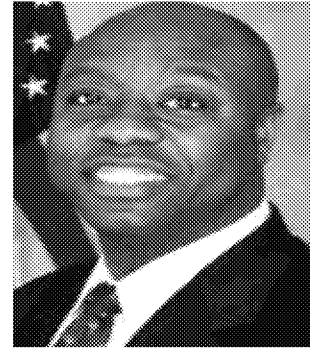


Harry C. Alford, NBCC president and CEO says "Federal procurement with African-Americans is at a precipitous low of 1.8%, we must come together and find solutions to increase this number." Representatives from The Small Business Administration (SBA) and the US Department of Transportation will give updates.



WASHINGTON, DC, UNITED STATES, July 9, 2018 -- The National Black Chamber of Commerce's [\(NBCC\) 26th Annual Conference](#) is set to roll! We kick off "A More Dynamic Economy-How to Transform Our Analogue Economy with 21st Century Solutions" Conference on July 19-21, 2018 at the Senate Hart Building in Washington, DC. This is a great opportunity to build your network and expand your opportunities. Entrepreneurs from across the United States and Cameroon, Kenya, Nigeria and France are expected to participate.

The Honorable Senator Tim Scott has confirmed his attendance and will discuss his legislation creating Opportunity Zones which are designed to spur economic development and job creation in distressed communities. Senator Scott is the recipient of the NBCC's 2018 Parren J. Mitchell Award.



Successful Restaurateur Mr. Shelley "Butch" Anthony, III, Co-Founder/CEO of This Is It! Bar-B-q & Seafood Restaurants a Business Coach, Motivational Speaker (Own The Dirt) and author of "God has a Plan for the Underdog" is just one of our dynamic speakers.



Illinois Governor Bruce Rauner will be in attendance to accept the NBCC's 2018 Arthur A. Fletcher Award. We honor Governor Rauner, in part, for his Executive Order to establish parity for African American contractors in the State of Illinois.



Panel discussions will highlight the negative impact of Project Labor Agreements, Bonding Assistance, Smart Cities and 5G wireless deployment.

Registration is open to all. Please go to <http://bit.ly/DynamicEconomy> for more information. Early Bird registration ends today.

The National Black Chamber of Commerce® is dedicated to economically empowering and sustaining African American communities through entrepreneurship and capitalistic activity within the United States and via interaction with the Black Diaspora

| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](#)

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Sent by halford@nationalbcc.org in collaboration with



Try it free today

From: Amanda Culp [Amanda@nasda.org]
Sent: 9/11/2017 12:49:04 PM
Subject: NASDA to Honor Public Servants to Agriculture throughout Annual Meeting
Attachments: Gilson_455.jpg; Reardon.jpeg; Dennis Kelly_455.jpg; McCabe_455.jpg; AM17_HonorAwards_09072017.pdf

FOR IMMEDIATE RELEASE: September 11, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

NASDA to Honor Public Servants to Agriculture throughout Annual Meeting

At the annual meeting of the National Association of State Departments of Agriculture (NASDA) in New Orleans, Louisiana this week, top employees of three state departments of agriculture will be honored for their service, communication, and administration to their state.

“There is so much talent working to advance American agriculture in our departments, talent that often goes unrecognized. NASDA’s Honor Awards Program provides our members the opportunity to recognize their staff for their work on a national stage,” said NASDA President and Louisiana Commissioner of Agriculture & Forestry Dr. Michael G. Strain. “Congratulations to our 2017 NASDA Honor Awards recipients!”

James A. Graham Award

The purpose of the James A. Graham Award is to recognize an individual for outstanding work in providing service to agricultural producers.

The James A. Graham Award is awarded to Joe Reardon, Assistant Commissioner for Consumer Protection at the North Carolina Department of Agriculture & Consumer Services. Joe has served the department in various regulatory positions for over 30 years and has also worked cooperatively with state departments of agriculture during his tenure at the U.S. Food and Drug Administration. Reardon’s leadership, vision and strategic direction increased collaboration and communication with federal, state and local partners to achieve a national integrated food safety system.

NASDA Communications Award

The purpose of the NASDA Communications Award is to recognize an individual for outstanding work in media and public communications within a state agency resulting in improved understanding of agriculture and agricultural programs.

The Honor Award for Communications is awarded to Donna Gilson, Sr. Communications Specialist, Wisconsin Department of Agriculture, Trade & Consumer Protection. Gilson has played a critical role in improving the public’s understanding of the Wisconsin Department of Agriculture, Trade and Consumer Protection’s mission and role in the agriculture industry.

Whether the topic is sustainable agriculture, farmland preservation, soil erosion, endangered species, food safety and animal health, or any number of others, Gilson has dedicated herself to educating and guiding the public about a variety of agriculture issues through the years. She has been on the front lines of skillfully managing communications for some of our state’s most important issues.

Douglass-Irvin Administration Award

The purpose of the Douglass-Irvin Administration Award is to recognize an individual for outstanding contributions within a state agency resulting in improved efficiency and impact.

The recipient of the 2017 Douglass – Irvin Administration Award is Kristy McCabe, Finance Director at the Virginia Department of Agriculture & Consumer Services. By streamlining policies to increase productivity, developing new processes to improve operations, reaping efficiencies from cross training, improving organizational structure, automating services, and approaching every day's work with excellent service in mind; McCabe has played a critical role in improving the operations of the department she serves.

Ambassador's Circle Award

Forging new partnerships for sound agriculture policy relies on generous stakeholders. The newly established Ambassador's Circle Award recognizes an external stakeholder to NASDA who has provided exemplary dedication to advancing NASDA's mission.

The recipient of the 2017 NASDA Ambassador's Circle Award is Dennis Kelly, Head of State Affairs for Syngenta. Having attended every NASDA Annual Meeting since 1992, Dennis Kelly has more than 25 years of experience of working cooperatively with NASDA Members to advance American agriculture. Working with farmers and regulators across the United States, Dennis has had the opportunity to help growers enhance their agricultural production through the use of new technologies. Dennis is a core part of the support mechanism for NASDA and the entire agriculture community. Dennis is a dedicated industry leader whose leadership, personal effort, and dedication to NASDA have contributed to successful policy outcomes and the amplification of NASDA's mission.

NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org. To view a list of previous recipients of the awards, or review the purpose of each award, click [here](#).

###

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Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
September 11, 2017

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###



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Tel: 202-296-9680
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Message

From: Julia Recko [juliad@fb.org]
Sent: 9/8/2017 6:02:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Friday at 1:30pm Eastern

Hi again Tate, don't know if you got my invite. But if you are still free please call this number below.

Ready-Access Number:

Access Code:

From: Julia Recko
Sent: Wednesday, September 06, 2017 3:14 PM
To: 'Bennett, Tate'
Subject: RE: Friday at 1:30pm Eastern

Sure can! I am going to have our grant specialist join the call as well, so I will send a meeting invitation with a conference call number.

You should get that in a minute.

Thanks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, September 06, 2017 3:13 PM
To: Julia Recko
Subject: Re: Friday at 1:30pm Eastern

Can you do 2?

On Sep 6, 2017, at 3:00 PM, Julia Recko <juliad@fb.org> wrote:

Hi again Tate, would Friday at 1:30pm eastern work for a call?

Julia Recko

Director of Education Outreach, Foundation

www.agfoundation.org

Seed the Future, Grow Together

From: Amanda Culp [Amanda@nasda.org]
Sent: 9/14/2017 8:43:32 PM
Subject: NASDA Elects Reviczky of Connecticut President
Attachments: AM17_NewLeadership_09142017.pdf

FOR IMMEDIATE RELEASE: September 14, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

NASDA Elects Reviczky of Connecticut President

New Board of Directors, Committee Leadership Also Named at Closing Day of Annual Meeting

The National Association of State Departments of Agriculture (NASDA) today elected a new slate of officers for the coming year. Connecticut Commissioner of Agriculture Steven K. Reviczky will serve as NASDA's 2017-18 President and will host the 2018 NASDA Annual Meeting in Hartford, Connecticut from September 9-12.

"I look forward to continuing to partner with my colleagues from across the country as we amplify NASDA's unique voice and engage the administration and Congress to advance the interests of agriculture in the states," said NASDA President and Connecticut Commissioner of Agriculture Steven Reviczky. "Over the next year NASDA will continue to advance America's farmers and ranchers by pressing Congress to enact a forward-looking farm bill, advocating for agriculture's interests in the international marketplace, and working to successfully implement the Food Safety Modernization Act."

"I am especially excited about leading the work of our reinvigorated NASDA Foundation, a 501(c)(3) established in 1981. We have a new strategic plan guiding our work to 2020, and a new mission to advance agriculture and cultivate other societal benefits by empowering state departments of agriculture."

Also elected to NASDA's Board of Directors were New Mexico Secretary of Agriculture Jeff Witte (Vice President), Michigan Director of Agriculture Jamie Clover Adams (Second Vice President), and Kentucky Commissioner of Agriculture Ryan Quarles (Secretary-Treasurer). Louisiana Commissioner of Agriculture & Forestry Mike Strain will serve as NASDA's Past President and North Dakota Commissioner of Agriculture Doug Goehring will serve in the At-Large position. Utah Commissioner of Agriculture LuAnn Adams, Mississippi Commissioner of Agriculture Cindy Hyde Smith, New York State Commissioner of Agriculture Richard Ball, and South Dakota Secretary of Agriculture Mike Jaspers will serve as the Western, Southern, Northeastern, and Midwestern representatives respectively.

Following his election, Commissioner Reviczky appointed the leadership of NASDA's six policy committees:

Marketing and International Trade Committee

- Chair: Washington Director of Agriculture Derek Sandison (*New*)
- Vice Chair: South Dakota Secretary of Agriculture Mike Jaspers (*New*)

Natural Resources and Environment Committee

- Chair: Wyoming Director of Agriculture Doug Miyamoto
- Vice Chair: Tennessee Commissioner of Agriculture Jai Templeton (*New*)

Animal Agriculture Committee

- Chair: Nevada Director of Agriculture Jim Barbee
- Vice Chair: Alabama Commissioner of Agriculture John McMillan

Plant Agriculture & Pesticide Regulation Committee

- Chair: Oklahoma Secretary of Agriculture Jim Reese (*New*)
- Vice Chair: Virginia Commissioner of Agriculture Sandy Adams (*New*)

Rural Development and Financial Security Committee

- Chair: Pennsylvania Secretary of Agriculture Russell Redding (*New*)
- Vice Chair: Montana Director of Agriculture Ben Thomas (*New*)

Food Regulation Committee

- Chair: New York Commissioner of Agriculture Richard Ball
- Vice Chair: Colorado Commissioner of Agriculture Don Brown (*New*)

NASDA Communications Working Group

- Chair: Missouri Director of Agriculture Chris Chinn (*New*)

NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. Learn more about NASDA at www.nasda.org.

###

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 Amanda Culp
 Director, Communications
 (202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
 September 14, 2017

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Plant Agriculture & Pesticide Regulation Committee



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Rural Development and Financial Security Committee

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###



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From: Carly Grether [carly@nasda.org]
Sent: 9/12/2017 10:02:05 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NASDA Daily Update - Tuesday, September 12



Good morning,

Welcome to New Orleans for day two of the 2017 NASDA Annual Meeting! We have a jam packed day today with our Opening Plenary Session and Raceland Raw Sugar Mill Tour. We will end the evening Rolling on the River, enjoying the tastes that Louisiana agriculture has to offer in the Port of New Orleans!

Registration Hours

7:00 AM - 6:00 PM: Come visit us at the registration desk in the **Crescent City Foyer** and get your name badge. Please wear your name badge at all times. This is required for the tour and dinner.

Daily Highlight

- How Sweet It Is Tour & Rolling on the River Dinner
- Dinner Sponsored by DuPont, FDA, and Boehringer Ingelheim

Important Attendee Information

- We will be touring the Raceland Raw Sugar Warehouse - did you know that sugar cane is Louisiana's #1 row crop?
- Buses will be departing the Roosevelt promptly at 2:30 p.m. for the tour.
- After the tour we will depart for the Port of New Orleans for a seafood extravaganza!
- Please wear cool clothes for the tour and the dinner - closed toed shoes are not required.
- **Please note that once we leave the hotel at 2:30 p.m. we will not be going back until dinner is over, so please plan accordingly.**

Stay Connected

Download the App: Review your personal agenda, receive the latest news throughout the conference, access the Wi-Fi password, and communicate with fellow attendees. **Login to the app** with your name and e-mail to receive full access and push notifications. **Search 'NASDA Events' in the app store** of your Apple or Android device to download the app for free!

#NASDA2017 & #COSDA2017: Post your NASDA Annual Meeting tweets and pictures on Twitter, Instagram, and Facebook.

Please reach out to us if you have any questions!

Best,

Carly Grether, NASDA



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#NASDAis100

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cvent

From: Carly Grether [carly@nasda.org]
Sent: 9/11/2017 10:02:07 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NASDA Daily Update - Monday, September 11



Good morning,

Welcome to New Orleans for day one of the 2017 NASDA Annual Meeting! We hope you're ready for four days filled with policy sessions, tours, networking opportunities, and inspiring keynotes.

Registration Hours

7:00 AM - 6:00 PM: Come visit us at the registration desk in the **Chamber Foyer** and get your name badge. Please wear your name badge at all times. You will need it for the Welcome Reception tonight.

Daily Highlight

- NASDA & COSDA Welcome Reception- Grand Oaks Mansion at Mardi Gras World

Agenda at a Glance

- 7:00 AM - 6:00 PM: Registration Desk Open
- 7:00 - 8:00 AM: Breakfast on your own
- 7:00 - 8:00 AM: Breakfast (NASDA Board & NASDA Staff)
- 8:00 - 11:00 AM: NASDA Board of Directors Meeting
 - NOTE: This meeting is for the Board of Directors and their staff. Other NASDA Members are welcome.
- 11:15 AM - 12:15 PM: NASDA Foundation Board of Directors Meeting
 - NOTE: This meeting is for the Board of Directors and their staff. Other NASDA Members are welcome.
- 12:15 - 1:15 PM: Lunch on Your Own

- **1:00 - 6:00 PM: Welcome & General Session - COSDA Members & Attendees**
- 1:30 - 3:30 PM: Regional Breakout Session I - Food Export Midwest, NEASDA, SUSTA, WASDA
- 3:30 - 5:30 PM: Regional Breakout Session II - MASDA, Food Export Northeast, SASDA, WUSATA
- 6:30 - 10:30 PM: NASDA & COSDA Welcome Reception- Grand Oaks Mansion at Mardi Gras World
 - NOTE: You must have your name badge

Stay Connected

Download the App: Review your personal agenda, receive the latest news throughout the conference, access the Wi-Fi password, and communicate with fellow attendees. **Login to the app** with your name and e-mail to receive full access and push notifications. **Search 'NASDA Events' in the app store** of your Apple or Android device to download the app for free!

#NASDA2017 & #COSDA2017: Post your NASDA Annual Meeting tweets and pictures on Twitter, Instagram, and Facebook.

Please reach out to us if you have any questions!

Best,

Carly Grether, NASDA



4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203
#NASDAis100

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Message

From: Ferguson, Justin [jferguson@msfb.org]
Sent: 9/23/2017 9:46:38 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Don Parrish [donp@fb.org]; Whittington, Andy [awhittington@msfb.org]
Subject: Re: Don!

Tate--was great to see you on Tuesday!
You name the time on Monday and we will catch up and be at your service!

Justin

Justin Ferguson
National Affairs Coordinator
Commodity Coordinator-Major Row Crops
Industry Affairs Liaison
Mississippi Farm Bureau Federation
Cell: [REDACTED] Ex. 6
jferguson@msfb.org

Sent from my iPhone

> On Sep 23, 2017, at 4:39 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Joe has too much dirt on me to say nice things! Andy and Justin- we are coming to MS soon and want to get together with your scene. Can I give y'all a shout on Monday?
>
>> On Sep 23, 2017, at 5:34 PM, Don Parrish <donp@fb.org> wrote:
>>
>> Andy and Justin
>>
>> I would like to introduce you guys to Tate Bennett. Tate works closely with Administrator Pruitt at EPA. I can say a lot of great things about Tate - and so can Joe Cain...so please help her if you can.
>>
>> Don
>>
>> Sent from my iPhone
>>
>>> On Sep 22, 2017, at 7:13 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>
>>> Can you introduce me to our friends at MS farm bureau?

Message

From: Don Parrish [donp@fb.org]
Sent: 9/6/2017 12:36:51 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Julia Recko [juliad@fb.org]
Subject: RE: Education Dept.

Tate

Julia Recko coordinates "ag in the classroom" program for AFBF. Julia – please meet Tate Bennett – she works for Administrator Pruitt over at EPA and wants to connect.

Julia's phone is Ex. 6 and her email is juliar@fb.org

Don R Parrish
American Farm Bureau Federation®

Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, September 06, 2017 8:30 AM
To: Don Parrish
Subject: Re: Education Dept.

Correct. Sorry.

On Sep 6, 2017, at 8:28 AM, Don Parrish <donp@fb.org> wrote:

Do you mean what we call – Ag in the Classroom?

Don R Parrish
American Farm Bureau Federation®

Ex. 6
donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, September 05, 2017 5:14 PM
To: Don Parrish
Subject: Education Dept.

Hey Don! Hope you had a nice Labor Day! Can you connect me with someone in your education department?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 7/3/2018 5:04:25 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report July 3, 2018

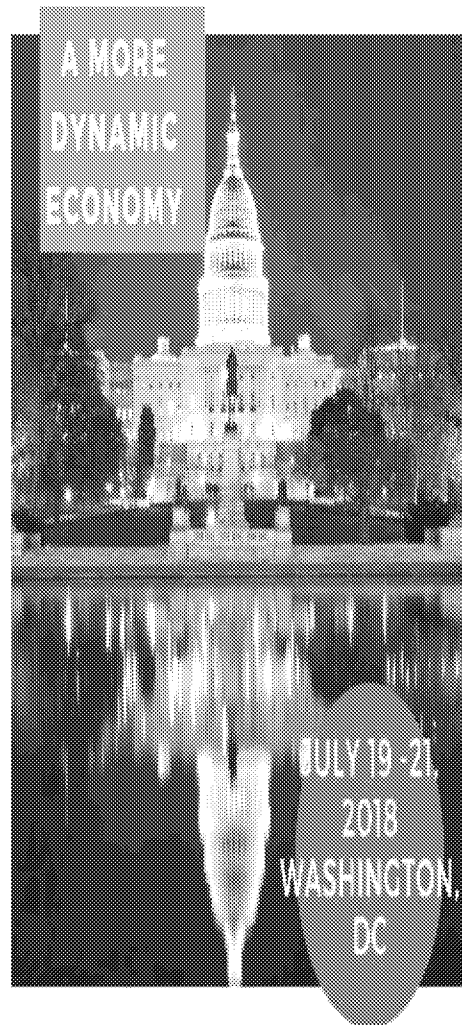
July 3, 2018



***A More Dynamic Economy: HOW TO TRANSFORM OUR ANALOGUE
ECONOMY WITH 21ST CENTURY SOLUTIONS***

26th Annual Conference is Set to

Roll! We kick off our 26th Annual Conference on July 19, 2018 at the Senate Hart Building. Keynotes by the Honorable Senator Tim Scott and Illinois Governor Bruce Rauner. Both leaders have done immense work in terms of Black business procurement and capital access. They will reflect on their glorious journeys during the past twelve months. They will receive our prestigious Parren J. Mitchell and Arthur A. Fletcher Lifetime Achievement awards respectively. We don't give these awards out every year. They are based on merit only. There will be critical panels and other keynotes throughout July 19 – 21. Fine cuisine (including chicken and waffles) and a festive reception are included in the amazing deal. Here is our latest [press release on the conference](#). Register here for the early bird discount: <http://bit.ly/DynamicEconomy>



Guest speakers | Networking | Panel Discussions | Procurement

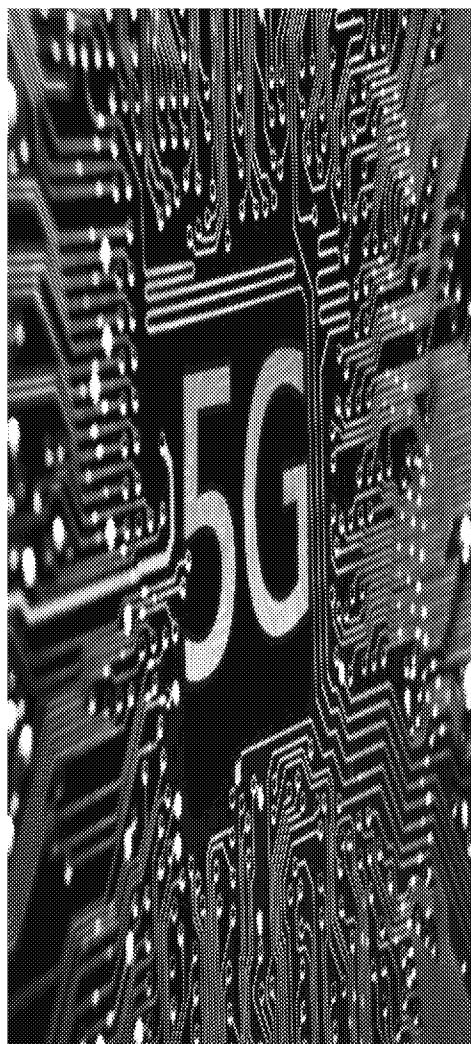
Economic Empowerment | Chamber Reports | Infrastructure

Hosted By The National Black Chamber Of Commerce @
nationalbcc.org

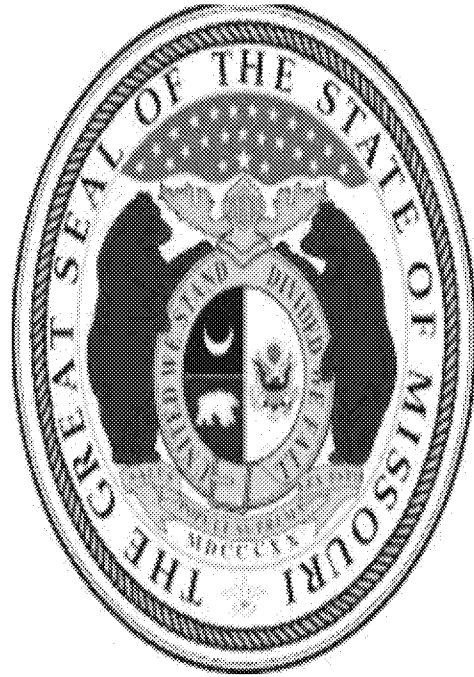
Register Today At
<http://bit.ly/DynamicEconomy>

Immigration, Immigration! The subject is a national obsession. We have decided to publicize [our position](#) on the matter.

Support the Newest Telecom Bill: We are encouraging all of you to support the Thune – Schatz Streamline Small Cell Deployment Act. Things are so exciting in this sector and our nation must pick up the pace to one day lead the world in deployment and speed.



Kudos for the Show Me State: We congratulate Ira Fowlkes and the Missouri Black Chamber of Commerce for their 1st Annual Urban Kids Fishing Derby. It was a wonderful experience for the local children. We thank Congressman Lacy Clay for [participating](#) in the event.



Decrease Pay in California Construction: The Los Angeles Times has an interesting [explanation](#) for this.

We are accepting resumes for prospective new board members from within our current NBCC membership. Please send to halford@nationalbcc.org



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](mailto:bennett.tate@epa.gov)

[Update Profile](#) | [About our service provider](#)

Sent by halford@nationalbcc.org in collaboration with



Try it free today

From: Amanda Culp [Amanda@nasda.org]
Sent: 9/13/2017 7:52:21 PM
Subject: NASDA Urges Focus on Expanding Export Markets at Annual Meeting
Attachments: AM17_Trade_09132017.pdf

FOR IMMEDIATE RELEASE: September 13, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

NASDA Urges Focus on Expanding Export Markets at Annual Meeting

The National Association of State Departments of Agriculture (NASDA) reiterated the importance of international trade and expanded export markets for U.S. agriculture at the 2017 NASDA Annual Meeting in New Orleans, Louisiana today. NASDA members voted to urge the administration to ensure gains agriculture has made under existing trade agreements are preserved. Furthermore, NASDA urged the Administration to place a priority on pursuing new free trade agreements that provide market access and a level playing field for U.S. farmers and ranchers.

Dr. Michael G. Strain, NASDA President and Louisiana Commissioner of Agriculture & Forestry, highlighted the importance of international trade to U.S. agricultural producers.

“As our competitors continue to negotiate trade agreements that give them a leg up in critical markets, it is absolutely vital that the U.S. aggressively pursue new export market opportunities for agriculture,” said Strain. “Just as importantly, we must also ensure we preserve and build upon the gains agriculture has made under existing trade agreements such as the North American Free Trade Agreement (NAFTA) and the U.S.-Korea Free Trade Agreement (KORUS).”

In addition to emphasizing the importance of NAFTA for agriculture, NASDA highlighted several opportunities to modernize the agreement, including enhancing mechanisms for states and provinces to consult with federal governments, addressing remaining market access challenges for U.S. producers, and updating and improving Sanitary and Phytosanitary (SPS) provisions. NASDA also highlighted the upcoming Tri-National Agricultural Accord hosted by NASDA and the Colorado Department of Agriculture on October 17 to 19 in Denver, Colorado. This annual meeting of the chief state and provincial agricultural officials from the U.S., Canada, and Mexico will focus on the importance of NAFTA for agriculture and opportunities for continued collaboration across North America.

Today’s meeting agenda included a presentation on the opportunities and challenges for agricultural trade by Kent Bacus, Director, International Trade, National Cattlemen’s Beef Association and an update on federal policy development for agriculture’s labor needs by Lynn Jacques, Principal, CJ Lake, LLC.

NASDA Members passed several additional action items and policy amendments during today’s committee meetings.

- Food Regulation
 - Automated Milking Installations (AMI): Urging FDA to include state regulators on AMI task force
 - FDA Dairy Inspections: Urging FDA to streamline duplicative dairy inspections
- Marketing & International Trade
 - 2018 Farm Bill: Supporting a comprehensive and unified Farm Bill
 - Food Insecurity and Nutrition Incentive Program (FINI): Supporting the FINI Program in the Farm Bill
 - Support for the U.S. Department of Agriculture’s Farm to School Grant Program

- Rural Development & Financial Security
 - Land Grant University Designation: Opposing creation of new land grant universities within the states
 - Cooperative Federalism: Emphasizing the importance of federal funding for agriculture and rural America
 - Port Infrastructure Improvements: Prioritize deepening and upgrading of ports in any infrastructure package
 - Invasive Species: Requesting greater federal coordination with the states to address invasive species challenges

###

NASDA represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. The 2017 NASDA Annual Meeting is one of two annual meetings for NASDA. For more information about this event, please click [here](#).

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
September 13, 2017

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 - Support for the U.S. Department of Agriculture’s Farm to School Grant Program
- Rural Development & Financial Security
 - Land Grant University Designation: Opposing creation of new land grant universities



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

within the states

- Cooperative Federalism: Emphasizing the importance of federal funding for agriculture and rural America
- Port Infrastructure Improvements: Prioritize deepening and upgrading of ports in any infrastructure package
- Invasive Species: Requesting greater federal coordination with the states to address invasive species challenges

###

NASDA represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. The 2017 NASDA Annual Meeting is one of two annual meetings for NASDA. For more information about this event, please click [here](#).



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Carly Grether [carly@nasda.org]
Sent: 9/22/2017 2:56:42 PM
To: Carly Grether [carly@nasda.org]
CC: Carly Grether [carly@nasda.org]
Subject: Policy Announcement- 2017 NASDA Annual Meeting

NASDA Annual Meeting Attendees,

Final policy amendments and action items voted on by the NASDA Membership are now available [here](#). You can view a summary of the policy discussions from the conference [here](#).

Press releases distributed during the meeting include:

[NASDA Elects Reviczky of Connecticut President](#)

[State Ag Officials Applaud FDA for Extending FSMA Farm Inspection and Water Quality Timeline](#)

[NASDA Honors Public Servants to Agriculture at Annual Meeting](#)

Stay tuned for a survey to be distributed in the coming days. We value your opinion and want to make our events better every year.

We look forward to seeing you at the [2018 NASDA Winter Policy Conference](#) in Washington, DC, January 29 – 31.

Carly Grether

Carly Grether, MPS | Coordinator, Member Services | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | Main: (202) 296 -9680 | Direct: **Ex. 6** | carly@nasda.org

Message

From: Provost, Megan (J) [MProvost@dow.com]
Sent: 9/29/2017 10:43:25 PM
To: 'megan@farmfoundation.org' [megan@farmfoundation.org]
Subject: See You Later

Friends-

Today is my last day in the office at Dow AgroSciences (DAS). I have truly enjoyed my time with DAS and will miss so much – the friends, the colleagues, the experiences, and (most of!) the issues.

I'm off for a new adventure with the Farm Foundation, where I will be their Vice President of Policy and Programs. Farm Foundation is an agricultural policy institute cultivating dynamic non-partisan collaboration to meet society's needs for food, fiber, feed and energy. Since 1933, it has connected leaders in farming, business, academia, organizations and government through proactive, rigorous debate and objective issue analysis.

So, this is not a "goodbye," but rather a "see you later." I'm not going far and I hope our paths will cross again soon. Please keep in touch!

Thanks,
Megan

Megan J. Provost
Vice President, Policy and Programs
Farm Foundation
1301 W. 22nd Street, Suite 906
Oak Brook, IL 60523

Ex. 6

Email: megan@farmfoundation.org

Message

From: Traci Kraus [traci.kraus@cummins.com]
Sent: 9/26/2017 4:04:50 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Follow up- Cummins

Hi Lincoln and Tate,

Thanks so much for your help! Tate, let me know some dates that may work for the Administrator and we will get to work on a program.

Best,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6

From: Ferguson, Lincoln [mailto:ferguson.lincoln@epa.gov]
Sent: Tuesday, September 26, 2017 12:02 PM
To: Traci Kraus <traci.kraus@cummins.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Follow up- Cummins

External Sender

Hi Traci –

Thanks so much for following up. I want to introduce you to Tate, who heads our Office of Public Engagement. She is going to be the best point of contact to set up a possible tour. I know the Administrator really enjoyed meeting Brian and others at the EMA meeting last week. We'll be in touch soon!

Thanks,
Lincoln

Lincoln Ferguson
Senior Advisor to the Administrator
U.S. EPA

Ex. 6

From: Traci Kraus [<mailto:traci.kraus@cummins.com>]
Sent: Tuesday, September 26, 2017 9:52 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Follow up- Cummins

Hi Lincoln,

My name is Traci Kraus and I lead government relations for Cummins energy and environment issues. My colleague Brian Mormino mentioned that following last week's meeting between Engine Manufacturers Association principals and Administrator Pruitt that the Administrator was interested in visiting Cummins and learning more about our natural gas engines.

I wanted to follow up with you to invite the Administrator to see our headquarters in Columbus, IN where we can give him a tour of our tech center, natural gas engine test facility, and all of the other exciting work we do.

Please let me know if there is a formal channel through which I should be extending this invite, but I wanted to make sure I closed the loop with you.

Thanks so much for your help!

Best,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6

Message

From: Gordon, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7C8FB4D82BFF4EEC98F5C5D00A47F554-GORDON, STE]
Sent: 9/27/2017 2:49:49 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Dudley Hoskins [Dudley@nasda.org]
Subject: RE: Question

Great, thanks so much Britt!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Wednesday, September 27, 2017 10:47 AM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Subject: RE: Question

10am works on my end.

We can use my call in line, I'll send a calendar invite. Thank you!

Number:
Call in:

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Wednesday, September 27, 2017 10:35 AM
To: Gordon, Stephen; Bennett, Tate; Britt Aasmundstad; Dudley Hoskins
Subject: RE: Question

I'll be in the Philly office the rest of the week, but I'm happy to call in. Otherwise, I can catch up with folks next week.

Thanks,

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: Gordon, Stephen
Sent: Wednesday, September 27, 2017 10:29 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Britt Aasmundstad <britt@nasda.org>; Dudley Hoskins <Dudley@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Question

Tate and I are both free at 10am EST on Friday. Would that work for everyone?

From: Bennett, Tate
Sent: Wednesday, September 27, 2017 10:23 AM
To: Britt Aasmundstad <britt@nasda.org>; Dudley Hoskins <Dudley@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Question

Nice! Chad/ Stephen- want to find a time that works on everyone's calendars?

From: Britt Aasmundstad [<mailto:britt@nasda.org>]
Sent: Wednesday, September 27, 2017 9:57 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Question

Ok! I'm free anytime outside 2-3pm. If it works for you, you can call me directly at Ex. 6 based on your availability.

Thanks, Tate!

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, September 27, 2017 9:55 AM
To: Britt Aasmundstad; Dudley Hoskins
Cc: Nitsch, Chad
Subject: RE: Question

I'll be traveling with the Administrator but I am around Friday!

From: Britt Aasmundstad [<mailto:britt@nasda.org>]
Sent: Wednesday, September 27, 2017 9:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Question

Hey Tate, so sorry this got lost in the shuffle this month. Would you have a chance to talk about this tomorrow morning?
Thank you!

Britt

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, September 05, 2017 5:35 PM
To: Britt Aasmundstad; Dudley Hoskins
Cc: Nitsch, Chad
Subject: RE: Question

Sounds good!

From: Britt Aasmundstad [<mailto:britt@nasda.org>]
Sent: Tuesday, September 5, 2017 5:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Question

Sure thing, Tate! We'll give you a call this week. We don't have something necessarily, but have a few pathways that could possibly work. We'll give you a call!

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, September 05, 2017 5:15 PM
To: Dudley Hoskins; Britt Aasmundstad
Cc: Nitsch, Chad
Subject: Question

Do you all have an Ag Education department? Need to talk to you all about prospective grant ideas. Call this week when convenient (and before it gets too close to NOLA!). Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dewey, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FC3A7E01B12F4AEBA5D34B813DF8112A-DEWEY, AMY]
Sent: 9/6/2017 7:39:05 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: willr@fb.org
Subject: FW: Florida Farm Bureau President

Tate, here is the FA Farm Bureau information.Amy

From: Crawford, GB [mailto:GB.Crawford@ffbf.org]
Sent: Wednesday, September 6, 2017 3:35 PM
To: Dewey, Amy <Dewey.Amy@epa.gov>
Subject: Florida Farm Bureau President

Dear Amy,

Florida Farm Bureau President John Hoblick has just completed a meeting.

He can now be reached via telephone at **Ex. 6**

Please let me know if you need any additional information. Thank you for your interest in assisting Florida's farm families.

GB

G.B. Crawford
Director of Public Relations
Florida Farm Bureau Federation

P: **Ex. 6** | C: **Ex. 6**

Message

From: Traci Kraus [traci.kraus@cummins.com]
Sent: 9/27/2017 2:42:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Follow up- Cummins
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hi Tate,

Thanks so much for your help! I have attached the form. Please let me know if you need additional information.

Thank you,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, September 27, 2017 10:33 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Traci Kraus <traci.kraus@cummins.com>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Follow up- Cummins

External Sender

Hi Traci! Good to hear from you. Do you mind filling out this form and sending it back to us? We will be sure to let you know the next time we are in IN!

Tate

From: Ferguson, Lincoln
Sent: Tuesday, September 26, 2017 12:02 PM
To: Traci Kraus <traci.kraus@cummins.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Follow up- Cummins

Hi Traci –

Thanks so much for following up. I want to introduce you to Tate, who heads our Office of Public Engagement. She is going to be the best point of contact to set up a possible tour. I know the Administrator really enjoyed meeting Brian and others at the EMA meeting last week. We'll be in touch soon!

Thanks,
Lincoln

Lincoln Ferguson

Senior Advisor to the Administrator

U.S. EPA

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Sent: Tuesday, September 26, 2017 9:52 AM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

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Thanks so much for your help!

Best,

Traci Kraus

Director, Government Relations

Cummins Inc.

601 Pennsylvania Ave. NW

Suite 1100N

Washington, DC 20004

Ex. 6



Meeting Request Form for Administrator Scott Pruitt

Today's Date: 9/27/17

Meeting Date: Pending Administrator availability- November- December time frame; we can work around the Administrator's schedule

Meeting Time: TBD per Administrator availability

Requested Location (if offsite, please list address, parking instructions, etc.): Cummins Inc. headquarters, Columbus, IN (an hour south of Indianapolis)

Requestor: Cummins Inc.

Purpose of the Meeting: Per the Administrator's interest in Cummins' engine technology, to discuss natural gas, diesel and other alternative fuel truck engines and technology

Background on the Meeting: On Wednesday, September 20th, principals from the Truck and Engine Manufacturer's Association met with Administrator Pruitt to discuss the Phase 2 fuel efficiency rule for commercial vehicles, and a future low-NOx rulemaking to aid states in their attainment goals. Cummins' CEO, Tom Linebarger, discussed having the Administrator visit Cummins' headquarters in Indiana to see our natural gas engine test facility, as well as our other advanced technology options. Administrator Pruitt asked us to follow up on our request. We also have a state of the art test facility to help us study engine emissions.

Role of the Administrator: The Administrator would be our guest on a tour of our Cummins Technical Center, and would meet with our senior leaders to learn more about our technological capabilities and how we achieve and exceed emissions requirements.

Attendees: Cummins leadership (CEO, President and/ or CTO), environmental strategy and compliance team, government relations staff, shop floor employees during tour

Point of Contact: Traci Kraus; 202-654-4285; traci.kraus@cummins.com

Message

From: Carly Grether [carly@nasda.org]
Sent: 9/6/2017 7:01:03 PM
To: Nasda Staff [NASDAStaff@NASDA.ORG]
Subject: 2017 NASDA Annual Meeting: Important Information
Attachments: 9.6.17 tropics (2).pdf

NASDA and COSDA Annual Meeting Registrants,

We have received many concerned inquiries about the ongoing Hurricane Harvey response and incoming threat of Hurricane Irma to the United States. The 2017 NASDA Annual Meeting is still happening. We will continue to closely monitor the weather with the Louisiana Department of Agriculture & Forestry, the Governor of Louisiana, the Unified Command Group and National Weather Service. Please [click here](#) for the most up to date weather.

As always, please make sure you have downloaded and logged in to the NASDA Annual Meeting app to receive the latest updates on any event changes. Search "NASDA Events" from your mobile device app store to download the application for free.

Regards,
Carly

Carly Grether, MPS | Coordinator, Member Services | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | Main: (202) 296 -9680 | Direct: Ex. 6 | carly@nasda.org



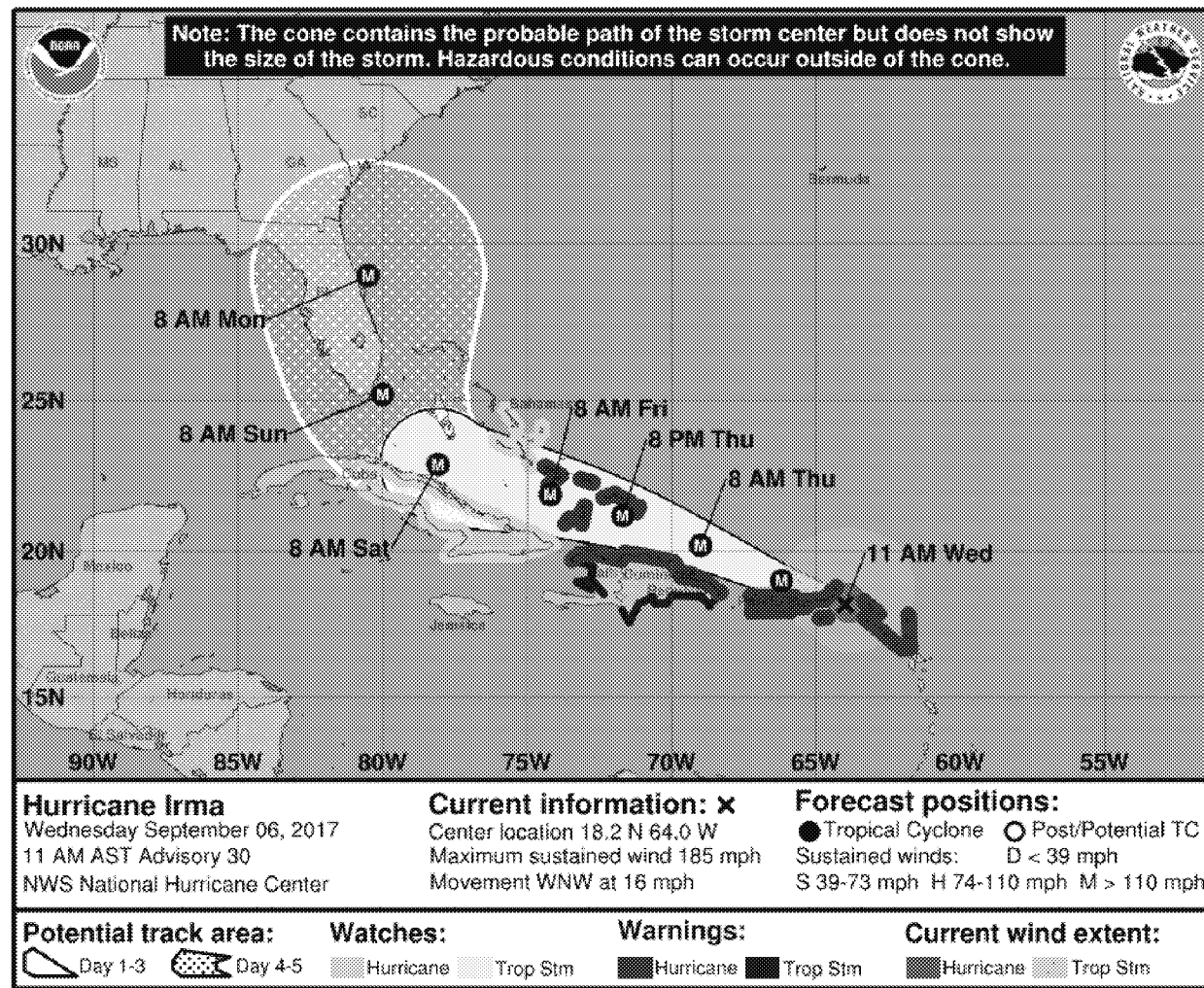
National Weather Service
 Lake Charles, Louisiana
 11:00 am Wed Sep 6 2017

Tropical Update

By Roger Erickson, Warning Coordination Meteorologist

Major Category 5 Hurricane Irma is projected to be a threat to Florida later this weekend into early next week.

The sharp turn to the north is due to an upper level trough of low pressure in the east central US that will erode the Bermuda high pressure that is currently steering Irma to the west-northwest.





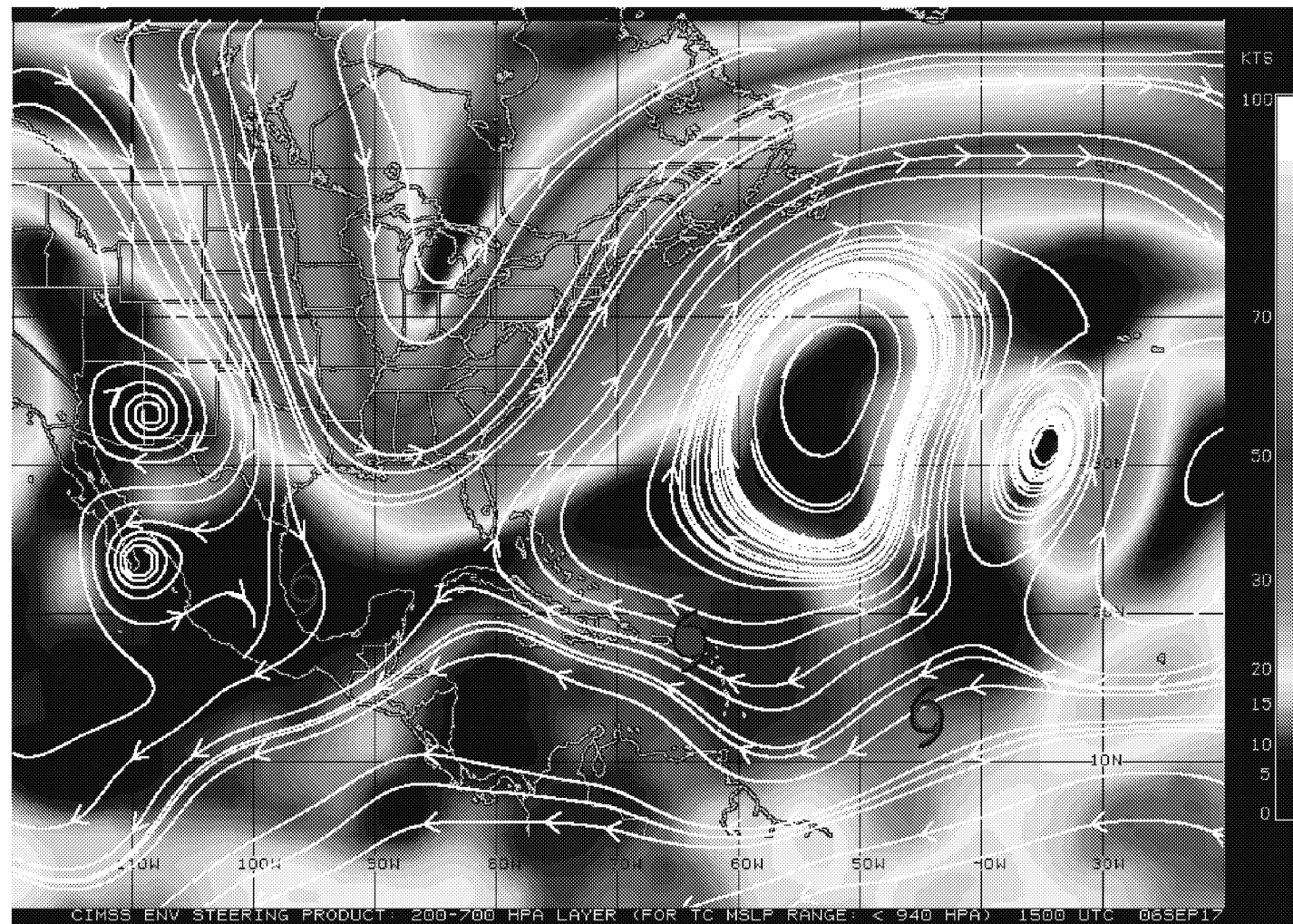
National Weather Service
Lake Charles, Louisiana
11:00 am Wed Sep 6 2017

Tropical Update

By Roger Erickson, Warning Coordination Meteorologist

This map shows the steering currents today. The upper level trough over the east central US is expected to cause Irma to turn sharply to the north as it gets closer to Florida.

There is some uncertainty as to the timing and location of this recurvature later this weekend.



weather.gov/lch



NWSLakeCharles



NWSLakeCharles



NWSLakeCharles



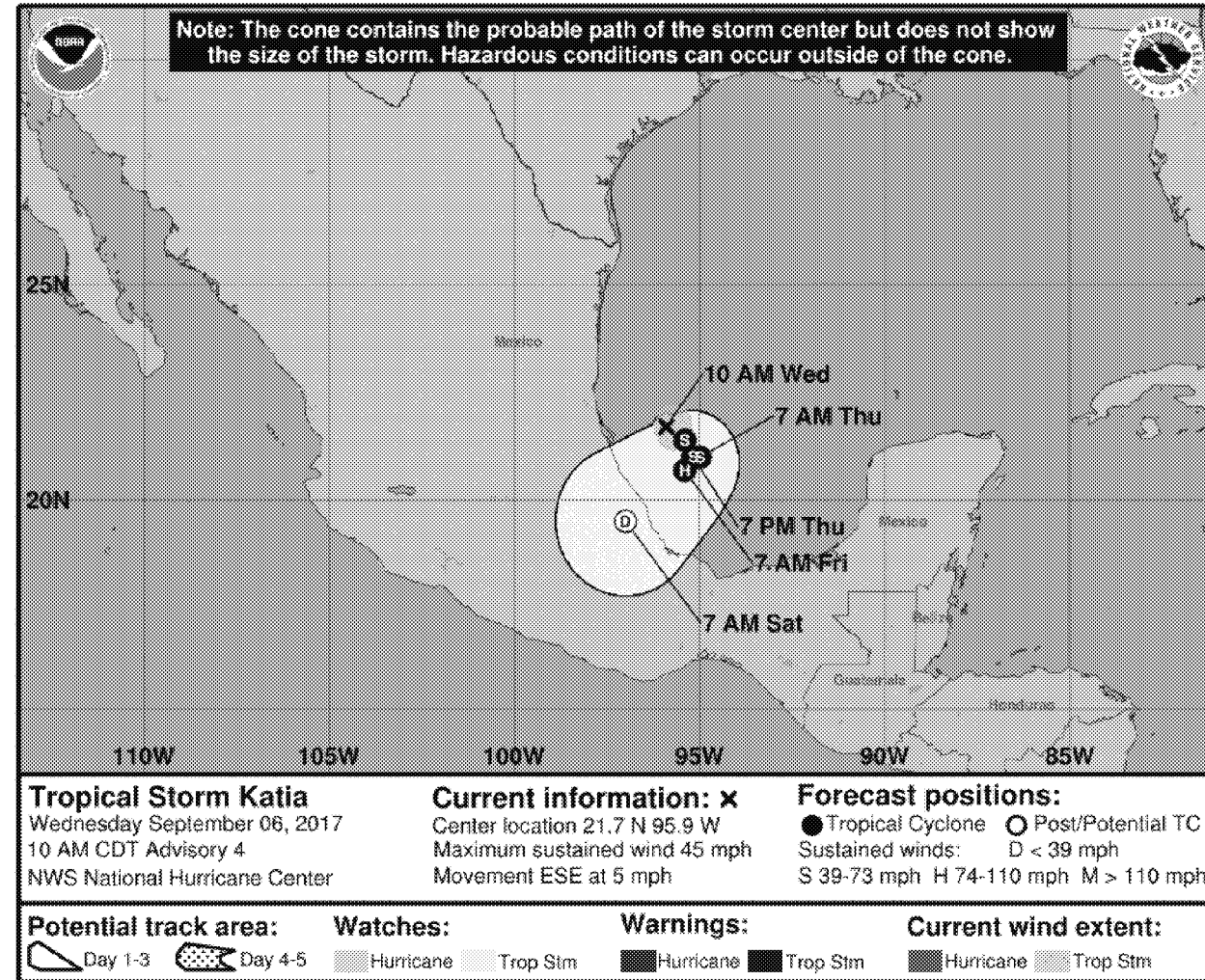
National Weather Service
 Lake Charles, Louisiana
 11:00 am Wed Sep 6 2017

Tropical Update

Tropical Storm Katia is expected to become a hurricane later this week as it meanders in the southwestern Gulf of Mexico.

Due to the cold front moving through our region today, Katia poses no threat to our region.

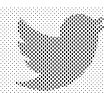
Katia will dissipate this weekend after landfall in Mexico.



weather.gov/lch



NWSLakeCharles



NWSLakeCharles



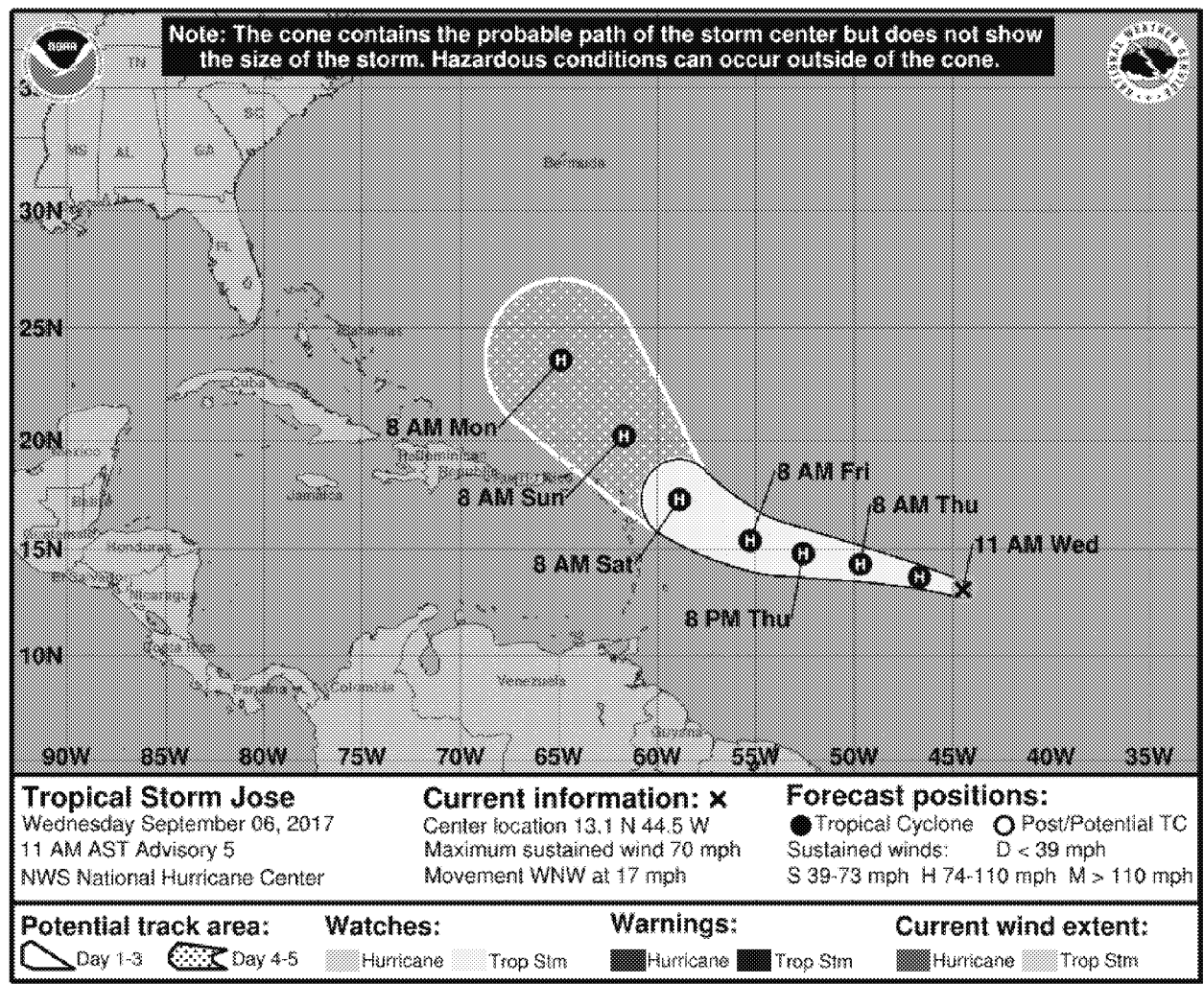
NWSLakeCharles



National Weather Service
 Lake Charles, Louisiana
 11:00 am Wed Sep 6 2017

Tropical Update

Tropical Storm Jose is expected to become a hurricane this week, as it follows behind Irma.
 Jose does not pose a threat to our region.



Message

From: Julia Recko [juliad@fb.org]
Sent: 9/15/2017 3:56:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Christy Lilja [christyl@fb.org]
Subject: EPA Grant theme ideas

Hi Tate, our education director got back to us and here are her thoughts. She also had one question:

Questions:

- What specifically falls under the “agriculture” category?

Potential topic themes:

- Connecting agricultural production realities to national learning standards
- Sustainability
 - Water
 - Air
 - Soil
- Production efficiencies
- Technology in production
- Reducing food waste
- Engaging a new generation of agriculturists

Let us know if you want more ideas/clarification.

Best,
Julia

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, September 06, 2017 3:13 PM
To: Julia Recko
Subject: Re: Friday at 1:30pm Eastern

Can you do 2?

On Sep 6, 2017, at 3:00 PM, Julia Recko <juliad@fb.org> wrote:

Hi again Tate, would Friday at 1:30pm eastern work for a call?

Julia Recko

Director of Education Outreach, Foundation

Ex. 6

www.agfoundation.org

Seed the Future, Grow Together

Message

From: Dale Moore [dalem@fb.org]
Sent: 9/6/2017 2:14:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: EPA PREPARES FOR HURRICANE IRMA

I am out of the office on travel Sept. 6 & 7. I will be checking emails and responding when possible. If you have an urgent matter, please contact Bob Young at boby@fb.org or Valeria Zavala at valeriaz@fb.org.

Thank you, Dale Moore

Message

From: Veronica Mosgrove [vmosgrove@ldaf.state.la.us]
Sent: 9/7/2017 2:25:10 PM
To: Ed Curlett [ed.c.curlett@aphis.usda.gov]; King, Sue - NASS [Sue.King@nass.usda.gov]; McDermott, Catherine [catherine.mcdermott@fda.hhs.gov]; Whitlock, Laura (CDC/OID/NCEZID) [wmg5@cdc.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bob Ehart [bob@nasda.org]; ginger@lsu.edu; Espinosa, Tanya C - APHIS [tanya.c.espinosa@aphis.usda.gov]; Kay Johnson [kjohnson@animalagalliance.org]; Frankie Gould [fgould@agcenter.lsu.edu]; Vaubel, Andrea (MDA) [andrea.vaubel@state.mn.us]; Lightcap - CDA, Christi [christi.lightcap@state.co.us]; Lance Porter [lporter@lsu.edu]; Greg Hilburn [ghilburn@thenewsstar.com]; Jennifer Boneno [jboneno@z-comm.com]; Zurik, Lee [lzurik@fox8live.com]; Lee Zurik [lee@leezurik.com]; Kovacs, Peter [pkovacs@theadvocate.com]; Angie Holan [aholan@tampabay.com]; Shenk, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c18c4a63467e43c981e285fbbed6a297-Kshenk]; Amy Wold [awold@thewaterinstitute.org]; donp@fb.org; natalie.fedie@granicus.com; NUSURA [michelle.mcgowan@nusura.com]
CC: Laura Lindsay [laura_p@ldaf.state.la.us]; Veronica Mosgrove [vmosgrove@ldaf.state.la.us]
Subject: COSDA meeting update

All,

Thank you so much for being a part of our COSDA meeting next week at the Roosevelt Hotel in New Orleans. We are grateful to have such accomplished individuals participating in our panel discussions.

The COSDA agenda can be viewed here: www.nasda.org/9381/Events/37972.aspx. I believe all of you know the panels in which you are participating. The meeting will be held in the Orpheum room.

We highly recommend that you download the NASDA app which provides detailed information about meetings, logistics, etc.

[Download the App](#)

If you have questions, the registration desks will be located here on these days:

Sunday - Orpheum foyer, 2nd level

Monday - Chamber foyer, Mayor suite level

Tuesday through Thursday - Crescent City Ballroom Foyer on the mezzanine level.

Allison Dumas will be there to help guide you. If you have any questions before then, please feel free to email me at vmosgrove@ldaf.la.gov or Laura Lindsay at llindsay@ldaf.la.gov.

Veronica cell:

Ex. 6

Laura cell:

Ex. 6

Again, we appreciate you all so much and are looking forward to next week!

Veronica Mosgrove

Press Secretary
Dept. of Agriculture & Forestry
Ex. 6 office

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Message

From: Carly Grether [carly@nasda.org]
Sent: 9/13/2017 10:03:56 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NASDA Daily Update - Wednesday September 13



Good morning,

Welcome to day three of the 2017 NASDA Annual Meeting! Please be sure to check and login to the app for your detailed, personalized schedule (we send push notifications on the app that you won't want to miss out on!)

Important Attendee Information

- 7:00 AM - 6:00 PM: Visit us at the registration desk in the Crescent City Foyer to get your name badge. You must wear your name badge at all times.
- Spouse/Guest Questions? Please visit the registration desk.
- Please refer to app for the dress code for all tours. Tap the 'Information' icon, then tap 'Event Info' - there you will find all dress code information. Dress code information was also sent in the "Know Before You Go" email.
- **You must check which tour you are signed up for in your registration confirmation. Tours have limited capacity, and we cannot accommodate switching tours.**

Daily Highlights

- Agricultural Tours (ADM, Bunge, Domino Sugar, NOCS & Public/Private Partnerships)
- COSDA Agenda: Swap Tour
- Screening of Food Evolution (9-11 PM)

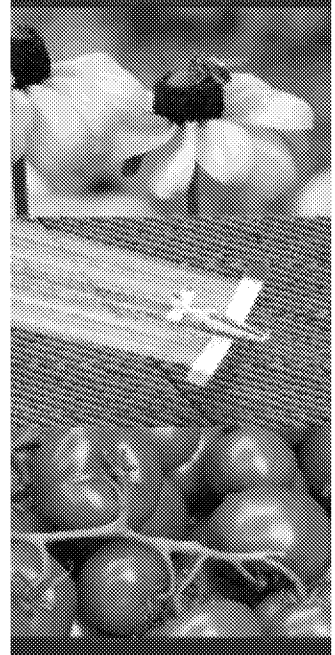
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App Sponsors: Thank you to Merck, Dow AgroSciences, and the USDA for supporting our app!



Thank You Sponsors!

Thank you to all of our generous sponsors! Please tap the 'Sponsors' icon to check out our amazing partners and supporters of NASDA. Looking to sponsor NASDA for the Tri-National Agricultural Accord? Please find Carly Grether or email carly@nasda.org.



4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 9/29/2017 1:56:59 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Dudley Hoskins [Dudley@nasda.org]
Subject: RE: Question

Sure thing! I'm super flexible this morning. Thanks, Tate! I know you're traveling.

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, September 29, 2017 9:56 AM
To: Britt Aasmundstad
Cc: Nitsch, Chad; Gordon, Stephen; Dudley Hoskins
Subject: Re: Question

Hey y'all! Can we push to 10:10. Dudley, are you even at work today?!

On Sep 27, 2017, at 10:48 AM, Britt Aasmundstad <britt@nasda.org> wrote:

10am works on my end.

We can use my call in line, I'll send a calendar invite. Thank you!

Number:

Call in:

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Wednesday, September 27, 2017 10:35 AM
To: Gordon, Stephen; Bennett, Tate; Britt Aasmundstad; Dudley Hoskins
Subject: RE: Question

I'll be in the Philly office the rest of the week, but I'm happy to call in. Otherwise, I can catch up with folks next week.

Thanks,

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: Gordon, Stephen
Sent: Wednesday, September 27, 2017 10:29 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Britt Aasmundstad <britt@nasda.org>; Dudley Hoskins <Dudley@nasda.org>

Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>

Subject: RE: Question

Tate and I are both free at 10am EST on Friday. Would that work for everyone?

From: Bennett, Tate

Sent: Wednesday, September 27, 2017 10:23 AM

To: Britt Aasmundstad <britt@nasda.org>; Dudley Hoskins <Dudley@nasda.org>

Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>

Subject: RE: Question

Nice! Chad/ Stephen- want to find a time that works on everyone's calendars?

From: Britt Aasmundstad [<mailto:britt@nasda.org>]

Sent: Wednesday, September 27, 2017 9:57 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>

Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>

Subject: RE: Question

Ok! I'm free anytime outside 2-3pm. If it works for you, you can call me directly at 701-350-0494 based on your availability.

Thanks, Tate!

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Wednesday, September 27, 2017 9:55 AM

To: Britt Aasmundstad; Dudley Hoskins

Cc: Nitsch, Chad

Subject: RE: Question

I'll be traveling with the Administrator but I am around Friday!

From: Britt Aasmundstad [<mailto:britt@nasda.org>]

Sent: Wednesday, September 27, 2017 9:42 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>

Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>

Subject: RE: Question

Hey Tate, so sorry this got lost in the shuffle this month. Would you have a chance to talk about this tomorrow morning? Thank you!

Britt

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Tuesday, September 05, 2017 5:35 PM

To: Britt Aasmundstad; Dudley Hoskins

Cc: Nitsch, Chad
Subject: RE: Question

Sounds good!

From: Britt Aasmundstad [<mailto:britt@nasda.org>]
Sent: Tuesday, September 5, 2017 5:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Question

Sure thing, Tate! We'll give you a call this week. We don't have something necessarily, but have a few pathways that could possibly work. We'll give you a call!

Britt Aasmundstad | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, September 05, 2017 5:15 PM
To: Dudley Hoskins; Britt Aasmundstad
Cc: Nitsch, Chad
Subject: Question

Do you all have an Ag Education department? Need to talk to you all about prospective grant ideas. Call this week when convenient (and before it gets too close to NOLA!). Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 8/22/2017 3:43:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: Re: Updated WOTUS statements

Preston-
Great to meet you.

Are you free for coffee this Thursday or Friday?

If not, how does next week look for you?

Tate-
It's been a privilege and pleasure to work with you.

[Get Outlook for iOS](#)

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, August 22, 2017 10:41:40 AM
To: Adam Piper
Cc: Cory, Preston (Katherine)
Subject: RE: Updated WOTUS statements

Adam, meet Preston. I'm moving over to head Business Outreach, but you will be in great hands with Preston. You all should get coffee soon!

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Thursday, June 29, 2017 10:37 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Updated WOTUS statements

Do you need AG Wilson and Morrisey individual statements?

[Get Outlook for iOS](#)

From: Hoelscher, Douglas L. EOP/WHO <[redacted] Ex. 6>
Sent: Thursday, June 29, 2017 10:31:29 AM
To: Brian Sanderson; Adam Piper
Subject: FW: Updated WOTUS statements

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 29, 2017 10:21 AM
To: Hoelscher, Douglas L. EOP/WHO <[redacted] Ex. 6>
Cc: [redacted] Ex. 6 EOP/WHO (Intern) [redacted] Ex. 6 EOP/WHO (Intern)

Subject: Fwd: Updated WOTUS statements

See below. I believe Bevin may have contributed as well.

States

Governor Kim Reynolds (IA): “Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa’s farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them.”

Governor Eric Holcomb (IN): “I commend U.S. EPA Administrator Pruitt’s leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state’s waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana’s environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state.”

Governor Sam Brownback (KS): “The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch.”

Governor Eric Greitens (MO): “When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama’s Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they’ve heard us. They’ve heard that Obama’s Waters of the US regulations are hurting family farmers.”

Governor Pete Ricketts (NE): “Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state’s top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.”

Steve Nelson, Common Sense Nebraska: “Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA’s proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have

worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies.”

Greg Ibach, Director of the Nebraska Department of Agriculture: “I applaud the Trump Administration and Secretary Pruitt’s announcement to walk away from the previous administration’s WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska’s agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska’s ability to protect our water and land resources.”

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule.”

Alabama Attorney General Steve Marshall: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule’s broad assertion of authority unlawfully impinges on the States’ traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA’s final action withdrawing the WOTUS Rule and providing relief for our States and their citizens.”

Arkansas Attorney General Leslie Rutledge: “The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today’s action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists.”

Georgia Attorney General Chris Carr: “This is a significant step in addressing the WOTUS Rule’s sweeping assertion of authority, which unlawfully impinges on the State’s traditional role as the primary regulators of land and water resources,” said Attorney General Chris Carr. “We look forward to EPA’s final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities.”

Tennessee Attorney General Herbert Slatery: “We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution.”

Wisconsin Attorney General Brad Schimel: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA’s final action withdrawing the WOTUS rule and providing relief for our states and their citizens.”

Ryan Quarles, Kentucky Agriculture Commissioner: “I applaud EPA Administrator Scott Pruitt’s decision to propose a repeal of the destructive Obama-era ‘Waters of the United States’ rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration.”

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today’s statement from EPA and Army Corps of Engineers is a great step forward for Michigan’s farmers. The misguided WOTUS rule would have placed unnecessary burden on Michigan’s farmers, requiring a whole new level of regulation on nearly all of the state’s farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as originally defined in the Clean Water Act. We’ll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state.”

Minnesota Farm Bureau President Kevin Paap: “Minnesota Farm Bureau was pleased with the EPA’s proposal to ditch the 2015 rule defining “Waters of the United States” (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states.”

Texas Farm Bureau President Russell Boening: “We are thankful new leadership has taken the action needed to repeal this flawed rule,” TFB President Russell Boening said. “WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA’s regulatory overreach and will instead allow the agency to work as it was intended by our forefathers.”

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): “The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington’s control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America’s water clean and safe.”

Senator Deb Fischer (NE): “Today’s announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state’s water resources.”

Senator Steve Daines (MT): “Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn’t impose regulations that hurt Montana farmers, ranchers and landowners.”

Senator Chuck Grassley (IA): “This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation’s waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers.”

Senator Joni Ernst (IA): “I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstrings our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): “I’m pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I’m grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources.”

House Members

Speaker of the U.S. House, Paul Ryan: “The West has finally won in the battle over the Obama administration’s WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.”

Chairman of the House Science Committee, Rep. Lamar Smith (TX): “Clean water is a necessity for all Americans. Today’s decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation.”

Chairman of the House Natural Resources Committee Rob Bishop (UT): “This rule aggrandized federal bureaucrats at the expense of farmers’ water and private property rights. EPA’s decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses.”

U.S. Rep. Mike Bost (IL): “Turning back WOTUS is a clear win for Southern Illinois’ hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration’s WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That’s why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois’ economy at risk and impact millions of rural Americans.”

U.S. Rep. Paul Gosar (AZ): “Today’s announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that good work with today’s proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy’s water grab.”

U.S. Rep. Scott Tipton (CO): “This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of ‘Waters of the United States.’”

U.S. Rep. Dan Newhouse (WA): “I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump’s order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country.”

U.S. Rep. Steve Pearce (NM): “This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama

Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government."

U.S. Rep. Mike Johnson (LA): "The so called 'WOTUS Rule' was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people."

***U.S. Rep. Rick Allen (GA):** "The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt's action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America's farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations."

***U.S. Rep. Doug LaMalfa (CA):** "The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina

McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California's first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration's power grabs."

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho's businesses and communities. I strongly opposed the previous administration's 'WOTUS' rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho's economy, and I appreciate the administration for continuing to show leadership on these types of issues."

U.S. Rep. Martha McSally (AZ): "WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA's decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news."

U.S. Rep. Lee Abraham (LA): "I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today's news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they've taken so far to repeal this terrible rule."

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today's announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress' promise to return government to its proper role."

U.S. Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration's WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property."

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts.”

U.S. Rep. Doug Collins (GA): “Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely.”

U.S. Rep. Markwayne Mullin (OK): “Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

U.S. Rep. Kristi Noem (SD): “Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal.”

U.S. Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense

of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and

Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: “The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: “We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We

encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands. It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito:

“Today’s action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America’s energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration’s actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses.”

John Konkus
Deputy Associate Administrator
Office of Public Affairs
Environmental Protection Agency

Ex. 6

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 8/8/2017 7:05:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: PHOTOS: Pruitt Continues State Action Tour in Iowa

I am out of the office from Aug 8 - Aug 10 and will have intermittent access to email. For urgent matters, please call: Ex. 6

Message

From: Carly Grether [carly@nasda.org]
Sent: 9/1/2017 3:19:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: 2017 NASDA & COSDA Annual Meeting Know Before You Go



Hi Elizabeth,

The 2017 NASDA & COSDA Annual Meeting is nine days away! We can't wait to see you in NOLA! Please click [here](#) to view the weather to plan for packing! If you wish to update your agenda, please do so by clicking below.

[Click here](#) to modify your agenda and/or tour.

Confirmation Number: V3NGLGBSGZL

Policy Materials

All Policy Amendments, Action Items, and Committee Agendas are now available to [download](#). You'll also receive a printed version at check-in and the documents are available digitally on the meeting app (Keep reading!).

Meeting Attire

Please note: All meeting attire is outlined in the app! Click on "Event Info" under the information icon. It will be very hot and humid in New Orleans, so please plan accordingly.

Monday, September 11: We'll be business casual for the day and for the Welcome Reception in the evening.

Tuesday, September 12: You can dress business casual for the meetings today. Please wear cool clothes for the Raceland Raw Sugar Mill Expo and the Rolling on The River Dinner. No need for closed-toed shoes.

Wednesday, September 13: The attire for meetings is business casual. For the tours, closed-toed shoes and pants are required. No sleeveless shirts are allowed on the Bunge tour. COSDA Members: wear cool clothes since you will be completely outside for the Swamp Tour. **Your agenda is below, so double check where you are headed, no switches will be allowed while on site at the meeting.**

Thursday, September 14: We'll be business casual for the morning and afternoon, and then switch to cocktail attire or snappy, business professional attire for the President's Reception, Dinner, and Dance!

Transportation

Limited transportation to/from the airport will be provided to our guests arriving/departing from New Orleans Airport to/from the Roosevelt Hotel. Please confirm your transportation request and flight information at the bottom of this e-mail. You must add this information to receive transportation. **Please report to the baggage claim area where staff will have NASDA signs.** We also suggest Uber or taxis for transportation if necessary. Click [here](#) to modify your needs if they have changed.

Stay Connected

Download the App: Our app provides the latest details and updates, so please download it today! Review your personal agenda, receive the latest news throughout the conference, access the Wi-Fi password, and communicate with fellow attendees. Login to the app with your name and e-mail to receive full access. **Search 'NASDA Events' in the app store of your Apple or Android device to download the app for free!**

#NASDA2017 and #COSDA2017: Post your NASDA & COSDA Annual Meeting tweets and pictures on Twitter, Instagram, and Facebook or add to our event feed in the app!

Registration Desk

The registration desk is open daily. Arriving early? Come check in and grab your name tag and materials on Sunday from 11:00 AM-5:00 PM in the Orpheum Foyer.

Please see below locations for the registration desk:

Monday: Chamber Foyer

Tuesday: Crescent City Foyer

Wednesday: Crescent City Foyer

Thursday: Crescent City Foyer

Registration Information:	
Registration Items	
Elizabeth Bennett	One Day Registration
Sessions	
Elizabeth Bennett	WASDA 11-Sep-2017 1:30 PM
Additional Information	
Elizabeth Bennett	Do you need transportation to and from the airport? Transportation is ONLY available Monday, September 11 through Thursday, September 14 from 7 AM to 6 PM and Friday, September 15 from 7 AM to 12 PM.
	No
	Is this the first time you have attended this event?
	Yes

Please reach out to us if you have any questions. We can't wait to see you.

Regards,

Carly Grether

Coordinator, Member Services

carly@nasda.org



4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

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Message

From: Carly Grether [carly@nasda.org]
Sent: 9/14/2017 10:02:09 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NASDA Daily Update - Thursday, September 14



Good morning,

Welcome to the last day of the 2017 NASDA Annual Meeting! We can't wait to celebrate with you tonight! Please be sure to check and login to the app for your detailed, personalized schedule (we send push notifications on the app that you won't want to miss out on!)

Important Attendee Information

- 7:00 AM - 6:00 PM: Visit us at the registration desk in the **Crescent City Foyer** to get your name badge. You must wear your name badge at all times.
- Spouse/Guest Questions? Please visit the registration desk.
- Dress code: business casual today; we will change into cocktail attire for the President's Reception, Dinner & Dance!
- The first bus for the President's Reception will depart the Roosevelt Hotel at 5:45 PM

Daily Highlights

- Minister MacAulay, Canadian Minister of Agriculture and Agri-Food
- President's Reception, Dinner & Dance at the World War II Museum
- NASDA Honor Awards (during the President's Reception)

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4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

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Message

From: Don Parrish [donp@fb.org]
Sent: 8/7/2017 10:52:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Can you call me?

Yes please and thanks.

Don

Sent from my iPhone

On Aug 7, 2017, at 6:24 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

In Iowa. Can I call you later this evening?

Sent from my iPhone

On Aug 7, 2017, at 4:54 PM, Don Parrish <donp@fb.org> wrote:

I need to visit if you have a minute.

Ex. 6

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 8/18/2017 1:52:23 AM
To: Illinois Adam Nielsen [anielsen@ifb.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: WOTUS discussion at EPA

No ag counsel yet - but you should reach out to Tate Bennett for both your visit and the Administrator's potential trip to Illinois.

Don

Sent from my iPhone

On Aug 17, 2017, at 4:54 PM, Nielsen_Adam <ANIelsen@ifb.org> wrote:

Hi Don, I'm taking a group of farmers to DC next month. We're in town from Sept 11-13 and I'm interested in stopping by EPA on the last day to discuss the next steps in WOTUS. Is there an ag counselor on staff at HQ yet? If so, do you have a name?

BTW, Mr. Shimkus says the administrator will be in Illinois next month. No date has been set, but they have sent Pruitt a list of proposed Illinois stops including the ones Lauren and I are suggesting.

Thanks, Adam

Adam Nielsen

Director of National Legislation & Policy Development

Illinois Farm Bureau

1701 Towanda Ave.

Bloomington, IL 61701

Ex. 6 - mobile

anielsen@ifb.org

<image001.jpg>

Message

From: Don Parrish [donp@fb.org]
Sent: 9/6/2017 4:47:37 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]

Let's visit. When you get a minute.

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2017 6:11:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: WE NEED To Talk

Unbelievable.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 10:44 AM
To: Don Parrish
Subject: Re: WE NEED To Talk

Understood. 10-4

Sent from my iPhone

> On Aug 8, 2017, at 9:40 AM, Don Parrish <donp@fb.org> wrote:

>
> I will wait to talk to you and Sarah but that MUST happen before you make that call.

>
> Don R Parrish
> American Farm Bureau Federation(r)
> Ex. 6
> donp@fb.org

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

> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Tuesday, August 08, 2017 10:33 AM
> To: Don Parrish
> Subject: Re: WE NEED To Talk

> If you can get him. I'm in a weird spot internally. Only so much I can push/ sign off on outside my office. Otherwise I'll call you with Sarah on speaker later.

> Sent from my iPhone

>> On Aug 8, 2017, at 9:30 AM, Don Parrish <donp@fb.org> wrote:

>>
>> Should I call Lee?

>>
>> Don R Parrish
>> American Farm Bureau Federation(r)
>> Ex. 6
>> donp@fb.org

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

>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>> Sent: Tuesday, August 08, 2017 10:29 AM
>> To: Don Parrish
>> Subject: Re: WE NEED To Talk

>> Understood. We are tied up most of the AM. Will ping you this afternoon.

>> Sent from my iPhone

>>> On Aug 8, 2017, at 9:23 AM, Don Parrish <donp@fb.org> wrote:

>>> We have to talk before you talk to the Missouri Governor. You can't talk to them until you talk to me.

>>> Don R Parrish

>>> American Farm Bureau Federation(r)
>>> Ex. 6
>>> donp@fb.org
>>>
>>>
>>> -----Original Message-----
>>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>>> Sent: Tuesday, August 08, 2017 10:06 AM
>>> To: Don Parrish
>>> Subject: Re: WE NEED To Talk
>>>
>>> We are in Iowa at the Governor's office currently and Sarah is a bit overwhelmed. We have to engage Mike and hear both sides before we do anything. She leans on Mike for a status quo, but that doesn't mean we take him as Gospel.
>>>
>>> Sent from my iPhone
>>>
>>>> On Aug 8, 2017, at 8:57 AM, Don Parrish <donp@fb.org> wrote:
>>>>
>>>> This is important.
>>>>
>>>> Don R Parrish
>>>> American Farm Bureau Federation(r)
>>>> Ex. 6
>>>> donp@fb.org
>>>>
>>>>
>>>> -----Original Message-----
>>>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>>>> Sent: Tuesday, August 08, 2017 9:47 AM
>>>> To: Shapiro, Mike
>>>> Cc: Garrett.Hawkins@mda.mo.gov; Don Parrish; Greenwalt, Sarah
>>>> Subject: Connecting you
>>>>
>>>> All-
>>>>
>>>> Per Mike and I's discussion with Sarah, can you all connect as soon as possible and compare your interpretations on the nutrient standards requirements for MO? We can check in with you later today, Mike.
>>>>
>>>> Thank you all so much.
>>>>
>>>> Tate

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2017 5:45:19 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: WE NEED To Talk

Importance: High

When can I expect you to call?

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 10:44 AM
To: Don Parrish
Subject: Re: WE NEED To Talk

Understood. 10-4

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> American Farm Bureau Federation(r)
> Ex. 6
> donp@fb.org

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> To: Don Parrish
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>> American Farm Bureau Federation(r)
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>>> American Farm Bureau Federation(r)
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>>>
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>>>> Don R Parrish
>>>> American Farm Bureau Federation(r)
>>>> Ex. 6
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>>>>
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>>>> Sent: Tuesday, August 08, 2017 9:47 AM
>>>> To: Shapiro, Mike
>>>> Cc: Garrett.Hawkins@mda.mo.gov; Don Parrish; Greenwalt, Sarah
>>>> Subject: Connecting you
>>>>
>>>> All-
>>>>
>>>> Per Mike and I's discussion with Sarah, can you all connect as soon as possible and compare your interpretations on the nutrient standards requirements for MO? We can check in with you later today, Mike.
>>>>
>>>> Thank you all so much.
>>>>
>>>> Tate

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/29/2018 7:49:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: You Don't Want To Miss This!

June 29, 2018

NBCC | National
Black
Chamber of Commerce®

***A More Dynamic Economy: HOW TO TRANSFORM OUR ANALOGUE
ECONOMY WITH 21st CENTURY SOLUTIONS***
[Register Today](#)

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DYNAMIC
ECONOMY



JULY 19 - 21,
2018
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DC

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Economic Empowerment | Chamber Reports | Infrastructure

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Register Today At
<http://bit.ly/DynamicEconomy>

| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](mailto:bennett.tate@epa.gov)

[Update Profile](#) | [About our service provider](#)

Sent by halford@nationalbcc.org in collaboration with



Try it free today

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/12/2018 11:19:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: 9th Circuit

Yes. In by 8:30. Mtg at 8:45. Free from 9:30 roughly

Sent from my iPhone

> On Aug 12, 2018, at 5:07 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Do you have time to touch base in the morning before noon?
>

Message

From: Carly Grether [carly@nasda.org]
Sent: 8/17/2017 9:31:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Registration Confirmed - 2017 NASDA Annual Meeting



Hi Elizabeth,

Your registration has been confirmed. Please save this email for future reference.

[Click here](#) to cancel or modify your registration.

July 25 UPDATE: The NASDA group blocks at the [Roosevelt Hotel](#) and [Renaissance New Orleans Pere Marquette](#) are sold out, but there might be rooms available outside of NASDA's block, at the prevailing rate. Both the Roosevelt and Renaissance are completely sold out Thursday, September 14. We recommend you book your hotel room as soon as possible if you have not already done so.

- [Hilton Garden Inn New Orleans French Quarter](#)
- [Wyndham Garden Baronne Plaza](#)
- [Aloft New Orleans Downtown](#)

Please reach out to Megan McDonald at megan@nasda.org or by phone at (202) 296-9680 if you have any questions about booking a room in NASDA's hotel block.

Event: 2017 NASDA Annual Meeting

Attendee Name: Elizabeth Bennett

Attendee E-mail: bennett.tate@epa.gov

Confirmation Number: V3NGLGBSGZL

Registration Type: Speaker

Current Registration:

Registration Information:		
Registration Items		
Elizabeth Bennett	One Day Registration	
Sessions		
Elizabeth Bennett	WASDA	11-Sep-2017 1:30 PM
Additional Information		
Elizabeth Bennett	Do you need transportation to and from the airport? Transportation is ONLY available Monday, September 11 through Thursday, September 14 from 7 AM to 6 PM and Friday, September 15 from 7 AM to 12 PM.	
	No	
	Is this the first time you have attended this event?	
	Yes	

Payment Information:

Order Summaries:					
Date	Invoice	Type	Amt. Ordered	Amt Paid	Amt Due
17-Aug-2017 5:31 PM ET	AM17-082017-1649-1333	online order	\$250.00	\$250.00	\$0.00

Payment Details:			
Date	Type	Reference #	Amt Paid
17-Aug-2017	Visa	9112	\$250.00



4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

Your payment for the 2017 NASDA Annual Meeting event has been successfully processed. Please save this email for your records.

Transaction Information:

Item	Transaction Information	Quantity	Amount
One Day Registration		1	\$250.00
Transaction Total			\$250.00

Registration Confirmation Number: V3NGLGBSGZL

[View your registration](#)

If you have any questions about this transaction or email, please contact Carly Grether directly at carly@nasda.org.



Message

From: Carly Grether [carly@nasda.org]
Sent: 8/22/2017 8:46:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NASDA Annual Meeting - Do you need to update your agenda?



Hi Elizabeth,

Did your agenda or travel plans change recently? Do you need transportation to and from the airport? **Please review your agenda and answers below to provide us with your flight itinerary and/or updated agenda.**

P.S. an accurate agenda also allows us to provide you with a personal schedule in our conference app. Please [click here](#) to download the app if you have not already. See you in NOLA soon!

[MODIFY MY REGISTRATION](#)

Event: 2017 NASDA Annual Meeting
Attendee Name: Elizabeth Bennett
Attendee E-mail: bennett.tate@epa.gov
Confirmation Number: V3NGLGBSGZL
Registration Type: Speaker
Current Registration:

Registration Information:

Registration Items

Elizabeth
Bennett One Day Registration

Sessions

Elizabeth WASDA 11-Sep-2017 1:30 PM
Bennett

Additional Information

Elizabeth Do you need transportation to and from the airport? Transportation is **ONLY** available Monday,
Bennett September 11 through Thursday, September 14 from 7 AM to 6 PM and Friday, September 15 from 7
AM to 12 PM.
No
Is this the first time you have attended this event?
Yes

Payment Information:

Order Summaries:

Date	Invoice	Type	Amt Ordered	Amt Paid	Amt Due
17-Aug-2017 5:31 PM ET	AM17-082017-1649-1333	online order	\$250.00	\$250.00	\$0.00

Payment Details:

Date	Type	Reference #	Amt Paid
17-Aug-2017	Visa	9112	\$250.00



4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

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cvent

Message

From: Don Parrish [donp@fb.org]
Sent: 8/15/2017 5:19:58 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE:

Sure -- tonight would be great. Thanks

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 15, 2017 1:19 PM
To: Don Parrish
Subject: Re:

Tomorrow? At inlaws with bad service. Can call from landline tonight.

Sent from my iPhone

On Aug 15, 2017, at 12:06 PM, Don Parrish <donp@fb.org> wrote:

Are you available for a quick visit?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 7/21/2017 12:52:21 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Keigwin, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=151baabb6a2246a3a312f12a706c0a05-Richard P Keigwin Jr]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: RE: NASDA Member Call: Dicamba

Thanks Dudley. A summary would be helpful. We'll look into Tate's availability and get back to you soon.

Thanks,

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Thursday, July 20, 2017 5:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>
Subject: NASDA Member Call: Dicamba

Tate & Chad,

I touched base with Rick very briefly yesterday (thank you Rick!) regarding a call NASDA held for a subgroup of our members earlier this week to discuss some of the current challenges and potential next steps on Dicamba-related activities.

NASDA's current role is limited to information sharing and discussing current activities, lessons-learned, and potential issues/solutions going forward.

I am happy to provide the same general summary of our discussion to you all at your convenience.

Will certainly stay in touch on any specific actions or issues from our end if/when they develop. Many thanks and please let me know if you have any questions at this time. - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

Message

From: Valeria Zavala [valeriaz@fb.org]
Sent: 6/28/2018 2:50:26 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]
Subject: RE: AFBF Council of Presidents - July 11, 2018
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Attached the form you requested. Let me know if this works, or if you need additional information.

Regards,
Valeria

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Wednesday, June 27, 2018 2:33 PM
To: Valeria Zavala <valeriaz@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
Subject: RE: AFBF Council of Presidents - July 11, 2018

Hi Valeria,

Yes, Administrator Pruitt looks forward to it! Would you please complete the attached form so that we have other relevant info for the event?

Thank you!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Valeria Zavala [mailto:valeriaz@fb.org]
Sent: Wednesday, June 27, 2018 2:08 PM
To: Woodward, Cheryl <Woodward.Cheryl@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: AFBF Council of Presidents - July 11, 2018

Good afternoon,

We are very excited to know that Mr. Pruitt will join us July 11 at 10.30am.

Our meeting will take place at the Holiday Inn Capitol (550 C Street SW, Washington DC) in Capitol Ballroom.

Please let me know what information you need and how can I help you with his arrival.

Valeria Zavala

Managing Director, Legislative Services

Public Affairs Department

American Farm Bureau Federation®

600 Maryland Ave S.W., Suite 1000W

Washington, D.C. 20024

Office: **Ex. 6**

Cell: **Ex. 6**

valeriaz@fb.org



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

June 28, 2018

Deadline for Acceptance:

Requesting Individual / Affiliation:

Event Title:

Event Date:

Is the Above Date Flexible:

Event Time & Duration:

Type of Event:

Purpose of the Event:

Role of the Administrator:

Requested Presentation Topic, if Speaking Involved:

Requested Presentation Format:

Speech/Presentation Duration:

Would You Consider a Surrogate:

Have you requested or are you planning to request anyone else from EPA to speak or attend this event?

Event Location:

Event Audience:

Event Host(s)/Organizer(s):

Host(s)' Relationship to EPA:

Run of Show/ Agenda:

Is there a Hold Room Available for the Administrator?

Open Press/Closed Press?

American Farm Bureau Federation

Council of Presidents

July 10 and July 11, 2018

No

July 11, 2018 at 10:30 am

Meeting

All Farm Bureau Presidents meet to talk about Policy

keynote

Agriculture

Keynote

20 minutes presentation 10 minutes Q&A

no

Holiday Inn Capitol, 550 C Street SW – Capitol Ballroom

52 Farm Bureau Presidents and Farm Bureau State Staff

American Farm Bureau Federation

We are still finalizing agenda, as soon as I have it I will send it your way

no

No Press

Page [PAGE] of [NUMPAGES]



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Dress Code:

Business

Teleprompter Available:

If needed we can have it

Microphone / Room Setup:

Podium and wireless or stand mic.

Honorable Guests Attending:

Amb. Gregg Doud, Hon. Greg Ibach, Sen. Roberts

Notable Federal, State or Local Appointed or Elected officials attending:

None

Individual Introducing Administrator:

Zippy Duvall, President AFBF

Person to contact for media purposes:

How will you promote this event?

Not promoted

Is this event held Weekly, Monthly, Annually?

Annually (Mr. Pruitt joined us last year too)

Day of Event Point of Contact:

Valeria Zavala, Managing Director Legislative Services, AFBF
Cellphone: **Ex. 6** email valeriaz@fb.org

Security Contact:

Suggested Entrance/ Exit to Event Venue:

There are side doors closer to the ballroom

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift?

No

Will a meal be provided, if so what is the US currency value?

no

Please return this completed form to Hayley Ford at ford.hayley@epa.gov

Message

From: Don Parrish [donp@fb.org]
Sent: 7/28/2017 8:32:05 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: Regional EPA's

Ken

I have an important process question to visit about. Would you have a minute to visit this afternoon or Monday?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 6/27/2018 6:32:51 PM
To: Valeria Zavala [valeriaz@fb.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
Subject: RE: AFBF Council of Presidents - July 11, 2018
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Hi Valeria,

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Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

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Sent: Wednesday, June 27, 2018 2:08 PM
To: Woodward, Cheryl <Woodward.Cheryl@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: AFBF Council of Presidents - July 11, 2018

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Valeria Zavala

Managing Director, Legislative Services
Public Affairs Department
American Farm Bureau Federation®
600 Maryland Ave S.W., Suite 1000W
Washington, D.C. 20024

Office: **Ex. 6**

Cell: **Ex. 6**

valeriaz@fb.org



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: _____

Requesting Individual / Affiliation: _____

Event Title: _____

Event Date: _____

Is the Above Date Flexible: _____

Event Time & Duration: _____

Type of Event: Reception, Conference, Meeting

Purpose of the Event: Brief Description

Role of the Administrator: E.g., speaking engagement, keynote, panel, roundtable, attendance

Requested Presentation Topic, if Speaking Involved: _____

Requested Presentation Format: Keynote, Panel, Q&A, Introduction, etc.

Speech/Presentation Duration: Length of Remarks

Would You Consider a Surrogate: _____

Have you requested or are you planning to request anyone else from EPA to speak or attend this event? Name & Title of EPA personnel

Event Location: _____

Event Audience: Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.

Event Host(s)/Organizer(s): List all hosts organizing the event

Host(s)' Relationship to EPA: _____

Run of Show/ Agenda: Provide full agenda of the event, including events immediately following the Administrator speaking.



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Is there a Hold Room Available for the Administrator?

Open Press/Closed Press?

Dress Code:

Casual/Business/Black Tie Optional/Black Tie/Etc.

Teleprompter Available:

Microphone / Room Setup:

What kind of microphone will be used? What is the room setup?

Honorable Guests Attending:

Name & Title

Notable Federal, State or Local Appointed or Elected officials attending:

Name & Title

Individual Introducing Administrator:

Name & Title

Person to contact for media purposes:

Name & Title; Email; Office Number, Cell Number

How will you promote this event?

Is this event held Weekly, Monthly, Annually?

Day of Event Point of Contact:

Name & Title; Email; Office Number, Cell Number

Security Contact:

Name & Title; Email; Office Number, Cell Number

Suggested Entrance/ Exit to Event Venue:

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift?

Will a meal be provided, if so what is the US currency value?

Please return this completed form to Hayley Ford at ford.hayley@epa.gov

Message

From: Eargle, Frances [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A63FCA70FF3944CEBF60B10B80A2ACB6-FEARGLE]
Sent: 8/11/2017 4:01:53 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: LGAC MEMBERSHIP 2017 (Commissioner Templeton)

Thank you!

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Thursday, August 10, 2017 9:49 PM
To: Eargle, Frances <Eargle.Frances@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Subject: LGAC MEMBERSHIP 2017 (Commissioner Templeton)
Importance: High

Dear Fran,

In case you didn't already receive, please see the attached nomination package and NASDA letter of support on behalf of Commissioner Templeton (TN). Please let us know if you have any questions or would like any additional information at this time -- many thanks!

Sent from my iPhone

Begin forwarded message:

From: Britt Aasmundstad <britt@nasda.org>
Date: August 10, 2017 at 4:18:45 PM EDT
To: Nathan Bowen <Nathan@nasda.org>, Dudley Hoskins <Dudley@nasda.org>
Subject: Fwd: LGAC MEMBERSHIP 2017

Begin forwarded message:

From: Corinne Gould <Corinne.Gould@tn.gov>
Date: August 10, 2017 at 1:46:44 PM CDT
To: "britt@nasda.org" <britt@nasda.org>
Cc: Jai Templeton <Jai.Templeton@tn.gov>, Joyce Jackson <Joyce.Jackson@tn.gov>
Subject: FW: LGAC MEMBERSHIP 2017

Hello, Britt.

I've just submitted the Commissioner's nomination.

Thank you for your assistance.

Please let me know if there is anything else I can provide.

Corinne

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 7/24/2017 10:08:14 PM
To: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: PRUITT CONTINUES STATE ACTION TOUR IN SC

Thanks Preston. Great meeting you last week.

Sent from my iPhone

On Jul 24, 2017, at 3:28 PM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:

All,

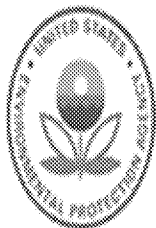
In case you missed it, more on Administrator Pruitt's WOTUS tour. Please let me know if you have any questions!

Regards,

Preston Cory

K. Preston Cory
Special Assistant
Office of the Administrator, Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency
O: (202) 564-1747
C: Ex. 6

From: "EPA Press Office" <press@epa.gov>
Date: July 24, 2017 at 2:55:37 PM EDT
To: "hewitt.james@epa.gov" <hewitt.james@epa.gov>
Subject: **PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SC**
Reply-To: press@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. - (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today, following visits to Utah, Minnesota and Arkansas last week. The visit highlights the administrator's recent decision to begin the process to redefine the "Waters of the United States" (WOTUS) rule to help return power back to the states and provide regulatory certainty to farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsey Graham, U.S. Congressman Joe Wilson, South Carolina Attorney General Alan Wilson, and South Carolina Commissioner of Agriculture Hugh Weathers, at a local sod farm for a roundtable with agricultural and business leaders.

"The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship," **said EPA Administrator Scott Pruitt.** "By beginning the process to redefine WOTUS, we are providing regulatory certainty for South Carolinians while working together with the state to keep our waters clean."

"We are very appreciative of EPA Administrator Pruitt taking time to visit South Carolina and underscore the negative impact of the Obama Administration's WOTUS regulation," **said U.S. Senator Graham.** "This Obama regulation greatly expanded the power of the federal government at the expense of our farmers and local development. I opposed this misguided proposal from the start. It failed the common sense test and has proven to be government overreach at its worst. I appreciate Administrator Pruitt and President Trump for making clear that government overregulation like WOTUS will be reviewed and reformed."

"Today's visit showed firsthand the real impact overreaching regulations can have on individuals, families, and businesses. I appreciate the leadership of President Donald Trump and EPA Administrator Scott Pruitt for their commitment to scaling back the role of the federal government, promoting limited government and expanded freedom," **U.S. Congressman Joe Wilson said.** "I am grateful to Administrator Pruitt for visiting South Carolina today and hearing from local agriculture and business leaders, especially South Carolina Commissioner of Agriculture Hugh Weathers and my longtime friend Jim Roquemore."

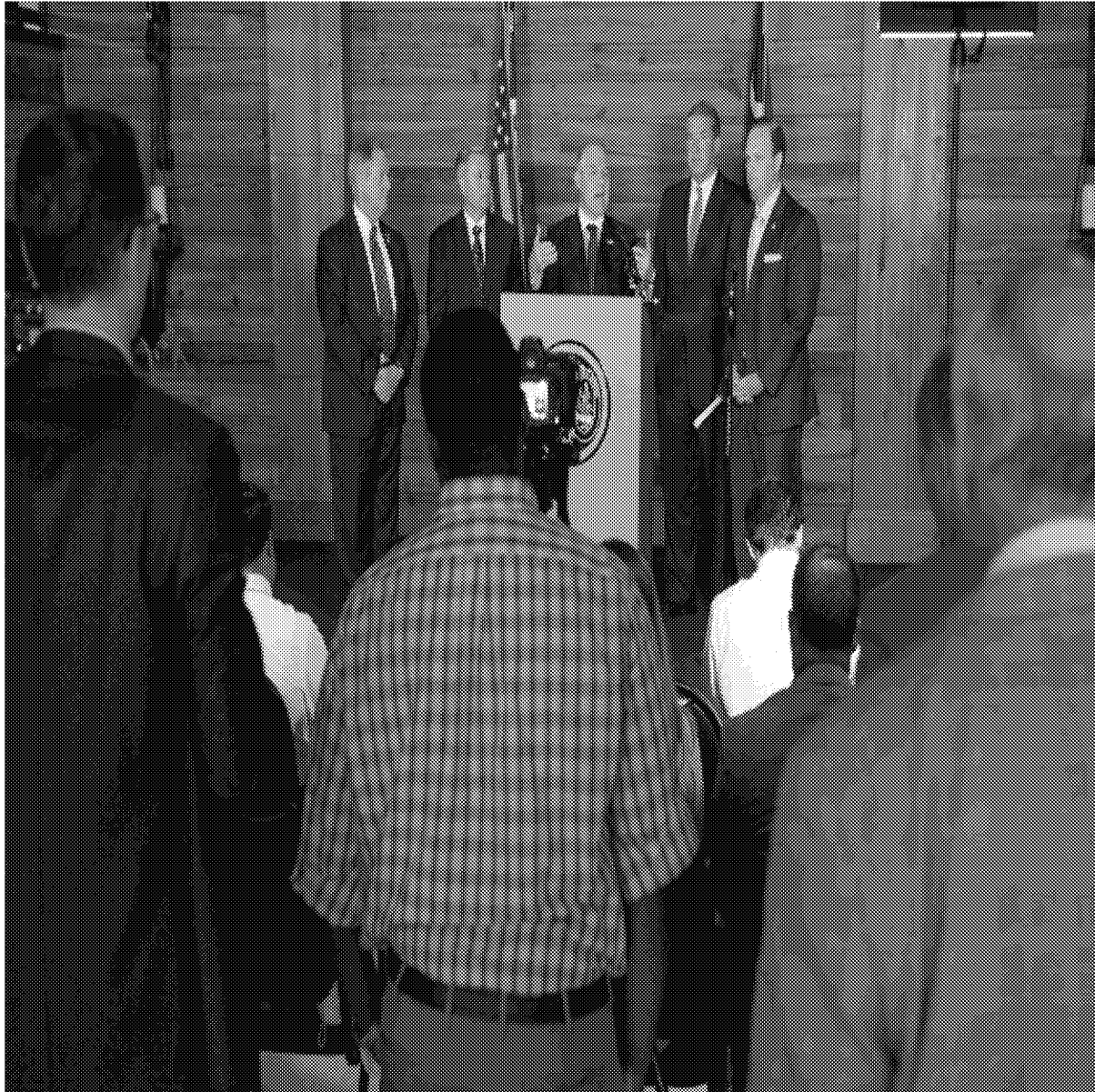
"For several years, I, along with Scott Pruitt and 24 other states, have been fighting this unconstitutional land grab by the federal government" **said South Carolina Attorney General Alan Wilson.** "I now look forward to working with Administrator Pruitt on this new proposal to protect the rights of South Carolina landowners."

"I am pleased Administrator Pruitt came to South Carolina to hear first-hand about the negative impacts the 2015 WOTUS rule would have on our state," **said South Carolina Commissioner of Agriculture Hugh Weathers**. "As our state's largest industry, agriculture is focused on having this overburdensome rule rescinded, so farmers can operate without additional uncertainties and costly regulations."



From left: South Carolina Attorney General Alan Wilson, South Carolina Commissioner of Agriculture Hugh Weathers, U.S. EPA Administrator Scott Pruitt, U.S. Senator Lindsey Graham, and U.S. Congressman Joe Wilson

U.S. EPA Administrator Scott Pruitt discusses WOTUS with roundtable attendees.



U.S. EPA Administrator Scott Pruitt takes questions from the press

<image001.png>



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 8/3/2017 2:05:54 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; jwitte@nmda.nmsu.edu [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=542ee3fee247433d9a6d043d7df73ada-jwitte@nmda]; Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]; ragnew@nmda.nmsu.edu; Britt Aasmundstad [britt@nasda.org]
Subject: FW: LGAC 2017 NOMINATION (Secretary Jeff Witte)
Attachments: EPA_Letter_of_Support_Witte_LGAC_08.03.17.pdf; 2017 EPA LGAC Letter.pdf; Jeff Witte bio 2015.pdf; Jeff Witte Resume 2015.pdf

Ken – my apologies for not cc'ing you as an FYI on NASDA's support for Secretary Witte's re-nomination to the LGAC.

Rectifying here, and please let me know if you have any questions or would like to discuss further at any point.

I also wanted to send a quick thank you for your time, insights and participation during the WASDA meeting last week – everyone was very complimentary!

More soon & many thanks - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Dudley Hoskins
Sent: Thursday, August 03, 2017 9:57 AM
To: 'Cory.Preston@epa.gov'; Bennett, Tate; 'Nitsch, Chad'
Cc: 'Jeff Witte (JWitte@nmda.nmsu.edu)'; Barb Glenn; Nathan Bowen; 'ragnew@nmda.nmsu.edu'; Britt Aasmundstad
Subject: FW: LGAC 2017 NOMINATION (Secretary Jeff Witte)

Hi Preston – thanks so much for circulating the LGAC solicitation for nominees earlier this week.

We just submitted the attached materials on behalf of Secretary Witte's re-nomination, and we wanted to share with you directly as an FYI if nothing else.

Please let me know if you have any questions or would like to touch base at any point – many thanks! - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Dudley Hoskins
Sent: Thursday, August 03, 2017 9:53 AM
To: 'eargle.frances@epa.gov'
Cc: Barb Glenn; Nathan Bowen; 'Jeff Witte (JWitte@nmda.nmsu.edu)'; 'ragnew@nmda.nmsu.edu'
Subject: LGAC 2017 NOMINATION (Secretary Jeff Witte)

Dear Ms. Eargle,

It was great speaking with you the other day, and NASDA is thrilled to support Secretary Witte's re-nomination to EPA's Local Government Advisory Committee.

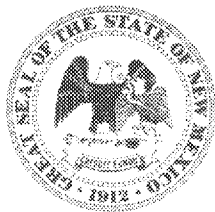
Per our conversation, please see the attached:

1. NASDA letter of support;
2. Secretary Witte's letter of commitment;
3. Secretary Witte's bio; and
4. Secretary Witte's resume.

Please let me know if you have any questions or would like any additional information at this time.

Many thanks! - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org



**DEPARTMENT OF AGRICULTURE
STATE OF NEW MEXICO**

**MSC 3189, Box 30005
Las Cruces, New Mexico 88003-8005
Telephone (575) 646-3007**

Susana Martinez
Governor

Jeff M. Witte
Secretary

August 2, 2017

M. Frances Eargle, LGAC Designated
Federal Officer, Office of Congressional
and Intergovernmental Relations (OCIR),
U.S. Environmental Protection Agency,
1200 Pennsylvania Avenue NW
(MC1301A), Washington, DC 20460

Dear Ms. Eargle:

Please accept this letter of interest for consideration for reappointment to the Local Government Advisory Committee (LGAC) of the U.S. Environmental Protection Agency (EPA). The LGAC serves an important role in providing EPA advice and recommendations to develop stronger partnerships with local governments. I feel including the agriculture and rural community perspective on the LGAC has provided invaluable insight to the agency.

I have served as Secretary of Agriculture in New Mexico for over six years. Prior to that, I served as assistant director and director of agriculture biosecurity and have been with the agency for nearly twenty-one years. During this time, I have worked collaboratively with many local, state, tribal and federal agencies, including the EPA to enhance, protect and defend our nation's food supply, while also enhancing and protecting our environment. Multiagency collaborations along with involvement from private sector stakeholders and other nongovernmental organizations are key to effective outcomes, which help our communities and land base. I have been involved in emergency planning and exercising activities which brought together responders who were responsible for food and agriculture incident management in all sectors. These events included agencies and industry from many states, including the six states from Mexico which border the United States.

I serve on the executive board of The National Association of State Departments of Agriculture (NASDA). This also provides a unique opportunity to bring the perspectives of other agriculture departments to the points of discussion. The opportunity to share and collaborate with other agriculture leaders and bring their input into the LGAC will also provide a much broader representation than mine alone. Agriculture is an industry that has a profound impact on every community across our nation. The policies discussed by the LGAC may also have an impact on this industry which may impact their effective contributions to these communities. Having the opportunity to share that with the LGAC at the appropriate opportunities will also aid in developing effective policies.

Ms. Frances Eargle

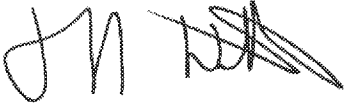
Page 2

August 2, 2017

If selected for membership on this committee, I will devote the necessary time and energy to be a valuable contributor. This includes dedicating the time to attend in person committee meetings held each year and the teleconferences.

Please contact me if I can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "JM Witte", with a stylized flourish at the end.

Jeff M. Witte



August 3, 2017

Ms. M. Frances Eargle
LGAC Designated Federal Officer
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW.
(MC1301A)
Washington, DC 20460

Re: **Local Government Advisory Committee; Nomination (LGAC 2017 Nomination)**

Dear Ms. Eargle,

The National Association of State Departments of Agriculture (NASDA) strongly supports the reappointment and nomination of The Honorable Jeff Witte, Director/Secretary of the New Mexico Department of Agriculture (NMDA), to the Environmental Protection Agency's (EPA) Local Government Advisory Committee (LGAC).

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among these primary responsibilities.

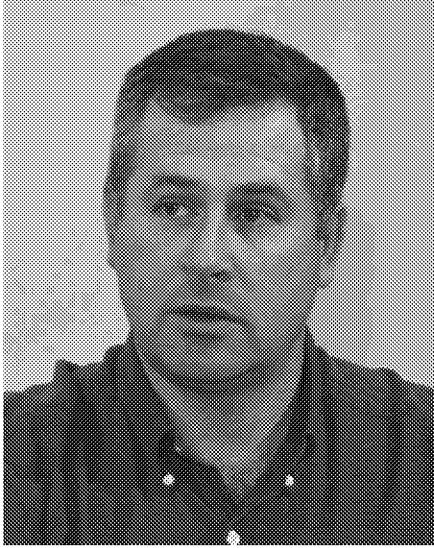
Secretary Witte serves on the NASDA Board of Directors Executive Committee, and he will continue to bring invaluable state and federal-level perspective and expertise to the LGAC. In his capacity as Director of the NMDA, Secretary Witte oversees a wide range of regulatory responsibilities, including but not limited to, the administration, implementation and enforcement of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act. Secretary Witte also works closely with a wide variety of stakeholders throughout New Mexico and around the country on such matters as food safety, homeland security, natural resource conservation, and water quality.

NASDA appreciates your consideration of Secretary Witte's nomination for the LGAC. Please let me know if you have any questions or would like any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Glenn".

Barbara P. Glenn, Ph.D.
Chief Executive Officer



JEFF M. WITTE
BIOGRAPHY
2015

Jeff Witte is the director/secretary of New Mexico Department of Agriculture (NMDA) and the Cabinet secretary of agriculture for NMDA under Governor Susana Martinez. He is currently serving as president of the Western Association of State Departments of Agriculture, the executive board of the Western United States Agriculture Trade Association and as a board member of the National Association of State Departments of Agriculture and chair of their Natural Resources, Pesticide

Management and Environment committee.

Mr. Witte served as the assistant director of NMDA from 1994 to 2003 then the director for the Office of Agricultural Biosecurity for NMDA and New Mexico State University (NMSU) until 2011. He codirected the Southwest Border Food Safety and Defense Center at NMSU, working on agriculture issues related to homeland security. He is an adjunct instructor with Louisiana State University, National Center for Biomedical Research and Training; and the University of Tennessee, College of Veterinary Medicine.

Mr. Witte comes from a ranching family in northern New Mexico. He is a graduate of New Mexico State University with a bachelor's degree in Agricultural Business Management and a master's degree in Agricultural Economics and Economics

JEFF M. WITTE

Ex. 6

Las Cruces, NM

Ex. 6

Ex. 6

jwitte@nmda.nmsu.edu

Summary of Qualifications

Twenty five years of professional experience with increasing responsibility in the food and agriculture sector public policy field with demonstrated success and achievement in bringing diverse groups together for the common good. A proven ability to work within and across agencies to achieve collective missions and to effectively manage an agency within established budgetary constraints to provide essential services to a broad constituency. A demonstrated ability and extensive experience in working with the executive and legislative branch of state government with tremendous respect for each while balancing the role as a member of the New Mexico State University administrative team.

Present Position

Director/Secretary, New Mexico Department, May 2011 to Present

Primary duties include managing daily operations of an organization with 140 full-time employees, an annual budget of over \$16 million, strategic planning, and the administration of state laws and regulations impacting the lives of all New Mexico citizens. Serve on the governor's executive cabinet for the state of New Mexico. Serve as a member of the senior administration for New Mexico State University

Past Experience

Director, Office of Agricultural Biosecurity, New Mexico State University/New Mexico Department of Agriculture, November 2003 to present. Co-Director, Southwest Border Food Safety and Defense Center, a partnership between New Mexico State University Cooperative Extension Service and the New Mexico Department of Agriculture, June 2006 to present.

Responsibilities include strategic planning with a special emphasis in risk assessment and coordination between the agriculture industry and federal/state agencies in securing a safe food supply and infrastructure. Activities include coordination of research in livestock syndromic surveillance, staff and industry training in emergency preparedness, and terrorism awareness including the ten states along the United States and Mexico border.

Significant Accomplishments:

- Developed a nationally recognized program in food and agriculture safety, defense and emergency response. This program serves as a model for agency/academic cooperation and coordination.
- Developed cooperative programs that brought together industry with local, state, tribal and federal agencies to deliver effective programs in the area of agriculture and food security.
- Assigned responsibility for all food and agriculture sector emergency response training programs in New Mexico by the Department of Homeland Security and Emergency management.

- Successfully coordinated and served as training director for the ten state border exercise program (table top, functional, full scale) involving the six states from Mexico and four states from the United States to improve coordination and collaboration in the region to address any agriculture emergency.
- Created the New Mexico Food Protection Alliance to improve coordination among local, state, tribal, and federal agencies with industry to protect the food supply.
- Project leader for the New Mexico Syndromic Surveillance Program, a livestock health monitoring program developed to provide early indications of possible significant health issues. USDA is evaluating this program for national deployment.
- Successfully applied for, received, and administered over \$5 million in grants and contracts.
- Developed partnerships and programs with Louisiana State University, University of Tennessee, University of Minnesota, Purdue University, Kansas State University, University of Kentucky, and University of California at Davis in the area of food safety and defense.

Assistant Director/Deputy Secretary, New Mexico Department of Agriculture, May 1994 to November 2003

Primary duties included managing daily operations of an organization with 130 full-time employees, an annual budget of over \$13 million, strategic planning, and the administration of 38 state laws and regulations impacting the lives of all New Mexico citizens. Major department accomplishments include improved staff training and confidence, streamlining budget and personnel administration while recognizing the department's responsibility for strong consumer protection and compliance education programs, and improving legislative and agriculture organization relations. Successfully planned for and oversaw the hiring of critical positions. Additional duties included representing the director at governor's cabinet meetings, at state, national, and international meetings including with high level cabinet officials in Washington, DC and the New Mexico State University administrative council.

Significant Accomplishments:

- Successful and seamless integration of the soil and water conservation program from another state agency.
- Task force leader to establish a methodology for valuing agriculture land and livestock for tax purposes.
- Creation of New Mexico Agriculture Leadership Inc., a private, nonprofit organization to provide unique opportunities for future leaders in New Mexico.
- Successful management of the New Mexico Karnal Bunt Emergency Response.

Director of Governmental Affairs and Field Services, New Mexico Farm and Livestock Bureau, September 1986 - May 1994

Primary responsibilities included serving as full-time lobbyist and coordination of legislative and membership program activities. Worked closely with agricultural producers to develop and implement policies of the organization and represent their interest at the local, state and federal level. Attended monthly meetings across New Mexico to promote and support member activities including the Farm Bureau Women's Committee, Young Farmers and Ranchers Committee, Natural Resources Committee, Farm Programs Committee, and Public Lands Advisory Committee. Additional responsibilities included working with other agricultural and business organizations to coordinate activities on issues of common concern.

Significant Accomplishments:

- Organized the “Ag Group”, an informal working group of all agriculture organizations involved in the state legislative process. This improved and helped establish a unified lobbying effort among all agriculture organizations in New Mexico.
- Created “Ag Fest”, an annual event to showcase the food and agriculture industry to the New Mexico legislature, executive branch and their staffs. This event significantly increased agricultures presence during the legislative session and has been a highlight for over 20 years.

Commissioner, New Mexico Public Service Commission, August 1990 - March 1991

Appointed to fill out the term of a commissioner who left early. I took leave from the New Mexico Farm and Livestock Bureau during this time frame. Responsibilities included the regulation of electric, gas, and water utilities in New Mexico. Managed agency budget and supervised staff. Appointed to the Committee on Finance and Technology of the National Association of Regulatory Utility Commissioners. Graduate of 18th Annual Utility Rate Seminar.

Research Specialist, Department of Agricultural Economics and Agricultural Business, New Mexico State University, August 1985 - July 1986

Research areas included grazing fee analysis, price forecasting, hedging analysis, and forage-fiber trade-off implications. Responsibilities included statistical analysis, econometric analysis, formulation of policy implications, and report writing.

Research Specialist, Range Economics Consulting Firm, Las Cruces, New Mexico, February 1985 - August 1985

Ranch budget analysis of 1982 cost and returns for small, medium, and large ranches for the 17 western states.

Research Assistant, Department of Agricultural Economics and Agricultural Research, New Mexico State University, July 1984 - August 1985

Research areas included impacts from oil and gas development to rangeland, grazing fee analysis, and forage-fiber trade-off implications.

Awards

Distinguished Service to Agriculture Award, New Mexico Farm and Livestock Bureau, 2014

Man of the Year, New Mexico Cowbelles Association, 2012

Honorary State FFA Degree, New Mexico FFA Association, 2012

New Mexico State Employee of the Year Award, Coalition of Arizona/New Mexico Counties, 2011

James Graham Distinguished Service to Agriculture Award, National Association of State Departments of Agriculture, 2009

Ayudando Siempre Alli, New Mexico Cattle Growers Association, 2009

Secretary's Honor Award presented by Dr. I Miley Gonzalez, New Mexico Department of Agriculture, 2004 and 2009
US Department of Justice Certificate of Commendation, 2008
Salt of the Earth Award, New Mexico Cattle Growers Association, 1999
Sam Steel Society, New Mexico State University College of Agriculture and Home Economics, 1995
Outstanding Community Service, New Mexico House of Representatives, 1994
Outstanding Service to the Industry, New Mexico Public Lands Council, 1994
Salt of the Earth Award, New Mexico Wool Growers, 1993 and 1994
Honorary State FFA Degree, New Mexico FFA Association, 1991
Outstanding Service to Beef Industry, New Mexico Beef Council, 1988
Distinguished Student Award, New Mexico State University College of Agriculture and Home Economics, 1984
Outstanding Senior Member, New Mexico State University Collegiate FFA, 1984

Current Professional and Community Activities

Western Association of State Departments of Agriculture, President – 2014 to present
Western United States Agriculture Trade Association, Treasurer, 2014 to present
National Association of State Departments of Agriculture, Board member, 2014 – present
Chair, Natural Resources, Pesticide Management and Environment Committee
New Mexico FBI Citizens Academy Alumni – 2011
Association of Food and Drug Officials – 2010 to present
Southern New Mexico State Fair Livestock Committee, Sale Superintendant – 2009 to present
National Domestic Preparedness Coalition, Homeland Security Task Force Member – 2008 to present
New Mexico 4H Foundation – 2006 to present
New Mexico Infragard – 2003 to present
AgriGard – Founding member – 2003 to present
New Mexico Anti-Terrorism Advisory Council – 2003 to present
New Mexico Wool Growers' Association – 1994 to present
New Mexico Farm and Livestock Bureau – 1986 to present
New Mexico Cattle Growers' Association – 1980 to present

Past Professional and Community Activities

Las Cruces FFA Farm Business Management Team Coach – 2008 to 2011
New Mexico Agriculture Leadership, Founding Member, Past Board Chairman – 2001 to 2006
Southern New Mexico State Fair and Rodeo, Executive Board Member – 1998 to 2007
Dona Ana County EXPO Board – 2005 to 2007
Farm Credit of New Mexico, ACA, Appointed Director: March 1997 to February 2002
Santa Fe County Fair Board – 1994
Water Quality Control Commission, Public Member – 1993 to 1994

Grand Canyon Visibility Transport Commission Public Advisory Committee, Western Governors' Association – 1991 to 1996

Certifications

Certified instructor for the following Department of Homeland Security Courses:
The National Center for Biomedical Research and Training at Louisiana State University

- Preparedness and Response to Food and Agriculture Incidents
- Preparing Communities for Agroterrorism
- A Coordinated Response to Food Emergencies: Practice and Execution
- Readiness: Training Identification and Preparedness Planning

The University of Tennessee College of Veterinary Medicine;

- Agriculture and Food Vulnerability Training Course
- Food Vulnerability Assessment Training Course
- Implementation of Effective Sharing of Information and Intelligence Related to the Importation and Transportation of Food
- Utilization of National Credentialing Standards for Animal Emergency Responders: Managing a Disaster Response and Recovery

Education

Master of Science, August 1985

New Mexico State University, Las Cruces, New Mexico
Major: Agricultural Economics and Economics

Bachelor of Science, May 1984

New Mexico State University, Las Cruces, New Mexico
Major: Agricultural Business Management

Additional Training

United States Department of Homeland Security “Protected Critical Infrastructure Information” user training

New Mexico State University “Principal Investigator Training” program

US Department of Justice Federal Bureau of Investigation “WMD Basic Course”

Emergency Management Institute “US Department of Homeland Security IS-700 National Incident Management System (NIMS) an Introduction”

Emergency Management Institute “IS-800.A National Response Plan (NRP), an Introduction”

Emergency Management Institute “IS 195 Basic Incident Command System”

Emergency Management Institute “ICS 300 Incident Command System”

Emergency Management Institute “ICS 400 Advanced ICS for Command and General Staff, Complex Incidents and MACS for Operational First Responders”

Message

From: Don Parrish [donp@fb.org]
Sent: 7/25/2017 10:38:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Tom Buchanan

Do you have my cell? Ex. 6

Sent from my iPhone

On Jul 25, 2017, at 6:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Do you mind connecting us via email, Don? Please?!

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 7/27/2017 9:44:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]
Subject: Re: Notification: EPA Issues Dicamba Compliance Advisory

Thank you Tate.

Sent from my iPhone

On Jul 27, 2017, at 3:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Heads up that notifications went to House and Senate Ag committee staff on EPA issuance of a compliance advisory on dicamba in response to recent complaints about crop damage in states like Arkansas, Missouri and Tennessee. As the advisory states, the application of a registered dicamba product during either the cotton or soybean crop growing season is unlawful under FIFRA except when using one of the conditionally registered dicamba product in accordance with their labels. EPA encourages individuals to report suspected crop damage caused by the off-target movement of dicamba to their state's department of agriculture or pesticide regulatory agency.

The advisory is attached and also available at <https://www.epa.gov/sites/production/files/2017-07/documents/fifra-dicambacomplianceadvisory-201708.pdf>.

Please let me know if any congressional pesticides questions and Carolyn Levine if enforcement questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

<2017 Compliance Advisory for Dicamba.pdf>

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2017 2:32:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: WE NEED To Talk

BEFORE YOU TALK TO MISSOURI!

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 10:29 AM
To: Don Parrish
Subject: Re: WE NEED To Talk

Understood. We are tied up most of the AM. Will ping you this afternoon.

Sent from my iPhone

> On Aug 8, 2017, at 9:23 AM, Don Parrish <donp@fb.org> wrote:

>
> We have to talk before you talk to the Missouri Governor. You can't talk to them until you talk to me.

>
> Don R Parrish
> American Farm Bureau Federation(r)
> Ex. 6
> donp@fb.org

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

> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Tuesday, August 08, 2017 10:06 AM
> To: Don Parrish
> Subject: Re: WE NEED To Talk

> We are in Iowa at the Governor's office currently and Sarah is a bit overwhelmed. We have to engage Mike and hear both sides before we do anything. She leans on Mike for a status quo, but that doesn't mean we take him as Gospel.

> Sent from my iPhone

>> On Aug 8, 2017, at 8:57 AM, Don Parrish <donp@fb.org> wrote:

>> This is important.

>>
>> Don R Parrish
>> American Farm Bureau Federation(r)
>> Ex. 6
>> donp@fb.org

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

>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>> Sent: Tuesday, August 08, 2017 9:47 AM
>> To: Shapiro, Mike
>> Cc: Garrett.Hawkins@mda.mo.gov; Don Parrish; Greenwalt, Sarah
>> Subject: Connecting you

>> All-

>> Per Mike and I's discussion with Sarah, can you all connect as soon as possible and compare your interpretations on the nutrient standards requirements for MO? We can check in with you later today, Mike.

>> Thank you all so much.

>>

>> Tate

Message

From: Don Parrish [donp@fb.org]
Sent: 6/26/2018 9:55:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Yes on Pruitt et al

Let us know what works.

Don

Sent from my iPhone

On Jun 26, 2018, at 4:28 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Yes! Thanks for getting back to us. Adding Hayley who can confirm what is best for that day.

On Jun 26, 2018, at 4:22 PM, Don Parrish <donp@fb.org> wrote:

Tate

Can we suggest the following windows of times for Administrator Pruitt and/or David Ross.

On July 10 – 8am to 8:30 or 11 am to 11:30;

Or

July 11 10:30 to 11

If these times do not work, let me know and we will try again.

Don

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 7/27/2017 9:32:28 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Notification: EPA Issues Dicamba Compliance Advisory

I am attending the WASDA Annual Meeting from July 22nd - July 28th and will have intermittent access to email. For urgent matters, please call or text: Ex. 6

Message

From: Don Parrish [donp@fb.org]
Sent: 6/27/2018 2:38:23 PM
To: Woodward, Cheryl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a0d6a3af92640248638ca24fe87a777-Woodward, Cheryl]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Valeria Zavala [valeriaz@fb.org]
Subject: RE: Yes on Pruitt et al

Cheryl, Hayley and Tate

This is great news and we look forward to Mr. Pruitt's participation in AFBF's Council of Presidents meeting. Please coordinate all logistical details with Valeria Zavala (Ex. 6 and included on this email). Thanks for all your help in making this possible.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Woodward, Cheryl [mailto:Woodward.Cheryl@epa.gov]
Sent: Wednesday, June 27, 2018 10:27 AM
To: Ford, Hayley <ford.hayley@epa.gov>; Don Parrish <donp@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Yes on Pruitt et al

done

From: Ford, Hayley
Sent: Wednesday, June 27, 2018 9:47 AM
To: Don Parrish <donp@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Woodward, Cheryl <Woodward.Cheryl@epa.gov>
Subject: RE: Yes on Pruitt et al

Hello Don,

July 11 from 10:30-11 works for us! We look forward to it. I've copied Cheryl Woodward here who can send you arrival instructions. Can you also send a list of all attendees to us? You may have already sent to Tate/discussed with her, so if so, no worries and we can get from her.

Thank you and we'll see you then!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

From: Bennett, Tate
Sent: Tuesday, June 26, 2018 5:28 PM
To: Don Parrish <donp@fb.org>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Yes on Pruitt et al

Yes! Thanks for getting back to us. Adding Hayley who can confirm what is best for that day.

On Jun 26, 2018, at 4:22 PM, Don Parrish <donp@fb.org> wrote:

Tate

Can we suggest the following windows of times for Administrator Pruitt and/or David Ross.

On July 10 – 8am to 8:30 or 11 am to 11:30;

Or

July 11 10:30 to 11

If these times do not work, let me know and we will try again.

Don

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/25/2018 4:58:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report June 25, 2018

June 25, 2018



***A More Dynamic Economy: HOW TO TRANSFORM OUR ANALOGUE
ECONOMY WITH 21ST CENTURY SOLUTIONS***

Register Today

Federal Black Business Participation has been Decimated: With an 8-year drought during the Obama Administration, Federal Procurement levels dwindled from nearly 8% to just 1.8%. Here is our [view of the situation](#). Here are the agencies to [target for improvement](#). We will begin our program to turn it around and return to viable business growth. It starts at [our 26th Annual Conference](#) – come and hear and be a part of our plan: Operation Phoenix!

A New Approach at ending Gentrification: Gentrification is a fact. Washington, DC is a fine example of it. When we moved to DC, Black population was at 83%. Today, it is about 47% - less than a majority. No more "Chocolate City". We should [follow this lawsuit](#) as it may catch on with other cities.

7th Annual Conference on PPP: Funding major developments through Public Private Partnerships has become quite popular due to the current successes around the world. Consider attending this conference and meet the main players in this “game”.

President Trump Plans to Reorganize: Reorganizing the federal government is no easy task. Our president understands that. It is long overdue and here is his plan. This will affect our way of life in the future.

A Boost for Small Business: Congressman Andre Carson is introducing legislation to increase Capital Access for Small Businesses. We encourage all of you to help support this upcoming Bill. Stay tuned for further developments and call to action.



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](mailto:bennett.tate@epa.gov)

[Update Profile](#) | [About our service provider](#)

Sent by halford@nationalbcc.org in collaboration with



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Message

From: Don Parrish [donp@fb.org]
Sent: 7/19/2017 1:14:01 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Do you have a minute?

That works.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, July 19, 2017 9:05 AM
To: Don Parrish
Subject: Re: Do you have a minute?

One hour? I'm in Minnesota

Sent from my iPhone

On Jul 19, 2017, at 8:03 AM, Don Parrish <donp@fb.org> wrote:

When would be a good time for me to call you?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2017 1:58:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Connecting you

Importance: High

You guys are really about to screw this up...

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 9:47 AM
To: Shapiro, Mike
Cc: Garrett.Hawkins@mda.mo.gov; Don Parrish; Greenwalt, Sarah
Subject: Connecting you

All-

Per Mike and I's discussion with Sarah, can you all connect as soon as possible and compare your interpretations on the nutrient standards requirements for MO? We can check in with you later today, Mike.

Thank you all so much.

Tate

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 7/25/2017 7:59:49 PM
To: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: PRUITT CONTINUES STATE ACTION TOUR IN SC

Thank you for forwarding, Preston. And thanks for all your work as well, Tate! I heard very positive things from Commissioner Weathers and we at NASDA helped him prepare and prepare some of his growers. Thanks for the coordination and please let us know if you need anything else with these events.

Britt

On Jul 24, 2017, at 3:28 PM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:

All,

In case you missed it, more on Administrator Pruitt's WOTUS tour. Please let me know if you have any questions!

Regards,

Preston Cory

K. Preston Cory
Special Assistant
Office of the Administrator, Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency
O: (202) 564-1747
C: Ex. 6

From: "EPA Press Office" <press@epa.gov>
Date: July 24, 2017 at 2:55:37 PM EDT
To: "hewitt.james@epa.gov" <hewitt.james@epa.gov>
Subject: **PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SC**
Reply-To: press@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. - (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today, following visits to Utah, Minnesota and Arkansas last week. The visit highlights the administrator's recent decision to begin the process to redefine the "Waters of the United States" (WOTUS) rule to help return power back to the states and provide regulatory certainty to farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsey Graham, U.S. Congressman Joe Wilson, South Carolina Attorney General Alan Wilson, and South Carolina Commissioner of Agriculture Hugh Weathers, at a local sod farm for a roundtable with agricultural and business leaders.

"The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship," **said EPA Administrator Scott Pruitt.** "By beginning the process to redefine WOTUS, we are providing regulatory certainty for South Carolinians while working together with the state to keep our waters clean."

"We are very appreciative of EPA Administrator Pruitt taking time to visit South Carolina and underscore the negative impact of the Obama Administration's WOTUS regulation," **said U.S. Senator Graham.** "This Obama regulation greatly expanded the power of the federal government at the expense of our farmers and local development. I opposed this misguided proposal from the start. It failed the common sense test and has proven to be government overreach at its worst. I appreciate Administrator Pruitt and President Trump for making clear that government overregulation like WOTUS will be reviewed and reformed."

"Today's visit showed firsthand the real impact overreaching regulations can have on individuals, families, and businesses. I appreciate the leadership of President Donald Trump and EPA Administrator Scott Pruitt for their commitment to scaling back the role of the federal government, promoting limited government and expanded freedom," **U.S. Congressman Joe Wilson said.** "I am grateful to Administrator Pruitt for visiting South Carolina today and hearing from local agriculture and business leaders, especially South Carolina Commissioner of Agriculture Hugh Weathers and my longtime friend Jim Roquemore."

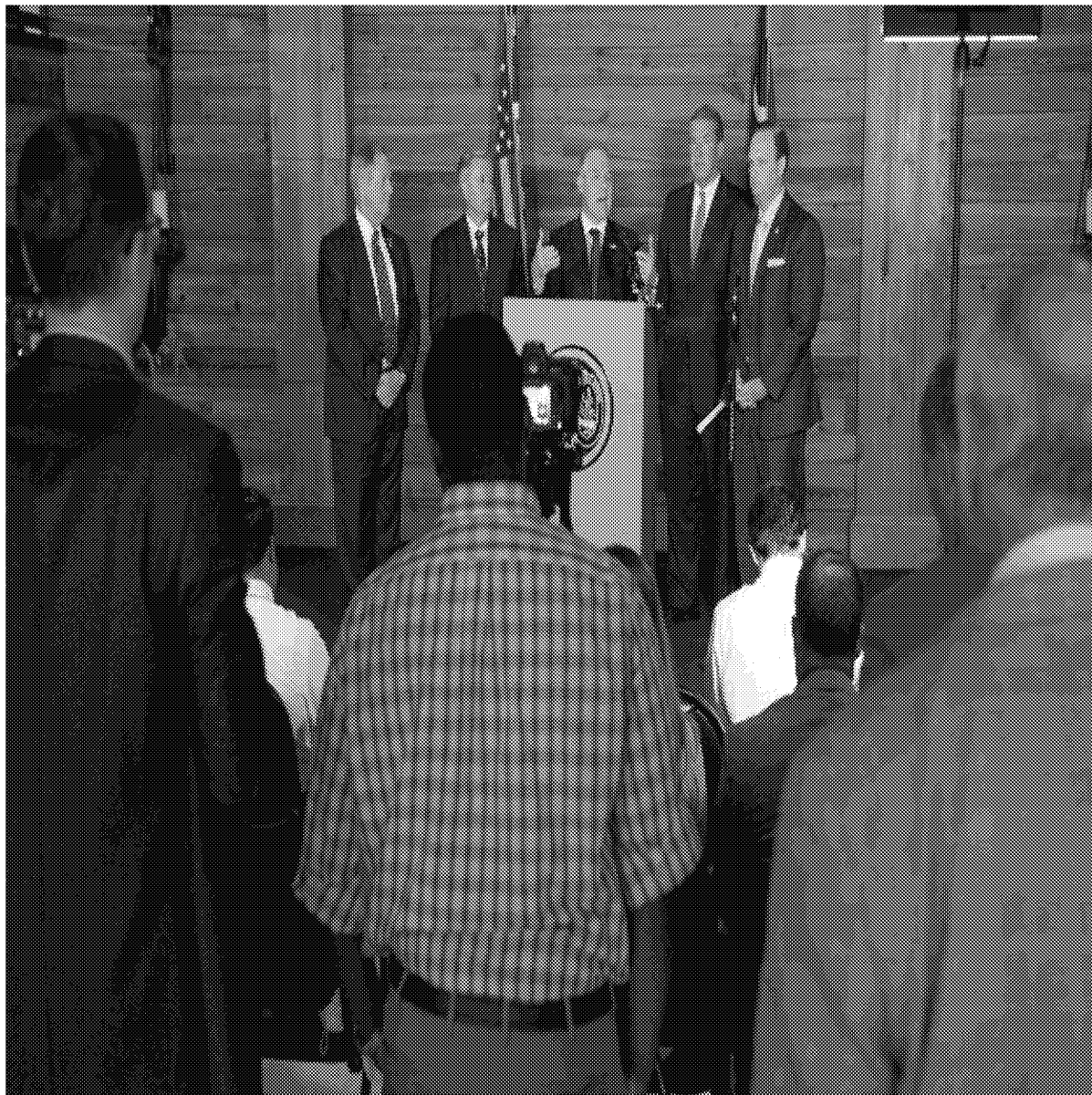
"For several years, I, along with Scott Pruitt and 24 other states, have been fighting this unconstitutional land grab by the federal government" **said South Carolina Attorney General Alan Wilson.** "I now look forward to working with Administrator Pruitt on this new proposal to protect the rights of South Carolina landowners."

"I am pleased Administrator Pruitt came to South Carolina to hear first-hand about the negative impacts the 2015 WOTUS rule would have on our state," **said South Carolina Commissioner of Agriculture Hugh Weathers**. "As our state's largest industry, agriculture is focused on having this overburdensome rule rescinded, so farmers can operate without additional uncertainties and costly regulations."



From left: South Carolina Attorney General Alan Wilson, South Carolina Commissioner of Agriculture Hugh Weathers, U.S. EPA Administrator Scott Pruitt, U.S. Senator Lindsey Graham, and U.S. Congressman Joe Wilson

U.S. EPA Administrator Scott Pruitt discusses WOTUS with roundtable attendees.



U.S. EPA Administrator Scott Pruitt takes questions from the press

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Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 7/25/2017 7:38:32 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: NASDA Request: EPA Local Government Advisory Comm (LGAC)

Yes, several of the nasda staff are here now, and I will be here for the duration.

Please let me know if I can be of help to you on any fronts. My cell: **Ex. 6**

Looking forward to seeing you.

Sent from my iPhone

On Jul 25, 2017, at 1:31 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Dudley - thanks for the heads up...will you be in sun valley?

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On Jul 25, 2017, at 2:02 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Ken -- wanted to flag that several of our members are discussing the various challenges for states regarding pesticides and marijuana, and they mentioned they would like to raise this topic with you when you are here on Thursday.

Sent from my iPhone

On Jul 25, 2017, at 10:24 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

Hi Tate,

We saw this FR [notice](#) soliciting nominations to fill 10-15 vacancies on EPA's Local Government Advisory Committee (LGAC). Our member from New Mexico (Secretary Jeff Witte) currently serves on the LGAC (not sure if his term expires this year or not), and NASDA strongly supports his continued participation.

Please let me know if you all need/want any additional information from NASDA on supporting his role on the LGAC.

Also, looking forward to seeing Ken later this week at the WASDA Regional meeting in Sun Valley.

Many thanks!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 •
(C) **Ex. 6** • www.nasda.org

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2017 1:52:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Connecting you

Importance: High

I need to talk about this....Mike should be taking his directions from you.

Don R Parrish
American Farm Bureau Federation(r)

Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 9:47 AM
To: Shapiro, Mike
Cc: Garrett.Hawkins@mda.mo.gov; Don Parrish; Greenwalt, Sarah
Subject: Connecting you

All-

Per Mike and I's discussion with Sarah, can you all connect as soon as possible and compare your interpretations on the nutrient standards requirements for MO? We can check in with you later today, Mike.

Thank you all so much.

Tate

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 8/9/2017 5:51:54 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Dudley Hoskins [Dudley@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]; michael.scuse@state.de.us; Lisa Wildermuth [lisa.wildermuth@state.de.us] [lisa.wildermuth@state.de.us]
Subject: RE: LGAC 2017 NOMINATION (Secretary Michael Scuse)

Oh wow, Chad. Thanks for catching that. Apologies to Ms. Eargle!

Britt Aasmundstad

National Association of State Departments of Agriculture
(202) 296-9680

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Wednesday, August 09, 2017 1:51 PM
To: Britt Aasmundstad; Dudley Hoskins; Wagner, Kenneth
Cc: Cory, Preston (Katherine); Bennett, Tate; Barb Glenn; Nathan Bowen; michael.scuse@state.de.us; Lisa Wildermuth (lisa.wildermuth@state.de.us)
Subject: RE: LGAC 2017 NOMINATION (Secretary Michael Scuse)

Thanks Britt! I forwarded on to Fran Eargle.

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Wednesday, August 09, 2017 12:33 PM
To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Barb Glenn <barb@nasda.org>; Nathan Bowen <Nathan@nasda.org>; michael.scuse@state.de.us; Lisa Wildermuth (lisa.wildermuth@state.de.us) <lisa.wildermuth@state.de.us>
Subject: LGAC 2017 NOMINATION (Secretary Michael Scuse)

Dear Ms. Eargle,

Attached is Secretary Michael Scuse's nomination to EPA's Local Government Advisory Committee as well as NASDA's letter of support for his nomination.

In accordance with the application requirements, please see the attached:

1. NASDA letter of support;
2. Secretary Scuse's letter of commitment;
3. Secretary Scuse's bio; and

4. Secretary Scuse' resume.

Please let me know if you have any questions or would like any additional information at this time.

Many thanks!

Britt

Britt Aasmundstad | Manager, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 8/9/2017 4:32:43 PM
To: Dudley Hoskins [Dudley@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]; michael.scuse@state.de.us; Lisa Wildermuth [lisa.wildermuth@state.de.us] [lisa.wildermuth@state.de.us]
Subject: LGAC 2017 NOMINATION (Secretary Michael Scuse)
Attachments: EPA_Letter_of_Support_Scuse_LGAC_08.08.17_DRAFT.pdf; MScuse Resume January 2017.doc; SECRETARY MICHAEL T Scuse with photo.docx; Letter to Frances Eargle.pdf

Dear Ms. Eargle,

Attached is Secretary Michael Scuse's nomination to EPA's Local Government Advisory Committee as well as NASDA's letter of support for his nomination.

In accordance with the application requirements, please see the attached:

1. NASDA letter of support;
2. Secretary Scuse's letter of commitment;
3. Secretary Scuse's bio; and
4. Secretary Scuse' resume.

Please let me know if you have any questions or would like any additional information at this time.

Many thanks!

Britt

Britt Aasmundstad | Manager, Public Policy | National Association of State Departments of Agriculture | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)



August 9, 2017

Ms. M. Frances Eargle
LGAC Designated Federal Officer
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW.
(MC1301A)
Washington, DC 20460

Re: **Local Government Advisory Committee; Nomination of Jai Templeton (LGAC 2017 Nomination)**

Dear Ms. Eargle,

The National Association of State Departments of Agriculture (NASDA) strongly supports the nomination of The Honorable Michael Scuse, Secretary of the Delaware Department of Agriculture (DDA) to the Environmental Protection Agency's (EPA) Local Government Advisory Committee (LGAC).

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among these primary responsibilities.

Secretary Scuse is a lifelong farmer and previously served with the U.S. Department of Agriculture as acting U.S. secretary of agriculture, acting deputy secretary of agriculture, and under secretary for farm and foreign agricultural services. Secretary Scuse brings vast knowledge of how state governments and the federal government intersect and work cooperatively. In his role at USDA, he oversaw USDA's Farm Service Agency, which has offices in nearly every county in the country and interacts with farmers and ranchers daily to help improve their economic viability. As secretary of DDA, Secretary Scuse oversees the administration, implementation and enforcement of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act; the state Nutrient Management Program and permitting of CAFOs.

NASDA appreciates your consideration of Secretary Scuse's nomination for the LGAC. Please let me know if you have any questions or would like any additional information.

Sincerely,

A handwritten signature in black ink that reads "Barbara P. Glenn". The signature is written in a cursive, flowing style.

Barbara P. Glenn, Ph.D.
Chief Executive Officer



MICHAEL T. SCUSE
SECRETARY
E. AUSTIN SHORT
DEPUTY SECRETARY
KENNETH M. BOUNDS
DEPUTY SECRETARY

STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
2320 SOUTH DUPONT HIGHWAY
DOVER, DELAWARE 19901
DDA.DELAWARE.GOV

TELEPHONE: (302) 698-4500
TOLL FREE: (800) 282-8685
FAX: (302) 697-6287

August 9, 2017

M. Frances Eargle, LGAC Designated
Federal Officer, Office of Congressional
and Intergovernmental Relations (OCIR),
U.S. Environmental Protection Agency,
1200 Pennsylvania Avenue NW
(MC1301A), Washington, DC 20460

Dear Ms. Eargle:

Please accept this letter of interest for consideration for appointment to the Local Government Advisory Committee (LGAC) of the U.S. Environmental Protection Agency (EPA). The LGAC serves an important role in providing EPA advice and recommendations to develop stronger partnerships with local governments. I feel including the agriculture and rural community perspective on the LGAC has provided invaluable insight to the agency.

As the current secretary of agriculture for Delaware, I am a lifelong farmer and native Delawarean. I formally served as the U.S. Department of Agriculture acting U.S. secretary of agriculture, acting deputy secretary of agriculture, and under secretary for farm and foreign agricultural services. As under secretary, I oversaw USDA's Farm Service Agency, Risk Management Agency, and Foreign Agricultural Services. I led initiatives to improve the competitiveness of American products in the global marketplace, create new markets to increase rural economic opportunity, and deliver arm assistance that help keep America's farmers and ranchers in business. I also served as president of the Commodity Credit Corporation, working to stabilize and support farm income and prices while helping maintain balance and adequate supplies of agricultural products.

Prior to my work in Washington, DC with the U.S. Department of Agriculture, I served as Delaware secretary of agriculture from 2001-2008, and also served as chief of staff to former Gov. Ruth Ann Minner. During my term as secretary, I served as vice-president of the National Association of State Departments of Agriculture and president of the Northeast Association of State Departments of Agriculture. I also served as chairman of the Kent County Regional Planning Commission and chairman of USDA's Delaware Farm Service Committee.

Ms. Eargle LGAC

Page 2

August 9, 2017

Having served on the executive board of The National Association of State Departments of Agriculture (NASDA) along with my extensive background in agriculture, this also provides a unique opportunity to bring the perspectives of other agriculture departments to the points of discussion. The opportunity to share and collaborate with other agriculture leaders and bring their input into the LGAC will also provide a much broader representation than mine alone. Agriculture is an industry that has a profound impact on every community across our nation. The policies discussed by the LGAC may also have an impact on this industry which may impact their effective contributions to these communities. Having the opportunity to share that with the LGAC at the appropriate opportunities will also aid in developing effective policies.

If selected for membership on this committee, I will devote the necessary time and energy to be a valuable contributor. This includes dedicating the time to attend in person committee meetings held each year and the teleconferences.

Please contact me if I can provide additional information.

With kind regard,

A handwritten signature in cursive script that reads "Michael T. Scuse".

Michael T. Scuse

Michael T. Scuse

Ex. 6
Smyrna, DE Ex. 6
Ex. 6 (cell)
Ex. 6

Professional Profile

- Extensive experience in and knowledge of state and federal government
- Superior communication skills
- Experienced public speaker
- Proficient in reading and interpreting local, state, and federal laws
- Formerly elected to public office
- Led trade missions to 27 countries
- Represented the National Association of State Departments of Agriculture at the World Trade Organization Conference in Geneva, Switzerland

Professional Experience

Cabinet Secretary, Department of Agriculture

Currently

Acting Deputy Secretary USDA

Mar. 2016-Jan. 2017

Achievements:

- Reduced the time for disaster declarations from over 100 days to under 30
- Over saw the down sizing of Farm Service offices by closing 125 of the 2200 county offices
- Helped implement two Farm Bills
- Assisted producers who had losses due to weather and other causes
- Led the effort to develop news crop insurance products
- Found a way to compensate livestock producers who suffered losses from wolves and other predators
- Opened foreign markets for U.S. agricultural products that helped set record breaking years for Ag trade. Over \$1 trillion in 8 years

Responsibilities:

- Daily management of a department with just under 100,000 people and a budget of around \$150 billion.
- Led trade missions around the world to promote and sell agricultural products
- President of the Commodity Credit Corporation where the funding for many USDA programs comes from
- Represent USDA at White House meetings for senior officials

Under Secretary for Farm & Foreign Agricultural Service

2012-2016

Deputy Under Secretary Farm & Foreign Agricultural Service

2009-2012

Chief of Staff, Office of Governor Ruth Ann Minner

Sept. 2008- Jan. 2009

Achievements:

- Successfully administrated and coordinated the end-of-term transition for all departments within the executive branch of state government
- Effectively managed an understaffed office ensuring that services provided to constituents, state agencies, elected officials, and the public were not interrupted
- Assisted the governor and the director of the Office of Management and Budget in addressing significant budgetary issues

Responsibilities:

- Managing the governor's staff and cabinet
- Communicating important issues to the governor, cabinet, and staff
- Providing a visible link between the governor, elected officials, and the public
- Acting as a representative on the governor's behalf in dealing with elected officials, constituents, and all departments in state government
- Serving as chairman of the Cabinet Committee on State Planning Issues

Cabinet Secretary, Department of Agriculture

May 2001- September 2008

Achievements:

- Served as Vice President of the National Association of State Departments of Agriculture (NASDA)
- Served as President of the Northeast Association of State Departments of Agriculture (NEASDA) in 2003
- Served as Vice Chair of International Trade and Marketing for the National Association of State Departments of Agriculture (NASDA)
- Successfully eradicated avian influenza from broiler flocks with the assistance of the University of Delaware and the poultry industry

Responsibilities:

- Sustained and promote the viability of food, fiber, and agricultural industries in Delaware through quality services that protect and enhance the environment, health, and welfare of the general public
- Supervised, directed, and accounted for the administration and operation of the Department, its divisions, subdivisions, and offices including the Harness Racing and Thoroughbred Racing Commissions
- Established and promulgated rules and regulations governing the administration and operation of the Department
- Oversaw maintenance of facilities throughout the state as required for the effective and efficient operation of the Department

State Chairman, Farm Service Agency

1996-2001

Chairman, Kent County Regional Planning Commission

1996-2001

Kent County Recorder of Deeds, Kent County Row Office 1986-1994

- Successfully elected to two terms

Partnership, Round Maple Farms with Brother Dale 1973- Present

- Farm more than 1,500 acres of corn, soybeans and wheat

Auctioneer, C.T Scuse & Sons Auctioneering Company 1973-2000

Memberships

- Former Member of the American Planning Association
- Member of Quality Deer Management Association
- Member of Ducks Unlimited

Education

- Salem College
- Smyrna High School Graduate

References – Available upon request

SECRETARY MICHAEL T. SCUSE



Michael T. Scuse was nominated as Delaware Secretary of Agriculture by Gov. John Carney and confirmed by the Delaware State Senate on Jan. 25, 2017.

A lifelong farmer and native Delawarean, Secretary Scuse previously served with the U.S. Department of Agriculture as acting U.S. secretary of agriculture, acting deputy secretary of agriculture, and under secretary for farm and foreign agricultural services. As under secretary, he oversaw USDA's Farm Service Agency, Risk Management Agency, and Foreign Agricultural Services. He led initiatives to improve the competitiveness of American products in the global marketplace, create new markets to increase rural economic opportunity, and deliver arm assistance that help keep America's farmers and ranchers in business. He also served as president of the Commodity Credit Corporation, working to stabilize and support farm income and prices while helping maintain balance and adequate supplies of agricultural products.

Secretary Scuse previously served as Delaware secretary of agriculture from 2001-2008, and also served as chief of staff to former Gov. Ruth Ann Minner. During his term as secretary, he served as vice-president of the National Association of State Departments of Agriculture and president of the Northeast Association of State Departments of Agriculture. He previously served as chairman of the Kent County Regional Planning Commission and chairman of USDA's Delaware Farm Service Committee.

He has received the Medal of Achievement from the Delmarva Poultry Industry, Inc., in 2006, and the Secretary's Award for Distinguished Service to Delaware Agriculture in 2012.

Secretary Scuse and his wife, Patrice, live in Smyrna on a corn, soybean and wheat farm that has been in their family for generations.

Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2017 1:03:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Can you chat this AM

Yes - Now?

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 9:01 AM
To: Don Parrish
Subject: Can you chat this AM

Sent from my iPhone

Message

From: yvette herrell [yherrell@yahoo.com]
Sent: 7/14/2017 1:43:14 PM
To: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Jim Townsend [townsend@pvt.net]; Denise McWatters [denise.mcwatters@hollyfrontier.com]
Subject: Follow-up Information

Good Morning Preston,

Just checking with you for a follow-up to the conversation we had in June regarding the RVO formulas, etc.

Thank you kindly,

Rep. Yvette Herrell

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 7/24/2017 1:55:02 PM
To: Burke, Leacy [Leacy.Burke@mail.house.gov]
CC: Robert Kittle [RKittle@scag.gov]; Adam Piper [apiper@ruleoflawdefensefund.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; John Hazzard [JHazzard@scag.gov]
Subject: Re: Press release quotes

Thank you so much. We will include.

Sent from my iPhone

On Jul 24, 2017, at 9:52 AM, Burke, Leacy <Leacy.Burke@mail.house.gov> wrote:

See below for a quote from Congressman Joe Wilson – if you can bcc/share the final formatted version with me, I'll amplify the message on our end.

“Today’s visit showed firsthand the real impact overreaching regulations can have on individuals, families, and businesses. I appreciate the leadership of President Donald Trump and EPA Administrator Scott Pruitt for their commitment to scaling back the role of the federal government, promoting limited government and expanded freedom,” Congressman Joe Wilson said.

“I am grateful to Administrator Pruitt for visiting South Carolina today and hearing from local agriculture and business leaders, especially South Carolina Commissioner of Agriculture Hugh Weathers and my longtime friend Jim Roquemore.”

Thanks!

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Sunday, July 23, 2017 8:42 PM
To: Burke, Leacy <Leacy.Burke@mail.house.gov>
Cc: Robert Kittle <RKittle@scag.gov>; Adam Piper <apiper@ruleoflawdefensefund.org>; Bennett, Tate <Bennett.Tate@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; John Hazzard <JHazzard@scag.gov>
Subject: Re: Press release quotes

That's great. Thank you.

Sent from my iPhone

On Jul 23, 2017, at 7:59 PM, Burke, Leacy <Leacy.Burke@mail.house.gov> wrote:

I should be able to get y'all one by 10 if that works

Leacy Burke
Congressman Joe Wilson (SC-02)
Sent from my iPhone

On Jul 23, 2017, at 7:48 PM, Robert Kittle <RKittle@scag.gov> wrote:

I'll be there tomorrow and was planning to get a quote from Attorney General Wilson then. By when do you need a quote?

Robert

Sent from my iPhone

On Jul 23, 2017, at 7:45 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

Amy-

Connecting you with: John Hazzard and Robert Kittle in AG Wilson's office and Leacy Burke in Congressman Joe Wilson's office.

-Adam

Get [Outlook for iOS](#)

From: Bennett, Tate <bennett.tate@epa.gov>
Sent: Sunday, July 23, 2017 7:42 PM
Subject: Re: Press release quotes
To: Graham, Amy <graham.amy@epa.gov>
Cc: Hewitt, James <hewitt.james@epa.gov>, Adam Piper <apiper@ruleoflawdefensefund.org>

You bet! Adam, can you help?

Sent from my iPhone

On Jul 23, 2017, at 7:40 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi Tate - Can you help put us in contact with Rep. Wilson's team and the Attorney General's team to track down quotes for the draft press release below?

**PHOTOS:
PRUITT
CONTINUES
STATE**

ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. –
(July 24, 2017) U.S.
Environmental
Protection Agency
(EPA) Administrator
Scott Pruitt continued
his multistate action
tour in South Carolina
today, visiting his
fourth state in a week.
The visit highlights the
Administrator’s recent
decision to begin the
process to rescind the
“Waters of the United
States” (WOTUS) rule to
help return power back
to the states and
provide regulatory
certainty for farmers,
landowners, and
ranchers across the
country. Administrator
Pruitt was joined by
U.S. Senator Lindsay
Graham, Attorney
General Alan Wilson,
Congressman Joe
Wilson, and South
Carolina Agriculture
Commissioner Hugh
Weathers for a
roundtable with local
agriculture and
business leaders.

“The Trump
Administration and EPA
are committed to
empowering agriculture

and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship," **said EPA Administrator Scott Pruitt.** "By beginning the process to rescind WOTUS, we are helping return oversight to states and providing regulatory certainty for farms in South Carolina while continuing to keep our waters clean."

Following the roundtable, representatives from the family owned business Super-Sod led Administrator Pruitt and local elected officials on a tour of the Super-Sod facility. They viewed the facility's streams and rivers that have been adversely affected by the WOTUS rule.

Senator Graham Quote

Congressman Quote

Attorney General
Quote

Ag Commissioner
Weathers Quote

PHOTOS

Message

From: Hawkins, Garrett [Garrett.Hawkins@mda.mo.gov]
Sent: 8/8/2017 7:43:10 PM
To: Shapiro, Mike [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2c70af880ba747b5a8b6baa45a040125-MShapiro]; Don Parrish [donp@fb.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]; Campbell, Ann [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8c25a0c2fb648b6a947694a8492311e-Campbell, Ann]
Subject: RE: Connecting you

Mike,

Thank you for following up on that point. That is a critical question that must be answered.

Garrett

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

From: Shapiro, Mike [mailto:Shapiro.Mike@epa.gov]
Sent: Tuesday, August 08, 2017 2:41 PM
To: Don Parrish
Cc: Bennett, Tate; Hawkins, Garrett; Greenwalt, Sarah; Forsgren, Lee; Campbell, Ann
Subject: Re: Connecting you

Don,

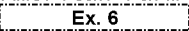
Thanks for you points. It is correct that states have used narrative criteria. I will check your point on the consent agreement since that was not my understanding.

Mike

Michael Shapiro
Deputy Assistant Administrator
US EPA, Office of Water

> On Aug 8, 2017, at 3:27 PM, Don Parrish <donp@fb.org> wrote:

>
> AS a quick response - Nothing obligates states to do NUMBERS across the board. In other words, it is well within a state's right to do numbers for aquatic life and then continue to apply the narrative for the drinking water supply lakes. Equally important, nothing in the 2011 disapproval, the MCE complaint, or the consent decree even mentions drinking water; it's all focused on aquatic life and recreation. So why is this Administration trying to force Missouri to focus on drinking water?!?

>
> Don R Parrish
> American Farm Bureau Federation(r)
> 
> donp@fb.org

>
>
> -----Original Message-----
> From: Shapiro, Mike [mailto:Shapiro.Mike@epa.gov]
> Sent: Tuesday, August 08, 2017 2:48 PM
> To: Bennett, Tate
> Cc: Garrett.Hawkins@mda.mo.gov; Don Parrish; Greenwalt, Sarah; Forsgren, Lee; Campbell, Ann
> Subject: RE: Connecting you

>
> I did some checking with our folks here at HQ on the question of whether EPA requires water quality standards to be based on drinking water protection. In general states are expected to establish water quality standards based on the designated uses for the associated bodies of water. In the case of Missouri lakes, all lakes (there are 860) are expected to support healthy aquatic life. Missouri has also designated some lakes (102) as source waters for drinking water. In those lakes. criteria would be developed to protect aquatic life and criteria would be developed to protect drinking water use. The final criteria applicable to those lakes would reflect the more stringent of the two use cases. Those lakes that were classified solely for aquatic life would just have criteria based on that use. This

illustration assumes just two use cases, but there may be other use designations, such as recreation. The general principle would be the same. States are expected to develop criteria that protect the most sensitive designated uses.

>
> I hope this is helpful.

> Mike

> **Ex. 6**

> Michael Shapiro
> Acting Assistant Administrator, Office of Water US EPA, 4101M
> 1200 Pennsylvania Ave., NW
> Washington, DC 20460
> 202-564-5700

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

> From: Bennett, Tate
> Sent: Tuesday, August 08, 2017 9:47 AM
> To: Shapiro, Mike <Shapiro.Mike@epa.gov>
> Cc: Garrett.Hawkins@mda.mo.gov; donp@fb.org; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
> Subject: Connecting you

> All-

> Per Mike and I's discussion with Sarah, can you all connect as soon as possible and compare your interpretations on the nutrient standards requirements for MO? We can check in with you later today, Mike.

> Thank you all so much.

> Tate

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 8/11/2017 1:49:05 AM
To: Eargle, Frances [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a63fca70ff3944cebf60b10b80a2acb6-FEargle]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: LGAC MEMBERSHIP 2017 (Commissioner Templeton)
Attachments: image001.png; ATT00001.htm; image002.png; ATT00002.htm; image003.png; ATT00003.htm; image004.png; ATT00004.htm; Templeton LGAC Statement.docx; ATT00005.htm; Templeton Resume.doc; ATT00006.htm; EPA_Letter_of_Support_Templeton_LGAC_08.04.17.docx; ATT00007.htm; Templeton Bio.docx; ATT00008.htm

Dear Fran,

In case you didn't already receive, please see the attached nomination package and NASDA letter of support on behalf of Commissioner Templeton (TN). Please let us know if you have any questions or would like any additional information at this time -- many thanks!

Sent from my iPhone

Begin forwarded message:

From: Britt Aasmundstad <britt@nasda.org>
Date: August 10, 2017 at 4:18:45 PM EDT
To: Nathan Bowen <Nathan@nasda.org>, Dudley Hoskins <Dudley@nasda.org>
Subject: Fwd: LGAC MEMBERSHIP 2017

Begin forwarded message:

From: Corinne Gould <Corinne.Gould@tn.gov>
Date: August 10, 2017 at 1:46:44 PM CDT
To: "britt@nasda.org" <britt@nasda.org>
Cc: Jai Templeton <Jai.Templeton@tn.gov>, Joyce Jackson <Joyce.Jackson@tn.gov>
Subject: FW: LGAC MEMBERSHIP 2017

Hello, Britt.

I've just submitted the Commissioner's nomination.

Thank you for your assistance.

Please let me know if there is anything else I can provide.

Corinne

CORINNE GOULD | Assistant Commissioner for Public Affairs

Department of Agriculture
Ellington Agricultural Center
440 Hogan Road, Nashville, TN 37220

p: **Ex. 6** c: **Ex. 6** f. 615-837-5333

corinne.gould@tn.gov

www.tn.gov/agriculture



National Association of State Departments of Agriculture

4350 North Fairfax Drive
Suite 910
Arlington, VA 22203
Tel: 202-296-9680 | Fax: 703-880-0509
www.nasda.org

August 4, 2017

Ms. M. Frances Eargle
LGAC Designated Federal Officer
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW.
(MC1301A)
Washington, DC 20460

Re: **Local Government Advisory Committee; Nomination of Jai Templeton (LGAC 2017 Nomination)**

Dear Ms. Eargle,

The National Association of State Departments of Agriculture (NASDA) strongly supports the nomination of The Honorable Jai Templeton, Commissioner of the Tennessee Department of Agriculture (TDA) to the Environmental Protection Agency's (EPA) Local Government Advisory Committee (LGAC).

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among these primary responsibilities.

Commissioner Templeton serves on the NASDA Board of Directors and is the immediate past president of the Southern Association of State Departments of Agriculture. In his role as commissioner, his former role as a county mayor and as a sixth generation farmer, Commissioner Templeton will bring unique insights on state-federal partnerships to the LGAC. In his capacity as Commissioner of TDA, Commissioner Templeton reviews CAFO permits, administers the Nonpoint Source Program on behalf of EPA, and oversees the administration, implementation and enforcement of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act.

NASDA appreciates your consideration of Commissioner Templeton's nomination for the LGAC. Please let me know if you have any questions or would like any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Glenn".

Barbara P. Glenn, Ph.D.
Chief Executive Officer

Jai Templeton was appointed by Governor Bill Haslam and sworn in as Tennessee's 37th Commissioner of Agriculture in May 2016. Prior to joining the department as Deputy Commissioner in June 2011, he served as mayor of McNairy County, leading that county's successful efforts to reduce debt and increase fund balances without raising taxes during an economic recession. Templeton is a sixth generation farmer producing grain, cotton, hay, timber and cattle in McNairy and Hardin Counties

Templeton has a bachelor's degree in Business Administration from Union University in Jackson, Tenn. He is also a graduate of the Nashville Auction School, University of Tennessee at Martin's WestStar Leadership Program, Leadership McNairy County, AgStar professional development program, the University of Tennessee's certified public administrator program, the Tennessee Government Executive Institute and most recently, the Delta Regional Authority Leadership Institute. He is the immediate past president of the Southern Association of State Departments of Agriculture.

Managing and protecting our natural resources is no small task. I would be honored to serve on the Local Government Advisory Committee.

As a sixth generation farmer, I understand the environmental impact of livestock development and crop growth and the care that must be taken to maintain health and production. With a strong background in leadership that began in rural Tennessee and now encompasses the entire state, I have extensive experience with regulatory and permitting programs and perspective on the importance of community economic development. Furthermore, I understand the value of partnerships and relationships that cross public and private sectors.

Mindful stewardship of our natural resources ensures the best use of our land and water today, and preservation for future generations. It is an investment that benefits all. I sincerely hope you will consider my request to serve.

Jai Templeton

Jai Templeton

Ex. 6
Stantonville, Tennessee Ex. 6
Ex. 6
Ex. 6 (Cell)
Ex. 6

P.O. Box 40627
Nashville, Tennessee

Ex. 6
Ex. 6 (Cell)
Jai.Templeton@tn.gov

EDUCATION

Bachelor of Science in Business Administration; 1994; Union University; Jackson, TN
Adamsville High School; 1990; Adamsville, TN

LEADERSHIP DEVELOPMENT

Delta Regional Leadership Institute, 2017
AgStar, 2004
Leadership McNairy, 2003
WestStar, 1999

PROFESSIONAL DEVELOPMENT

TN Government Executive Institute, 2012
Certified Public Administrator, 2007
Nashville Auction School, August 2000

EXPERIENCE

Commissioner, Tennessee Department of Agriculture; May 2016 to present
Deputy Commissioner, Tennessee Department of Agriculture; June 2011 - May 2016
McNairy County Mayor; September 2006 to May 2011
McNairy County Commission; Member, 1998-2006
Honorable Ed Bryant, U.S. Congressman; Field Representative, 1995-2002
Mark Kennedy Auctions; Apprentice Auctioneer, 2006 - present
Bill Gray and Son Auction and Real Estate; Apprentice Auctioneer, 2000-2006

COMMUNITY ORGANIZATION MEMEBERSHIPS

Agricenter International Board of Directors; 2013 - present
Selmer Rotary Club; Member 2006-2010
Stantonville Ruritan Club; Member 2007-2012, President 2010-2011
Lawton Ruritan Club; Member 1990-2006; Past President
Ruritan Hermitage District Zone 5 Governor, 1996-1997, Zone 4 Governor, 2001-2002
McNairy County Chamber of Commerce; Member, 2004 - present; Board of Directors, 2004 - 2006; President 2005
Adamsville Lodge 338, Free and Accepted Masons; Member, 2004 - present
Adamsville Chapter 330, O.E.S.; Member, 2004 - present
Lifetime Member of National FFA Alumni
McNairy County Family and Consumer Services Advisory Council; Member, 2000-2004
McNairy County Adult Literacy Council; Board of Directors, 2000-2004
McNairy County Senior Citizens Center; Board of Directors, 2001-2004, Vice Chairman, 2002-2004

POLITICAL ORGANIZATION MEMBERSHIPS

Tennessee Republican Party; Members, State Executive Committee, 26th Senatorial District, 1998-2006. Candidate Recruitment Committee, 1998-2002; Rules and Bylaws Committee, 2002-2006

McNairy County Republican Party; Executive Committee, 1993-2005
Bush '04; 7th District Co-Chair
Republican National Convention; Delegate, 2004
Tennessee Young Republican Federation; Member, Executive Committee, 1992-1993;
Constitutional Revisions Committee, 1993
McNairy County Young Republicans; Member, 1991-1997; Chairman, 1991-1993; Chairman,
By-laws Committee, 1994-1995
Ed Bryant for Congress; Personal Assistant to the Candidate, 1994, 1996

AGRICULTURAL ORGANIZATION MEMBERSHIPS

25 Farmer Network; Member, 2008-2010
McNairy County Forestry Landowners Association; Member, 2005-present
McNairy-Chester Cattleman's Association; Member, 2000-present; President, 2004-2005
McNairy Farmer's Cooperative; Members, 1995-2008
Mid-South Farmer's Cooperative; Members, 2008-present
Tennessee Farm Bureau; Members, 1994-present
Tennessee Cattleman's Association; Member, 1998-present; Executive Board, 2006-2009
First Farmer's Cooperative; 2014-present
Memphis Ag Club; 2014-present

GOVERNMENT ORGANIZATION MEMBERSHIPS

Tennessee Board of Regents, 2016
University of Tennessee Board of Trustees, 2016
Tennessee County Commissioner's Association, 1998-2006; Legislative Committee, 2001-
2006
Tennessee Association of County Mayors, 2006-2010; 2nd Vice President, 2010
Southwest TN Human Resource Agency; Policy Council, 2006-2010; Secretary, 2010
Southwest TN Development District; Executive Committee, 2006-2010
West TN Railroad Authority; Board of Directors, 2006-2010
West TN River Basin Authority; Board of Directors, 2006-present
TN Homeland Security District 10 Council; 2006-2010; Chairman, 2006-2008; Vice-
Chairman, 2008-2010
McNairy County Economic Development Commission; Member, 2002-2010
Volunteer Tennessee; Member, Board of Directors, 2005-2007
Southwest TN Workforce Investment Board; Member, 2005-2008

CHURCH ORGANIZATION MEMBERSHIPS

First Baptist Church Adamsville; Member, 1998-present, Assistant Adult Sunday School
Teacher, 2002-2010
Gideon's International, 2004-present, Faith Fund Chair, 2010

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 7/25/2017 6:29:23 PM
To: Dudley Hoskins [Dudley@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: RE: NASDA Request: EPA Local Government Advisory Comm (LGAC)

Thanks for the heads up Dudley!

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, July 25, 2017 2:02 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: Re: NASDA Request: EPA Local Government Advisory Comm (LGAC)

Ken -- wanted to flag that several of our members are discussing the various challenges for states regarding pesticides and marijuana, and they mentioned they would like to raise this topic with you when you are here on Thursday.

Sent from my iPhone

On Jul 25, 2017, at 10:24 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

Hi Tate,

We saw this FR [notice](#) soliciting nominations to fill 10-15 vacancies on EPA's Local Government Advisory Committee (LGAC). Our member from New Mexico (Secretary Jeff Witte) currently serves on the LGAC (not sure if his term expires this year or not), and NASDA strongly supports his continued participation.

Please let me know if you all need/want any additional information from NASDA on supporting his role on the LGAC.

Also, looking forward to seeing Ken later this week at the WASDA Regional meeting in Sun Valley.

Many thanks!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

Message

From: Don Parrish [donp@fb.org]
Sent: 7/26/2017 4:00:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]

When can we talk?

Don R Parrish
American Farm Bureau Federation®

Ex. 6
donp@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 8/1/2017 12:08:19 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE:

Sure -- do you have a time in mind?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, July 31, 2017 6:29 PM
To: Don Parrish
Subject:

Touch base soon?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Don Parrish [donp@fb.org]
Sent: 7/28/2017 1:43:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]

You busy?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 7/11/2017 4:26:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: AR Farm Bureau

Yep...can do.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 12:26 PM
To: Don Parrish
Subject: AR Farm Bureau

Do you mind connecting me with them as well?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/27/2017 5:09:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Dudley Hoskins [Dudley@nasda.org]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: Re: EMBARGOED Draft release

Ok, thanks!

Sent from my iPhone

On Jun 27, 2017, at 1:09 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Until it has been signed. I will email everyone an update.

From: Britt Aasmundstad [<mailto:britt@nasda.org>]
Sent: Tuesday, June 27, 2017 1:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Dudley Hoskins <Dudley@nasda.org>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: Re: EMBARGOED Draft release

Hi Tate,

How long is this embargoed til?

Thanks!

Sent from my iPhone

On Jun 27, 2017, at 12:04 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

In case you want to tee up some members.

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON – (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. "This is the first step in the two-step process to redefine 'waters of

the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information:
<http://www.epa.gov/wotus-rule>

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Cory, Preston (Katherine) [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BFD80B15F6D04A3BA11FC8CA3C85BC50-CORY, KATHE]
Sent: 7/15/2017 7:41:52 PM
To: Laws, Elliott [ELaws@crowell.com]
Subject: Re: Dave Ross

Hi Elliott,

That would be great, thank you!

Best,
Preston Cory

Sent from my iPhone

> On Jul 15, 2017, at 1:05 PM, Laws, Elliott <ELaws@crowell.com> wrote:

>
> Hi Preston.
> I'll be back [Ex. 6] I can get something to you on Monday if that works with your timing.

>
> Elliott

>
>
> Elliott P. Laws
> elaws@crowell.com<mailto:elaws@crowell.com>
> Direct: 1.202.624.2798<tel:1.202.624.2798>
> Fax: [Ex. 6]

>
> Crowell & Moring LLP |www.crowell.com<http://www.crowell.com/>
> 1001 Pennsylvania Avenue NW<x-apple-data-detectors://2>
> Washington, DC 20004<x-apple-data-detectors://2>

>
> This message contains privileged and confidential information. IF IT WAS SENT TO YOU BY MISTAKE, DO NOT READ IT. Instead, please notify the sender (or postmaster@crowell.com<mailto:postmaster@crowell.com>) by reply e-mail, and delete this e-mail. Unauthorized dissemination, forwarding or copying of this e-mail is strictly prohibited

>
> On Jul 14, 2017, at 11:52 PM, Cory, Preston (Katherine)
> <Cory.Preston@epa.gov<mailto:Cory.Preston@epa.gov>> wrote:

>
> Hi Elliott,

>
> I wanted to reach out to you regarding a quote for David Ross and the Office of Water. The following is being used by a state's DEQ and will serve as an example:

>
> "Mr. Ross has exceptional credentials and experience for the role of Water Director. In addition, his views on cooperative federalism are exactly what is needed at US EPA."

>
> Do you think this is something you might be able to provide us with ASAP?

>
> Let me know if you have any questions. My cell is [Ex. 6] Feel free to call any time including over the weekend. Thanks for your help!

>
> Thanks,
> Preston Cory

>
> K. Preston Cory
> Special Assistant
> Office of the Administrator, Congressional and Intergovernmental Affairs
> U.S. Environmental Protection Agency
> O: (202) 564-1747
> C: [Ex. 6]

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 6/29/2018 3:52:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: On a plane now

Thanks

Sent from my iPhone

On Jun 29, 2018, at 11:39 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

WOTUS repeal 2nd comment period will be released today. Just wanted to give state regulators a heads up.

From: Aline DeLucia [<mailto:aline@nasda.org>]
Sent: Friday, June 29, 2018 11:08 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: On a plane now

Hey Tate - just saw your voicemail. I am on a plane right and unable to call back until 3pmish. Is that ok?

Thanks

Sent from my iPhone

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 7/24/2017 12:25:51 AM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; rkittle@scag.gov; John Hazzard [JHazzard@scag.gov]; leacy.burke@mail.house.gov
Subject: Re: Press release quotes

Excellent. We would be happy to include quotes from your bosses in our release if you can get them to us by tomorrow morning. Thank you!

Sent from my iPhone

On Jul 23, 2017, at 7:46 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

Amy-

Connecting you with: John Hazzard and Robert Kittle in AG Wilson's office and Leacy Burke in Congressman Joe Wilson's office.

-Adam

[Get Outlook for iOS](#)

From: Bennett, Tate <bennett.tate@epa.gov>
Sent: Sunday, July 23, 2017 7:42 PM
Subject: Re: Press release quotes
To: Graham, Amy <graham.amy@epa.gov>
Cc: Hewitt, James <hewitt.james@epa.gov>, Adam Piper <apiper@ruleoflawdefensefund.org>

You bet! Adam, can you help?

Sent from my iPhone

On Jul 23, 2017, at 7:40 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi Tate - Can you help put us in contact with Rep. Wilson's team and the Attorney General's team to track down quotes for the draft press release below?

**PHOTOS: PRUITT CONTINUES STATE
ACTION TOUR IN SOUTH CAROLINA**

CHARLESTON, S.C. – (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today, visiting his fourth state in a week. The visit highlights the Administrator’s recent decision to begin the process to rescind the “Waters of the United States” (WOTUS) rule to help return power back to the states and provide regulatory certainty for farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsay Graham, Attorney General Alan Wilson, Congressman Joe Wilson, and South Carolina Agriculture Commissioner Hugh Weathers for a roundtable with local agriculture and business leaders.

“The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship,” **said EPA Administrator Scott Pruitt.** “By beginning the process to rescind WOTUS, we are helping return oversight to states and providing regulatory certainty for farms in South Carolina while continuing to keep our waters clean.”

Following the roundtable, representatives from the family owned business Super-Sod led Administrator Pruitt and local elected officials on a tour of the Super-Sod facility. They viewed the facility’s streams and rivers that have been adversely affected by the WOTUS rule.

Senator Graham Quote

Congressman Quote

Attorney General Quote

Ag Commissioner Weathers Quote

PHOTOS

Message

From: Don Parrish [donp@fb.org]
Sent: 7/19/2017 5:38:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Haven't forgotten you!

That time works. Ex. 6

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, July 19, 2017 1:36 PM
To: Don Parrish
Subject: Re: Haven't forgotten you!

Sorry 3

Sent from my iPhone

> On Jul 19, 2017, at 12:30 PM, Don Parrish <donp@fb.org> wrote:

>
> I have a lunch. No worries.
>
> Don

>
> Sent from my iPhone

>> On Jul 19, 2017, at 12:40 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>>
>>
>>
>> Sent from my iPhone

Message

From: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]
Sent: 6/29/2017 11:03:44 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Just kidding- found her

OK. Thanks Tate.

Sent from my iPhone

On Jun 29, 2017, at 6:46 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Disregard previous email!

[Click here](#) to complete a three question customer experience survey.

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/20/2017 1:17:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Can you give me a buzz

Now is ok

Paul Schlegel
Director, Energy and Environment Team
Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 20, 2017 9:17 AM
To: Paul Schlegel
Subject: Can you give me a buzz

When you are free? **Ex. 6**

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/27/2017 9:22:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Amanda Culp [Amanda@nasda.org]
Subject: Fwd: Kentucky's Statement

FYI

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: June 27, 2017 at 5:21:04 PM EDT
To: Britt Aasmundstad <britt@nasda.org>
Subject: **Kentucky's Statement**

<http://www.kyagr.com/Kentucky-AGNEWS/press-releases/Commissioner-Quarles-hails-withdrawal-of-WOTUS-rule.html>

Amanda Culp | Director, Communications | **National Association of State Departments of Agriculture**
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/27/2017 4:08:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Dudley Hoskins [Dudley@nasda.org]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Nathan Bowen [Nathan@nasda.org]
Subject: Re: EMBARGOED Draft release

Thanks, Tate!

We'll forward this along accordingly.

We sent the notice out last Friday to members and sent out informational talking points to communications folks. We've asked them to send us any press. Hopefully we'll see responses!

Britt

Sent from my iPhone

On Jun 27, 2017, at 12:04 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

In case you want to tee up some members.

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON – (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. "This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information:

<http://www.epa.gov/wotus-rule>

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Sent: 7/8/2017 7:04:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Pesticides on tobacco

I haven't read through all the links on here yet, but it looks like this should be helpful. One thing I didn't see in my quick search through the link you sent me was if minimum risk pesticides can be used on food crops. I would think they could, but would like to be certain.

Thanks so much!

On Jul 8, 2017 1:33 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
Response below:

Attached is a link to some information on the EPA website that discusses minimum risk pesticides: <https://www.epa.gov/minimum-risk-pesticides>. Note that pesticides meeting the conditions discussed on the website are exempt from federal registration under the Federal Insecticide, Fungicide, and Rodenticide Act. Individual states may still require registration of these products under state pesticide laws. Because these products are exempt from federal registration, EPA does not have a list of products in commerce that meet these criteria. The Maryland Department of Agriculture, however, would likely know which products meeting the minimum risk criteria can be sold and used in the state of Maryland.

On Jul 7, 2017, at 3:54 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

That works perfectly. Do you think it's possible to get it early next week?



Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jul 7, 2017 at 3:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
I'll try and get back to you next week? Does that work?

On Jul 7, 2017, at 3:51 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Hi, Tate:

I just tried to give you a call, but your voicemail was full and I was unable to leave a message. Anyway, I hope you're having a nice week! I was wondering if you would be able to provide me with a definition "minimum risk" pesticide as well as the EPA's list of minimum risk pesticides. Also, can "minimum risk" pesticides be used on food crops?

Thank you in advance for your assistance. I really appreciate your help.

Please feel free to give me a call if you have any questions.

Thanks,

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Wed, Jul 5, 2017 at 12:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Team effort!

On Jul 5, 2017, at 12:31 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Thank you so much for getting me this information on Friday. I really appreciate it.

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jun 30, 2017 at 2:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Cassie-

Thanks to Rick, the attached file lists every federally-registered product that can be used on tobacco at some stage in its production, including those uses where tobacco might be treated post-harvest while it is in storage.

Please note that this list should not be used as a substitute for a pesticide user to consult the label for specific directions on how to

use the product. Not all of these products will necessarily be available for use in the State of Maryland. EPA does not maintain information regarding which products are registered in which states. The state lead agency for pesticide regulation would be the best source for that information.

Hope this helps.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/27/2017 4:04:37 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: EMBARGOED Draft release

I am out of the office this week at SAFSF. I will return to the office July 5th.
Thank you!

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/6/2017 5:27:16 PM
To: Liz Murrell [elizabethmurrill@msn.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: For Legal Review: Ozone Letter & Press Release - OUT TODAY
Attachments: 2017-06-05 DRAFT Release re Ozone Letter.docx

Liz -
Attached is embargoed background (the EPA's draft press release for later today) on the Ozone rule. Tate Bennett at the EPA is CC'd on this email for any questions you or AG Landry may have.

Thanks,
Adam

Get [Outlook for iOS](#)

From: Bennett, Tate <bennett.tate@epa.gov>
Sent: Tuesday, June 6, 2017 1:17 PM
Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY
To: Adam Piper <apiper@ruleoflawdefensefund.org>,

Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea.

From: Bowman, Liz
Sent: Tuesday, June 6, 2017 12:59 PM
To: Schwab, Justin <schwab.justin@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Attached, please find the updated draft press release and the updated letter (draft of press release with edits is below), which attempt to incorporate the legal edits you sent me into both. (copied and pasted below for reference). I did not change anything per their comments on the third paragraph [1] b/c an overstatement doesn't mean factually inaccurate, and it's Mandy's language that she discussed with Ryan. Therefore, I don't really feel like I can/should change it if it isn't factually inaccurate. I am copying Mandy on this email chain for her awareness...

Can you please either send these to the person that needs to review them or let me know who I need to send them to, in order to get both the letter and the press release signed off on by legal? Thank you! – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS
"We share the goal of clean air, a robust economy and stronger, healthier communities."
- Administrator Pruitt

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone

promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to review effects associated with implementing the new standard.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

###

Here are ARLO's views on the press release (and their request to review the letter):

Justin- There are a few statements in the press release that we want to flag for you, particularly the first two. Aside from that, I will note that ARLO has not seen the subject letter. Needless to say, we would strongly recommend a legal review of the letter since it is presumably the final agency action that is subject to challenge.

[1] The third paragraph says- “Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.” We are not sure to what “stiff federal penalties” and “restrictions on infrastructure investment” refer. We assume “lost highway dollars” refers to the highway funding sanction, but that is not a consequence of designation itself (it would in fact be quite far in the future and only if a state fails to give us an approvable plan; there are no sanctions for not meeting the standard), and we are not aware that any area has ever actually lost funding. While this sentence may not be inaccurate per se, it seems to at least be an overstatement.

[2] The sixth paragraph (with the three bullets) suggests that we will consider “adverse effects associated with implementing the new standard” as part of the reconsideration of the NAAQS, that would be inconsistent with Whitman v. American Trucking Associations and could introduce some legal risk for any reconsideration.

[3] The first sentence of the fourth paragraph is confusing because it suggests the one-year delay is providing states flexibility, which it doesn't. If you need to include something, it would be better to say something like, "This action will give states more time to develop air quality plans and EPA is also looking at providing greater flexibility to states as they develop their plans."

[4] The fifth paragraph says the additional time will allow the agency to “complete” its review of the standard. Not sure what is intended here but it would almost certainly take more than a year to complete a rulemaking to revise the standard, if that is the decision.

From: Schwab, Justin

Sent: Tuesday, June 6, 2017 9:53 AM

To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>

Cc: Fotouhi, David <[fotouhi.david@epa.gov](mailto: fotouhi.david@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto: Bennett.Tate@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto: lyons.troy@epa.gov)>

Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

As far as I can remember I have not been shown the letter.

Sent from my iPhone

On Jun 6, 2017, at 9:51 AM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)> wrote:

Ryan and Mandy both approved this language, it's directly from the letter. Have you all read the letter?

From: Schwab, Justin

Sent: Tuesday, June 6, 2017 9:34 AM

To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>

Cc: Fotouhi, David <[fotouhi.david@epa.gov](mailto: fotouhi.david@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto: Bennett.Tate@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto: lyons.troy@epa.gov)>

Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Not sure the part about consequences for nonattainment is strictly correct. Will run this by the specialists in OGC

Sent from my iPhone

On Jun 6, 2017, at 9:23 AM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)> wrote:

Can you all take a look at the press release below, with regard to the Ozone letters being sent today? Please let me know if you have any legal edits. We would like to get this out asap. Thank you – Liz

**EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS
AREA DESIGNATIONS**

*“We share the goal of clean air, a robust economy and stronger,
healthier communities.” - Administrator Pruitt*

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is granting states more time and flexibility to develop air attainment plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to weigh any adverse effects associated with implementing the new standard.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

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Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

###

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/29/2017 2:34:55 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: Amendment to HR1029
Attachments: Gillibrand Amendment_HR1029.pdf; ATT00001.htm

FYI in case you haven't seen

Sent from my iPhone

Begin forwarded message:

From: "Vlasaty, Andrew (Agriculture)" <Andrew_Vlasaty@ag.senate.gov>
Date: June 28, 2017 at 10:30:31 PM EDT
To: Greenwood Beau <bgreenwood@croplifeamerica.org>, Schlegel Paul <pauls@fb.org>, Hoskins Dudley <Dudley@nasda.org>
Cc: "Glueck, James (Agriculture)" <James_Glueck@ag.senate.gov>
Subject: Amendment to HR1029

Here is the Gillibrand amendment which will be offered and withdrawn.

If you have any question let us know.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To impose requirements on a rulemaking relating to agricultural worker protection or certification of pesticide applicators.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

H. R. 1029

To amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. GILLIBRAND

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . REVISIONS OF WORKER PROTECTION STANDARD**

3 **AND CERTIFICATION OF PESTICIDE APPLICA-**

4 **TORS RULE.**

5 Section 25 of the Federal Insecticide, Fungicide, and

6 Rodenticide Act (7 U.S.C. 136w) is amended by adding

7 at the end the following:

8 “(f) **REQUIREMENTS FOR REGULATIONS RELATING**

9 **TO WORKER PROTECTION STANDARD AND CERTIFI-**

10 **CATION OF PESTICIDE APPLICATORS.**—With respect to

1 any revision of part 170 or 171 of title 40, Code of Fed-
2 eral Regulations (or successor regulations)—

3 “(1) prior to the revision, the Administrator
4 shall conduct a negotiated rulemaking in accordance
5 with subchapter III of chapter 5 of title 5, United
6 States Code, including by establishing a committee
7 under section 565 of that title, the membership of
8 which shall include a balanced representation of
9 stakeholders, including representatives of—

10 “(A) agricultural worker advocacy groups;

11 “(B) agricultural producer groups;

12 “(C) crop protection groups; and

13 “(D) environmental groups; and

14 “(2) the revision shall include—

15 “(A) a prohibition on children less than 18
16 years old handling pesticides in accordance with
17 sections 170.309(c) and 170.313(c) of title 40,
18 Code of Federal Regulations (as in effect on the
19 date of enactment of this subsection); and

20 “(B) a provision that an agricultural work-
21 er whose health is threatened or may be af-
22 fected by a pesticide at the location where the
23 worker is employed may request through a des-
24 ignated representative information relating to
25 the pesticide in accordance with section

1 170.311(b)(9) of title 40, Code of Federal Reg-
2 ulations (as in effect on the date of enactment
3 of this subsection).”.

Message

From: Fred Bosco [FBosco@croplifeamerica.org]
Sent: 6/12/2017 8:22:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: RE: Comments - Existing regulations - May 15

Uh oh, that's what happens when I read too quickly.
I'll let him know that you're good for Wednesday.
Thank you,
Fred

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, June 12, 2017 4:19 PM
To: Fred Bosco <FBosco@croplifeamerica.org>
Cc: Beau Greenwood <BGreenwood@croplifeamerica.org>
Subject: Re: Comments - Existing regulations - May 15

Hey! I meant for tomorrow at 5:15 but dovetailing onto weds is good!

On Jun 12, 2017, at 3:56 PM, Fred Bosco <FBosco@croplifeamerica.org> wrote:

Tate,
Unfortunately, Beau is tied up in meetings this afternoon and won't be out until well after 5:15p.
He wanted to let you know that he will join the already-scheduled CLA-EPA meeting on Wednesday at 2pm with Nancy and hopes that you will join as well.

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: **Ex. 6** F: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, June 12, 2017 12:56 PM
To: Beau Greenwood <BGreenwood@croplifeamerica.org>
Subject: RE: Comments - Existing regulations - May 15

Beau-

I know this sounds way too late in the day to be discussing this, but is 5:15 tomorrow evening at EPA a good time to meet with Nancy and I on this? We can keep it short!

Tate

From: Beau Greenwood [<mailto:BGreenwood@croplifeamerica.org>]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CroLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
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Government Relations Coordinator
CroLife America
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Washington, D.C. 20005
P: Ex. 6 F: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 7/5/2017 3:08:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Britt Aasmundstad [britt@nasda.org]; Nathan Bowen [Nathan@nasda.org]
Subject: Re: RVO's

Thanks Tate.

Sent from my iPhone

On Jul 5, 2017, at 11:03 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Dudley-

We are likely signing a FR notice proposing 2018 volume levels later today. This is so we can stay on track to meet the Nov 30 statutory deadline to make the RVO's final for 2018.

Happy to chat further on specifics via phone- Ex. 6

-Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Fred Bosco [FBosco@croplifeamerica.org]
Sent: 6/12/2017 7:55:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Beau Greenwood [BGreenwood@croplifeamerica.org]
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From: Beau Greenwood [mailto:BGreenwood@croplifeamerica.org]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

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Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
Subject: Comments - Existing regulations - May 15

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: Ex. 6 **F:** 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

Message

From: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Sent: 6/2/2017 2:19:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
Subject: Re: Call with EPA Administrator Pruitt

Hi Tate,

Unfortunately we will have to reschedule--I tried to see if the Gov could do the call now but 11:15 is the only time that works. Looking forward to setting something up in the near future when the Administrator is available.

Thanks,
Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Jun 2, 2017 10:02 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

The Administrator is having to reschedule a few events. Is there any way to reschedule the call to now or ASAP? **Ex. 6**

On Jun 1, 2017, at 10:58 AM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Just confirmed that our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio, will be on the call with the Governor.

Thanks,
Ariel



Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Wed, May 31, 2017 at 6:34 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
Ok! Thanks!

On May 31, 2017, at 6:27 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Hi Tate,

I believe the main focus will be the Chesapeake Bay restoration plan. I'll keep you updated if I hear more details beforehand.

Thanks,
Ariel

....



Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Wed, May 31, 2017 at 6:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Ariel! Any idea what topics are to be discussed? Thanks!

On May 10, 2017, at 9:52 AM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney! The Governor may be joined on the call by our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio.

Will anyone else be on the call on your end?

Best,
Ariel

....

<changingMD2a.png>

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Tue, May 9, 2017 at 5:31 PM, Hupp, Sydney
<hupp.sydney@epa.gov> wrote:

Yes! I've got it on the calendar. Will it just be the Governor on the call?

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]
Sent: Tuesday, May 9, 2017 1:24 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Julia B. Johnson [**Ex. 6**]; Tiffany Waddell <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Sydney,

Yes, we could do 6/2. Would 11:15 am work?

Thanks,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)

Ex. 6 (mobile)

On May 9, 2017 9:39 AM, "Hupp, Sydney"
<hupp.sydney@epa.gov> wrote:

Anyway we could do it on June 2?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]

Sent: Monday, May 8, 2017 10:20 AM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Tiffany Waddell <tiffany.waddell@maryland.gov>; Dickerson,
Aaron <dickerson.aaron@epa.gov>; Bennett, Tate
<Bennett.Tate@epa.gov>; Julia B. Johnson

↳ **Ex. 6**

Subject: Re: Call with EPA Administrator Pruitt

Sydney,

The dates below would also work:

6/5 before 11:15 or after 3:30.

6/7 between 2-4

Thanks,

Ariel

--

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

On Fri, May 5, 2017 at 6:12 PM, Ariel Judah -GOV-
<ariel.judah@maryland.gov> wrote:

Thanks, Sydney. I will check and circle back.

Best,

Ariel

--

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

ariel.judah@maryland.gov

Ex. 6

(office)

Ex. 6 (mobile)

On May 5, 2017 5:56 PM, "Hupp, Sydney"
<hupp.sydney@epa.gov> wrote:

Hello all! Originally set to leave on the 4th but that might be changing. Just to be safe, are there other potential dates they could connect?

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Bennett, Tate

Sent: Friday, May 5, 2017 2:11 PM

To: Hoelscher, Douglas L. EOP/WHO

<**Ex. 6**> Ariel Judah -GOV-
<ariel.judah@maryland.gov>

Cc: Johnson, Julia B. EOP/WHO <**Ex. 6**>;
Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Hupp,
Sydney <hupp.sydney@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Of course! Sydney, is there any way we could schedule a call before his big trip in June on the 6th?

From: Hoelscher, Douglas L. EOP/WHO

[mailto:**Ex. 6**]

Sent: Friday, May 5, 2017 1:48 PM

To: Ariel Judah -GOV- <ariel.judah@maryland.gov>

Cc: Johnson, Julia B. EOP/WHO; [redacted] **Ex. 6**

Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>;

Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate -- can you please take coordination from here?

*Julia -- please log.

Thanks,

Doug

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]

Sent: Friday, May 5, 2017 1:46 PM

To: Hoelscher, Douglas L. EOP/WHO

[redacted] **Ex. 6**

Cc: Johnson, Julia B. EOP/WHO <[redacted] **Ex. 6**>

Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>

Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland.

(Tuesday, June 6 before 2 PM would be ideal, if possible.)
Please let me know if you need any other information to put
in this request. We appreciate your assistance!

Thanks,

Ariel

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

Message

From: Barb Glenn [barb@nasda.org]
Sent: 7/19/2017 3:11:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Megan McDonald [Megan@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]
Subject: Invite to Speak at NASDA's 2017 Annual Meeting
Attachments: Invite_Pruitt_NASDA 2017 Annual Meeting.pdf

Importance: High

Administrator Pruitt,

It would be our honor to have you speak at NASDA's upcoming annual meeting in New Orleans. Please see the attached invitation for more details

We look forward to hearing from you.

Regards,

Barb

Barbara P. Glenn, Ph.D.
Chief Executive Officer
National Association of State Departments of Agriculture
4350 Fairfax Drive Suite 910 Arlington, VA 22203
(202) 296-9680
Barb@nasda.org
www.nasda.org
[@NASDANews](https://twitter.com/NASDANews)





National Association of State Departments of Agriculture

4350 North Fairfax Drive
Suite 910
Arlington, VA 22203
Tel: 202-296-9680 | Fax: 703-880-0509
www.nasda.org

July 19, 2017

The Honorable Scott Pruitt
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Room 310A
Washington, DC 20460

Administrator Pruitt,

On behalf of the nation's commissioners, secretaries and directors of agriculture, it is our pleasure to invite you to attend the 2017 Annual Meeting of the National Association of State Departments of Agriculture (NASDA) at the Roosevelt Hotel in New Orleans, Louisiana, September 11-14, 2017.

Specifically, we would be pleased to have you speak Thursday, September 14, 2017 from 9:45 – 10:15 AM. Should this time not work for you, we are happy to work with your staff to accommodate your very busy schedule. NASDA members are especially interested in the agency's priorities, with a particular focus on water quality, FIFRA issues, EPA's Regulatory Reform Agenda, and the cooperative relationship between EPA and the state departments of agriculture.

If you or members of your staff have any questions about this invitation, please contact Megan McDonald at either (202) 296-9680 or megan@nasda.org. Additional information about the annual meeting can be found on our website, www.nasda.org/2017.

Our members appreciate you taking the time to consider our invitation and we hope you can participate.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Glenn".

Barbara P. Glenn, Ph.D.
Chief Executive Officer

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/7/2017 12:51:30 AM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Re: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

Great!

Sent from my iPhone

On Jun 6, 2017, at 8:42 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

FYI. I will continue to forward additional AG reaction releases and clips as I see/receive them.

[Get Outlook for iOS](#)

From: Michael Toth <michaelctoth@gmail.com>
Sent: Tuesday, June 6, 2017 8:38:28 PM
To: Adam Piper
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

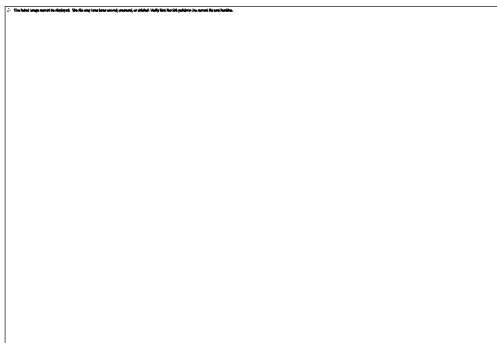
----- Forwarded message -----

From: Toth, Michael <Michael.Toth@oag.texas.gov>
Date: Tue, Jun 6, 2017 at 7:37 PM
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
To: michaelctoth@gmail.com <michaelctoth@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: "Office of TX Attorney General"
<TXAttorneyGeneral@public.govdelivery.com>
Date: June 6, 2017 at 7:07:34 PM CDT
To: michael.toth@oag.texas.gov
Subject: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
Reply-To: TXAttorneyGeneral@public.govdelivery.com



FOR IMMEDIATE RELEASE

PRESS OFFICE: (512) 463-2

June 6, 2017

Kayleigh Lovvorn: Kayleigh.Lovvorn@oag.texas.gov

www.texasattorneygeneral.gov

AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

AUSTIN – Texas Attorney General Ken Paxton announced his support of the Environmental Protection Agency’s (EPA) decision to give states more time to comply with the National Ambient Air Quality Standard (NAAQS), an ozone regulation issued in 2015. Administrator Scott Pruitt today sent a letter to state governors informing them that the EPA is extending the deadline for promulgating initial area designations for the NAAQS by one year.

The NAAQS for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

“I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I’m hopeful that the one year delay will provide time for the EPA to revise the rule to avoid the detrimental effects the Ozone Rule will have on the Texas economy,” Attorney General Paxton said.

“Texas has continually reduced ambient ozone concentrations in the state without stifling the growth of Texas’s industry or population, and looks forward to continuing efforts to improve air quality while bolstering the Texas economy.”

Texas previously challenged this rule on December 28, 2015. In addition to Texas, Arizona, Arkansas, Kentucky, New Mexico, Oklahoma, North Dakota, Utah and Wisconsin have also filed lawsuits against the Ozone Rule.

To view a copy of the letter, click [here](#).

#

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This email was sent to michael.toth@oag.texas.gov using GovDelivery Communications Cloud on behalf of: Office of Texas Attorney General · 300 W. 15th Street · Austin, TX 78701

--
Sent from Gmail Mobile

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 7/5/2017 3:03:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: RVO's

I am out of the office until July 10th with intermittent access to email. For urgent matters please call: **Ex. 6**

Ex. 6

Message

From: Rashid G. Hallaway [rhallaway@hhqventures.com]
Sent: 6/14/2017 1:18:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Peter S. Glaser [Peter.Glaser@troutmansanders.com]
Subject: SIPC Petition
Attachments: SIPC error-correction petition.pdf; ATT00001.txt

Tate,

I want to let you know that SIPC filed their petition this morning. I have attached a PDF copy for your review.

Please let me know if you would like to schedule a call to discuss further. Thanks for your thoughtful consideration.

RH

June 14, 2017

VIA HAND DELIVERY AND EMAIL (A-AND-R-DOCKET@EPA.GOV)

Hon. Scott Pruitt
Administrator
Environmental Protection Agency
EPA Docket Center
WJC West Building, Room 3334
1301 Constitution Avenue, N. W.
Washington, DC 20004

Re: Petition for Error Correction in Final Rule Designating Williamson County, Illinois as Nonattainment under Air Quality Designations for the 2010 Sulfur Dioxide (SO₂) National Ambient Air Quality Standard - Round 2

EPA Docket ID No. EPA-HQ-OAR-2014-0464

Dear Administrator Pruitt:

The Southern Illinois Power Cooperative (SIPC) petitions the Environmental Protection Agency (EPA) to correct errors in its designation of Williamson County, Illinois as a nonattainment area under the sulfur dioxide (SO₂) National Ambient Air Quality Standard (NAAQS). EPA finalized this action on January 18, 2007, two days before the previous administration left office. In designating Williamson County as nonattainment, EPA made two fundamental errors stemming from its reliance on faulty air quality modeling supplied by the Sierra Club and its rejection of modeling provided by the Illinois Environmental Protection Agency (Illinois EPA) and an independent modeling consultant retained by SIPC. First, it erred in concluding that the public has access to the Marion Station, a coal-fired electric generating

Administrator Scott Pruitt
June 14, 2017
Page 2

facility owned by SIPC and located in Williamson County. Second, it erred by misinterpreting its own policy as to when the public should be deemed to have access to emitting facilities. Given these errors, EPA mis-designated Williamson County as nonattainment; it should be designated attainment.

There is, in fact, no SO₂ air quality problem in Williamson County justifying the nonattainment designation. By contrast, EPA's nonattainment designation threatens severe economic consequences, including the loss of hundreds of jobs at the Marion Station, in an area of southern Illinois that is already economically stressed. EPA should therefore exercise its authority under section 110(k)(6) of the Clean Air Act by convening a notice-and-comment rulemaking proceeding to correct these errors and designate Williamson County as attainment. Additionally, EPA should move the United States Court of Appeals for the Seventh Circuit to place in abeyance pending litigation between SIPC and EPA concerning the legal validity of EPA's nonattainment designation.¹

I. Background

On June 22, 2010, EPA promulgated a primary SO₂ NAAQS at a one-hour SO₂ concentration of 75 parts per billion (ppb) (196.5 ug/m³) (establishing a 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations).² EPA, however, failed to marshal sufficient resources to meet Clean Air Act deadlines for making attainment/nonattainment designations under these new standards. As a result, EPA failed to

¹ See *SIPC v. EPA*, Case No. 16-3398 (7th Cir.). In filing this petition, SIPC incorporates by reference and relies on its more extensive September 12, 2016 Petition for Reconsideration that asked EPA to reconsider its designation of Williamson County as nonattainment. SIPC cites to specific exhibits set forth in that Petition below.

² See Primary National Ambient Air Quality Standards for Sulfur Dioxide, 75 Fed. Reg. 35,520 (Jun. 22, 2010).

Administrator Scott Pruitt
June 14, 2017
Page 3

make timely designations for numerous areas, including Williamson County, leading to litigation by environmental groups. EPA then entered into an inappropriate sue-and-settle consent decree providing for an artificial, accelerated timeline that required EPA to designate by July 2, 2016 any undesignated area under the SO₂ NAAQS that contain any large stationary sources of SO₂ emissions.³

As a consequence, EPA had but 16 months to solicit and attempt to evaluate any available data upon which to base its attainment/nonattainment designations. EPA's historic practice in making these designations has been to use actual monitoring data, but 16 months was insufficient time to gather the necessary data.⁴ As a result, EPA decided to base its designations on air quality modeling.

During the attainment/nonattainment designations rulemaking, the Illinois EPA submitted modeling data that supported that agency's recommendation that EPA designate Williamson County as attainment.⁵ The Sierra Club submitted its own modeling data that it asserted supported a nonattainment designation. In response to EPA's request, the Illinois EPA informed EPA that the Sierra Club modeling did not produce results that were representative of air quality conditions and could not be relied on for a number of reasons.⁶ SIPC subsequently provided Illinois EPA with further modeling from an independent modeling firm that corrected certain errors in the Illinois EPA modeling and that further demonstrated that Williamson County should

³ See March 2, 2015 Consent Decree in *Sierra Club v. McCarthy*, No. 13-CV-03953-SI, 2015 WL 889142 (N.D. Cal. Mar. 2, 2015), exhibit 2 to SIPC reconsideration petition.

⁴ See SIPC's reconsideration petition at 13-14 and Exhibit 7 to reconsideration petition at 1.

⁵ See Illinois EPA letter to EPA Region V re: Updated Recommendations for 2010 SO₂ NAAQS (September 18, 2015) and accompanying Illinois EPA Technical Support Document for SO₂ Designation Recommendations for Electric Power Facility Areas (September 18, 2015) (Exhibit 3 to SIPC's reconsideration petition).

⁶ See Exhibits 4 and 6 to SIPC's reconsideration petition.

Administrator Scott Pruitt
June 14, 2017
Page 4

be designated nonattainment.⁷ The Illinois EPA then informed EPA on April 19, 2016 that it “has reviewed and considered the modeling submitted on behalf of the Southern Illinois Power Cooperative (SIPCO), and agrees with the results that demonstrate Williamson County should be designated in Attainment” of the SO₂ NAAQS.⁸

EPA nevertheless, relying on the Sierra Club’s modeling, designated Williamson County nonattainment.⁹ Following SIPC’s petition requesting that EPA reconsider this decision, EPA, on January 18, 2017, just two days before the prior administration left office, denied the petition. SIPC has appealed both the designation and the denial of its reconsideration petition into court, and those appeals have been consolidated and are currently pending.¹⁰

II. EPA’s Errors

EPA’s designation decision is the product of two basic errors, one involving whether, as a matter of fact, the public has access to the Marion Station property and the other involving the requirements of EPA’s own policy in determining whether the public has access to emitting facilities. As to the factual error, as EPA recognizes, in measuring whether an area meets a National Ambient Air Quality Standard, only the quality of the *ambient* air is considered. By definition, the ambient air includes only the air to which the public has access. In determining that the ambient air quality in Williamson County fails to attain the SO₂ NAAQS, however, EPA included air within the plant boundary of the Marion Station to which the public does not have

⁷ See Exhibit 8 to SIPC’s reconsideration petition.

⁸ See Exhibit 9 to SIPC’s reconsideration petition.

⁹ See Air Quality Designations for the 2010 Sulfur Dioxide (SO₂) National Ambient Air Quality Standard - Round 2, 81 Fed. Reg. 45,039 (July 12, 2016). SIPC asked EPA to reconsider the designation on September 12, 2016.

¹⁰ See *SIPC v. EPA*, Case No. 16-3398 (7th Cir.).

Administrator Scott Pruitt
June 14, 2017
Page 5

access. Indisputably, had EPA not included this air, Williamson County would attain the SO₂ NAAQS.¹¹

Air quality modeling forecasts air quality at various “receptor” locations. The Sierra Club’s air quality modeling on which EPA relied included receptor locations within the boundary of the Marion Station, specifically at an area within the plant boundary along the Lake Egypt Road known as the Northern Property. EPA agreed that these receptor locations should be included in the modeling analysis because it thought that, even though these receptors were located within the plant boundary, the public could still access the Northern Property along the Lake Egypt Road.¹²

In coming to this conclusion, EPA did not make a site visit or ask SIPC what measures were being taken to exclude the public from the plant. Instead, EPA personnel relied on a single Google “street view” image and a single Google satellite image to conclude that the public had “easy access” across the plant boundary closest to the receptors in question because the boundary was not fenced.¹³ The images show a portion of the Lake Egypt road with a low guardrail but no other fencing.¹⁴

The public, however, does not have access to the plant along this road. EPA ignored the fact that traffic along this road routinely moves at or above the posted speed limit of 55 miles per hour and that the portion of the road shown in EPA’s images sits on top of a spillway which is 30 feet above the plant boundary. EPA also ignored the existence of barbed-wire fencing along the

¹¹ See SIPC reconsideration petition at 21.

¹² See EPA Final Technical Support Document Illinois Area Designations for the 2010 SO₂ Primary National Ambient Air Quality Standard at 22-25.

¹³ See *id.* at 23-24.

¹⁴ See *id.* at 24-25.

Administrator Scott Pruitt
June 14, 2017
Page 6

plant boundary above and below the portion of the road in the images, the fact that the boundary is posted with warning signs informing the public not to enter, and the fact that SIPC has a regularly-monitored security camera that provides a complete, unobstructed view of the plant boundary. Moreover, there are no pedestrian crossings or walkways that would allow the public access along this area of Lake Egypt Road.¹⁵ *Most importantly, no one from the public has, in fact, ever entered within the boundary of the Marion Station except as specifically invited by plant personnel and then through the plant's normal access points.*

All of this was pointed out to EPA in SIPC's petition for reconsideration, but in responding to that petition, EPA made its second error, this time in interpreting EPA's policy as to whether the public has access to air within the boundary of a particular source. In denying SIPC's reconsideration petition, EPA relied exclusively on the fact that the Northern Property was not fenced off from the public. EPA did not consider the guardrail along Lake Egypt road to be a proper fence, and its discussion ignored all the evidence that SIPC submitted as to why the public, in fact, does not have access to the Northern Property.¹⁶

But EPA's policy does *not* provide that the only way to bar public access from an emitting facility is through fencing. Indeed, in denying SIPC's reconsideration petition, EPA itself cited what it called its "longstanding interpretation" that "the exemption from ambient air is available only for the atmosphere over land owned or controlled by the source and to which public access is precluded by a fence *or other physical barrier*," citing a 1980 letter from the then Administrator to the then Chairman of the Senate Environment and Public Works

¹⁵ See further discussion at SIPC reconsideration petition at 18-21 and exhibits cited therein.

¹⁶ *Id.* at 13.

Administrator Scott Pruitt
June 14, 2017
Page 7

Committee.¹⁷ (Emphasis added.) And EPA has been clear that “[t]he test for ambient air exclusion *does not require a continuous fence* around the perimeter of the property. *Other types of physical barriers can effectively preclude access.*”¹⁸ (Emphasis added.)

Given its exclusive focus on fencing, EPA ignored the obvious fact that the combination of the road itself, sitting on a 30-foot embankment, the guardrail, the warning signs, the 24-hour surveillance, and the additional barbed-wire fencing together accomplish the goal of physically precluding public access. In order to gain access to the Northern Property, a member of the public would have to pull over on to the narrow gravel curb, exit the car into fast-moving vehicular traffic, jump over the guardrail, and scramble down the embankment, all the while ignoring the no-trespassing signs along the property and hoping not to be spotted by the surveillance camera. Under EPA’s guidance, “[p]reclude’ does not necessarily imply that the public access is absolutely impossible, but rather that the likelihood of such access is small.”¹⁹ The likelihood that a member of the public would try to enter on to the Northern Property is obviously very small, a conclusion that is reinforced by the fact that it has never happened.

Indeed, EPA has also previously found that non-fence physical barriers, in conjunction with security sign postings and 24-hour security camera surveillance, are more than adequate to preclude public access. For instance, in EPA Model Clearinghouse Record, No. 99-V-03 (September 18, 1999), EPA stated that “[a] combination of fencing and other physical barriers, posting, and use of the 24-hour security camera surveillance and truck patrolling system should

¹⁷ See EPA January 18, 2017 response to SIPC reconsideration petition at 9.

¹⁸ See *In the Matter of Hibbing Taconite Company*, PSD Appeal No. 87-3, at 17-18 (July 19, 1989).

¹⁹ See June 22, 2007 Memorandum from Stephen D. Page, “Interpretation of ‘Ambient Air’ in Situations Involving Leased Land Under the Regulations for Prevention of Significant Deterioration (PSD),” attached “Support Document,” p. 3, n. 1.

Administrator Scott Pruitt
June 14, 2017
Page 8

provide an adequate barrier to preclude public access to the public.” EPA went so far in that case as to find that the use of video surveillance *alone* is sufficient to restrict access to the general public. As noted, whatever minute possibility exists that someone might want to enter the Northern Property over the guardrail and down the embankment is mitigated by SIPC’s 24-hour surveillance system.

In sum, EPA erred in concluding that the public has access to the Northern Property. EPA was wrong as a matter of fact and as a matter of what its own policy provides.

III. Impact of Nonattainment Designation

As a result of the nonattainment designation, SIPC will be faced with the need to place SO₂ controls on the Marion Station’s coal units. This will result in higher dispatch costs, causing the units to be uneconomic. If the units cannot run, the plant’s 130 employees will lose their jobs, with a loss of \$24 million in wages and benefits. Reductions in coal purchases from local mines would result in the loss of another \$60 million. SIPC estimates that the indirect effects of closing the coal units at the Marion Station, including the cost to suppliers and trucking companies, to be another 800 jobs and \$800 million to the local economy.

Moreover, if SIPC loses the Marion Station, it will have to replace it with higher cost sources of power. This will result in rate increases to SIPC’s member-customers who, because they are among the poorest people in Illinois, can least afford it.

Beyond the impacts of the coal station, the nonattainment designation will require the State to develop an attainment plan and an attainment demonstration that could require additional

Administrator Scott Pruitt
June 14, 2017
Page 9

local controls. The nonattainment designation also creates a stigma and a potentially significant impediment to economic development in Williamson County.

Economic impacts, however, do not tell the whole story. It is now widely understood that job losses create health and welfare problems for the unemployed person and his or her family. Less money is available to pay for the necessities of life like food, energy and health care. Unemployment increases drinking and alcohol abuse, depression and suicide.

IV. The Clean Air Act Provides a Ready Mechanism to Correct the Errors and Make an Appropriate Attainment Designation

Under section 110(k)(6) of the Clean Air Act, “[w]henver the Administrator determines that the Administrator’s action ... promulgating any ... area designation ... *was in error*, the Administrator may in the same manner as the ... promulgation revise such action as appropriate.” (Emphasis added.) EPA’s designation of Williamson County as nonattainment was clearly erroneous and should be corrected. Because EPA used notice-and-comment rulemaking to designate Williamson County as nonattainment, EPA must use notice-and-comment rulemaking to correct the erroneous designation. There is ample precedent for EPA to use its error-correction authority to correct an erroneous nonattainment designation, even when the error was made long ago, which is obviously not the case here. In one case, for instance, EPA used its error-correction authority to reverse nonattainment designations made nearly two

Administrator Scott Pruitt
June 14, 2017
Page 10

decades before.²⁰ In another, EPA used its error-correction authority to narrow the extent of a nonattainment area.²¹

V. Conclusion

EPA committed two clear errors in designating Williamson County as nonattainment. First, it erroneously concluded as a matter of fact that the public has access to the Northern Property. Second, it erroneously interpreted its policy as requiring that the public access be precluded by fencing rather than other reasonable physical barriers. EPA should exercise its error-correction authority under section 110(k)(6) of the CAA to correct these errors. It should issue a rulemaking proposal that (a) identifies the errors, (b) proposes to revoke the nonattainment designation and designate Williamson County as attainment, and (c) seeks public comment on the identified error and the proposed regulatory actions. If, after public comment, the evidence supports an attainment designation, which SIPC believes it overwhelmingly will, EPA should finalize that proposal. In the meantime, EPA should move the Seventh Circuit to place the pending litigation in abeyance.

²⁰ See Designation of Areas for Air Quality Planning Purposes; Correction of Designation of Nonclassified Ozone Nonattainment Areas; States of Maine and New Hampshire, 62 Fed. Reg. 14,641 (Mar. 27, 1997).

²¹ See Designation of Areas for Air Quality Planning Purposes; Arizona; Correction of Boundary of Phoenix Metropolitan 1-Hour Ozone Nonattainment Area, 70 Fed. Reg. 68,339 (Nov. 10, 2005)

TROUTMAN
SANDERS

Administrator Scott Pruitt
June 14, 2017
Page 11

Sincerely,

s/s/ Peter S. Glaser
Peter S. Glaser
Counsel for Southern Illinois Power
Cooperative

cc: Southern Illinois Power Cooperative

From: postmaster@fb.org [postmaster@fb.org]
Sent: 7/11/2017 12:55:19 PM
To: dmoore@fb.org
Subject: Undeliverable:
Attachments: Untitled Attachment

Your message

To: dmoore@fb.org
Sent: 7/11/2017 12:55:16 PM



Your message to dmoore@fb.org couldn't be delivered.

dmoore wasn't found at fb.org.

Bennett.Tate Action Required	Office 365	dmoore Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

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- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 7/11/2017 12:55:16 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: dmoore@fb.org
Subject:

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address lookup
DSN generated by: BN3PR0101MB1139.prod.exchangelabs.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	7/11/2017 12:55:16 PM	BL2PR09MB0129.namprd09.prod.outlook.com	BL2PR09MB0129.namprd09.prod.outlook.com	mapi

2	7/11/2017 12:55:16 PM	BL2PR09MB0129.namprd09.prod.outlook.com	BL2PR09MB0130.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
3	7/11/2017 12:55:17 PM	gcc01-CY1-obe.outbound.protection.outlook.com	CO1NAM05FT049.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
4	7/11/2017 12:55:18 PM	CO1NAM05FT049.eop-nam05.prod.protection.outlook.com	CY4PR01CA0022.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
5	7/11/2017 12:55:18 PM	CY4PR01CA0022.prod.exchangelabs.com	BN3PR0101MB1139.prod.exchangelabs.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

Received: from CY4PR01CA0022.prod.exchangelabs.com (10.169.249.32) by BN3PR0101MB1139.prod.exchangelabs.com (10.161.219.15) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1240.13; Tue, 11 Jul 2017 12:55:18 +0000

Received: from CO1NAM05FT049.eop-nam05.prod.protection.outlook.com (2a01:111:f400:7e50::207) by CY4PR01CA0022.outlook.office365.com (2603:10b6:903:1f::32) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1240.13 via Frontend Transport; Tue, 11 Jul 2017 12:55:18 +0000

Authentication-Results: spf=none (sender IP is 23.103.200.93)
smtp.mailfrom=epa.gov; fb.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;fb.org; dmarc=none action=none
header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

Received: from gcc01-CY1-obe.outbound.protection.outlook.com (23.103.200.93) by CO1NAM05FT049.mail.protection.outlook.com (10.152.96.164) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1240.9 via Frontend Transport; Tue, 11 Jul 2017 12:55:17 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=ScIjQlb2ACg7TyXrqXcMu0AMpSiPhWFWsQqV7y5bXbo=;

b=VFdmsDUFrDIBiE/DryQFDm03SoV7zuCqWcdlex2U5a/CM5oKVK0FzmsSDSjzAMgAC8NWq+zr6B8i5LuwxlRSJYgHQh5jUzLzEXgv0MgxXvqrVHKp6ejNFPqYs1RGSfS1D2z1P2BZ+B1SUBMNjhbKzV3aHyCSzWeLF7Ac0p4IkEs=

Received: from BL2PR09MB0129.namprd09.prod.outlook.com (10.255.233.139) by BL2PR09MB0130.namprd09.prod.outlook.com (10.255.233.140) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1240.13; Tue, 11 Jul 2017 12:55:16 +0000

Received: from BL2PR09MB0129.namprd09.prod.outlook.com ([fe80::a5f7:d5af:7a91:845d]) by BL2PR09MB0129.namprd09.prod.outlook.com

[[fe80::a5f7:d5af:7a91:845d%14]] with mapi id 15.01.1240.020; Tue, 11 Jul 2017 12:55:16 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "dmcoore@fb.org" <dmcoore@fb.org>

Subject:

Thread-Index: AQHS+kTxQF4EzgifpUe+xtlxV9Z8Mw==

Date: Tue, 11 Jul 2017 12:55:16 +0000

Message-ID: <90B05836-BCE9-43BF-A774-0DCB3355D682@epa.gov>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

Authentication-Results-Original: fb.org; dkim=none (message not signed)

header.d=none;fb.org; dmarc=none action=none header.from=epa.gov;

x-ms-exchange-messagesentrepresentingtype: 1

x-originating-ip: [2600:1003:b029:49e1:fd21:ba64:3a7f:a3e3]

x-ms-publictraffictype: Email

X-Microsoft-Exchange-Diagnostics-untrusted:

1;BL2PR09MB0130;7:GQ7NfuzbVBRV2Ubr5BoqK63TgXrPC2b+LsYJQhQScKoCEus3V+Tgt706t/afP7iA+mModSI hZOPN/0KMubySj76PvCB2QQ2GRCl2mIWYlPfqwkTtDZi9l fPviE54X1xEpMNYN/MFOUvl0kcM3ra3lITTaxS8x07 bU6AvlNrey+ENVlMAkS/6Ep6MaYlX+l4MQoMdBk4bv7DXqp6ziOgVm6r fLnt4Qid3l3CXiT/k+e3yMbZHrx0KtaNG lt/rL2SUIagNG526Z0TQWksMjv37RWWhYChQV91pi.PL2sn0gbY9fo5MMenAogoVgyWONqZFFlIGraR6bAJvVdKGxHFB xmEXzKAu8GSHDzbbNp4FbKA9nUQNlcmTSDpJKSxSKiM6eKjsZuoGYzeX6f4C0ClPTLaXmBQqNbcl8idFnVgjtGcnp ELZNGDT4nNjWxdTLNlFQ0uZSY6UWHINdJiHlLgwalVN92YGPTl6drcdeEOaFqumWJjdUddb+CEYVEUKITrB4/xwY+9 FHaSCVGMv+yLhj/tlSC3UuEJ8di6e6A90tdEQo2Qh1FL19W/2LzbcvNJKlr9Y3LKh2notnJmVLY4+5x9obtdq+2mOK C+wcakvTSQ00h8SABFTYduPHcnTHWETL9p+8WbBXZy+ngb0z8LJHXKT+HG31jVZIX36MX/hkhrhzKKNJMAcr7Abei 5R7tjungZj1BjMejj6QRqLoQyIxLa/tlQIzGFsrf4jU3s0CGFSzHXqqw/9BGwrKrxWQEW7DwaApZp6MrCJI0asX /KBLdcp5OQMVs9myLjparnFsdffY=

X-MS-Office365-Filtering-Correlation-Id: 2f2bc6e8-efaf-44d0-09c5-08d4c85c14e6

X-Microsoft-Antispam-Untrusted:

UriScan:>BCL:0;PCL:0;RULEID:(300000500095)(300135000095)(300000501095)(300135300095)(2200 1)(300000502095)(300135100095)(2017030254075)(300000503095)(300135400095)(2017052603031)(201703131423075)(2017030311133081)(300000504095)(300135200095)(300000505095)(300135600095) (300000506095)(300135500095);SRVR:BL2PR09MB0130;

X-MS-TrafficTypeDiagnostic: BL2PR09MB0130:|EN3PR0101MB1139:

x-microsoft-antispam-prvs:

<BL2PR09MB0130DD63F76E7ECBEB05063196AE0@BL2PR09MB0130.namprd09.prod.outlook.com>

x-exchange-antispam-report-test: UriScan:(247924648384137);

x-exchange-antispam-report-cfa-test:

BCL:0;PCL:0;RULEID:(100000700101)(100105000095)(100000701101)(100105300095)(100000702101) (100105100095)(6040450)(601004)(2401047)(2017060910075)(5005006)(8121501046)(10201501046) (3002001)(93006095)(93001095)(100000703101)(100105400095)(6041248)(20161123558100)(201611 23562025)(20161123560025)(20161123564025)(201703131423075)(201702281528075)(2017030614210 75)(201703061406153)(20161123555025)(6072148)(100000704101)(100105200095)(100000705101)(1 00105500095);SRVR:BL2PR09MB0130;BCL:0;PCL:0;RULEID:(100000800101)(100110000095)(100000801 101)(100110300095)(100000802101)(100110100095)(100000803101)(100110400095)(100000804101)(100110200095)(100000805101)(100110500095);SRVR:BL2PR09MB0130;

x-forefront-prvs: 0365C0E14B

X-Forefront-Antispam-Report-Untrusted:

SFV:NSPM,SFS:(10019020)(6009001)(39850400002)(39450400003)(39840400002)(39400400002)(3941 0400002)(305945005)(2900100001)(25636003)(2906002)(2351001)(8936002)(478600001)(6512007)(2501003)(6916009)(82746002)(81166006)(5640700003)(72206003)(4270600006)(1730700003)(33656 002)(8666007)(36756003)(83716003)(5669300001)(7736002)(25786009)(99286003)(110136004)(543 56999)(5250100002)(53936002)(86362001)(102836003)(6436002)(189998001)(9886003)(6116002)(3 280700002)(3660700001)(38730400002)(558084003)(14454004)(50986999)(6486002)(5003630100001

) (6506006);DIR:OUT;SFP:1102;SCL:1;SRVR:BL2PR09MB0130;H:BL2PR09MB0129.namprd09.prod.outlook.com;FPR:;SPF:None;MLV:sfv;LANG:en;

spamdiagnosticoutput: 1:99

spamdiagnosticmetadata: NSPM

Content-Type: text/plain; charset="us-ascii"

Content-ID: <4C50FD18F67C7A409A2307DDE495DD3D@usepa.onmicrosoft.com>

Content-Transfer-Encoding: quoted-printable

MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: BL2PR09MB0130

Return-Path: Bennett.Tate@epa.gov

X-EOFAattributedMessage: 0

X-EOPTenantAttributedMessage: 85bbc75f-c172-4368-9b82-c8bcfa263360:0

X-MS-Exchange-Transport-CrossTenantHeadersStripped: CO1NAM05FT049.eop-nam05.prod.protection.outlook.com

X-MS-Exchange-Transport-CrossTenantHeadersPromoted: CO1NAM05FT049.eop-nam05.prod.protection.outlook.com

X-Forefront-Antispam-Report: CIP:23.103.200.93;IPV:NLI;CTRY:;EFV:NLI;

X-Microsoft-Exchange-Diagnostics: 1;CO1NAM05FT049;1:0NHwAL6DyC7T6pA6YJK8mh5F9aWfJVDz3zxZMQwXCDqKeUaO7ITFlNzTCj1WTDBhOMuFR0E++mc2OAqVSK2zpGRcjKrwWmMzLz6nbL3Hya8jOc/MM0ych9UosryFmp+pHFe/3tIjhHnvPCTJoFuW+DBVYIssCM4kZl96LTaes2sk+5beaBzN1H63KKvTz8GSkIw6PCz05KYNqBAY2W4tk8t9FCfPqGWyMXH/IBSG5mNEF5hmDM134K0jqusr+F65woToSkRi+fkuUfEuf2up1T5QcpRLO37GXebyxhlnY0jEeFRYunMyK6/p9RDq9WkhUz4zADwqVapf4aDiK00hkb4y3osZuRgj1PY9YyvoJi4iP8jldpmeiRBMEFAKfPW9UALzi/+RiWwtgl3o/kLyEVbYqUviTl93LIWaHeiKuGwnfJuggBfitle+f207/EbvqsCfQk8919uV2ViNgLIs1fHMqPoM2cG4CyI0AsU+LASwafY2PpKOYmncr7hFRISLO71jBuh61AsU7lckQFujzilvX8X75Y6FANXs9w7lbpD96+5XFm5M1FXj4fnXdhcDFCrHqg3baw3rL9rvm4lFP89V7yejVOhF9xwMKbl0d8WLSrHBFEBqbyj0ht/lnt2PjW9UHKWACZGAQW7fsVYhI+xCTCS1/Pc39M/IyLtlZyLu9BpqqMAEULIEzJZGtviVlrUcv0shG6fYBYKma+d6/9+ht22F8rW/TyMWucTnDNln/mc289P0mrYpVMHVFRsBFkYtiE+5CNH5c04xYjdOq/65cEhLWslnlQ2NUUlllP10LM6p8poUy57e9zycROznzs7GwtFhuFzmim2UosxAl5G09GzuRlly+Hu3u92zX3F/1JHDYlloy2RiAYK4+OLVW6DUYFZv9M2i0SoA4s650r0fWmIdjLrPwfwIJEhORJP4Rl4KW90ByjBLGMJwwX3BDckD

X-DkimResult-Test: Passed

X-Microsoft-Antispam: UriScan:;BCL:0;PCL:0;RULEID:(300000500095)(300135000095)(300000501095)(300135300095)(22001)(300000502095)(300135100095)(23075)(3001016)(300000503095)(300135400095)(71702078)(300000504095)(300135200095)(300000505095)(300135600095)(300000506095)(300135500095);SRVR:BN3PR0101MB1139;

X-Microsoft-Exchange-Diagnostics: 1;BN3PR0101MB1139;3:3r8G7uSlLonZ8schuJEMztwEOaRYBELm65207+X248iBKh7PsI3bol8S5lR7nAnomsbuMvttGH52ZCVsvnxhohbs/XgYNqhdE9sJXFVY9g09CtE+guT5+CyFY+P2XGzO2v62NhdrCveso5mCEY62PGDCpZiIlOpt2PXTF7eTXi1MsC/0tc08DWJuZw0dcMaZXpcaUwdgdRl7gcpjq5qRjyYULacDUYqnt94Hh4HdfalCCLSyk0gEDtgvEgrFa4k14r0lpMY/VBcGQs7YHrTwJOnVlo/wPhNlFljfhSVO9OVEgNLCqFoJhEA708nHy2MjJ12j+1InYRacEYQhJ0Wsp6I/9omvWtWQWjTV5yTreEnPz1Z9lVcbI6lakSUNrbKuFculW8vAqyKLLvfgkdiu+ln6wOZsrOYyFyW8Yz+X4QFLlqTPy4d4WkEr5Ix7fMLg8WdyfPA41tawOL3g3v4x2MLHMnd/X70UGzwPBlvz0A1Jj5w6hMrakruG3AV5Qc8+7qeIUaUL9Cxp8TJ5V70kg+MMhBCOLWSBwrS3JIT/0vvn0MUhJsDFYzy8iKuNPzx/ysglSm+hswJy95/ZLcs8uYsZ/38yZSDVEPceyTs45ZvsAIEgdPipYE1Fy2HvUYjSE/MIdgsib6N6ThX5KPK81a5MgHEjmlXIA8G6AuFYTTmMubULA XyoFAaFNl3Wz3r97KkKM+/mtfIKPBG2ehCVY+KK+8D93E6vBj77XxfwP LXtQ2RwPr22zNoucGUNONm6zaifPCneLEUUpOohBONWncFFkUYM/lckVBudRi7A7ly0Nn4JmE2BxsmVThjaQPqsTbuX

X-Microsoft-Exchange-Diagnostics: 1;BN3PR0101MB1139;25:4yfZ0x+QBxmdtDlvY6SVM8HlMVECQLqy7h9S0B7VvlrqWdcid97D59qYdnlCDTuDSXTevrIppSvQLArOvRWV/DKWQbnQKvcehxjxpsgPzBokIvDNmsLBq93Ti19KmvxSVjEeuPKTlnFCucbd6gMvXOEuYRqIdMj1sZIoWoFYiy52h53XAIwM8p4W/2KrDz2MQ8HeW25dbdA8rtSIcG6yZrw6yi25ZlJhK/GfsHpyMGUFeJhQUHUfBjmpc/ixyCZfjs40avae2waIWpCv+q1N/25a8sEaeKwu7LYEVCgX15aSoTFPyqn+bKmit2yNeLwJAImv8frraRClEfdMumOJLuC8CMKY9vwmpcAKyqDIHOs5Bt6c4Jqt02rvLzYOfYBgdvLWlGZln2jSmyUzorfenZTm9EdiHuWb7P1uP6D028bFWHbasjpmZJK2+1/Nxxk+rGFA4ztbqZEDKlubs3ZEaV7f1bdoQ31jsncGWgwKKcWnkEH3np3aSm7WgovOC0eqFcgH4Ckf6a9w3P6u72j2gFaiksoT50+0+El:+PRRelcFtrWigUzLSOH9yN9D0Fnx5gpruz96G2p6VfP/9FZ6i/+b1YvRX3Eml0JcBowoqLZ5qoh9K4tFx3lws7E39LRqepOsDUTruoADJeMEBTRv0hgFKWcp0md9WwBMe82LENVd+81Eaf7C39-dxcL79WhKHb/uFDmlLgUxdVdkbsXp2cQ7AacPDNsARhQc/mqGPPHxx3ZzLflIAX+swV/a3KETyv75UUs

W2a9QhsqN2UzdMd4V3IUgo0DYVBeqvwwP4GMhF/n0H+9Xkhlxgsa+MEBnGgATKDNxCWOr+Ai9K5TFmqwd+CM92I2T
ihVdoEC5YhUS7W90C3W/Z1zszcjEJcSGuirqxyLpoUh8Lj1hXiqa77dMYlnp4n4QQN-JvQUwjdLzXg=

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 7/11/2017 12:55:16 PM
To: dmoore@fb.org

I think he's enjoying. Maybe one more

Sent from my iPhone

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/7/2017 12:41:28 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

FYI. I will continue to forward additional AG reaction releases and clips as I see/receive them.

[Get Outlook for iOS](#)

From: Michael Toth <michaelctoth@gmail.com>
Sent: Tuesday, June 6, 2017 8:38:28 PM
To: Adam Piper
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

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

From: Toth, Michael <Michael.Toth@oag.texas.gov>
Date: Tue, Jun 6, 2017 at 7:37 PM
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
To: michaelctoth@gmail.com <michaelctoth@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: "Office of TX Attorney General" <TXAttorneyGeneral@public.govdelivery.com>
Date: June 6, 2017 at 7:07:34 PM CDT
To: michael.toth@oag.texas.gov
Subject: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
Reply-To: TXAttorneyGeneral@public.govdelivery.com



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

FOR IMMEDIATE RELEASE

PRESS OFFICE: (512) 463-2050

June 6, 2017

Kayleigh Lovvorn: Kayleigh.Lovvorn@oag.texas.gov

www.texasattorneygeneral.gov

AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

AUSTIN – Texas Attorney General Ken Paxton announced his support of the Environmental Protection Agency’s (EPA) decision to give states more time to comply with the National Ambient Air Quality Standard (NAAQS), an ozone regulation issued in 2015. Administrator Scott Pruitt today sent a letter to governors informing them that the EPA is extending the deadline for promulgating initial area designations for the NAAQS by one year.

The NAAQS for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

“I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I’m hopeful that the one year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy,” Attorney General Paxton said. “Texas has continually reduced ambient ozone concentrations in the state without stifling the growth of Texas’s industry or population, and looks forward to continuing efforts to improve air quality while bolstering the Texas economy.”

Texas previously challenged this rule on December 28, 2015. In addition to Texas, Arizona, Arkansas, Kentucky, New Mexico, Oklahoma, North Dakota, Utah and Wisconsin have also filed lawsuits against the Ozone Rule.

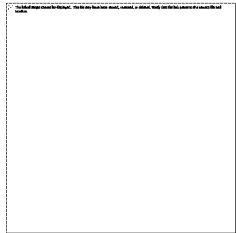
To view a copy of the letter, [click here](#).

#

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This email was sent to michael.toth@oag.texas.gov using GovDelivery Communications Cloud on behalf of: Office of Texas Attorney General 300 W. 15th Street - Austin, TX 78701



--
Sent from Gmail Mobile

From: postmaster@fb.org [postmaster@fb.org]
Sent: 6/6/2017 11:44:52 PM
To: don.parrish@fb.org
Subject: Undeliverable: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Attachments: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Your message

To: don.parrish@fb.org
Subject: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Sent: 6/6/2017 11:44:48 PM



Your message to don.parrish@fb.org couldn't be delivered.

don.parrish wasn't found at fb.org.

Bennett.Tate	Office 365	don.parrish
Action Required		Recipient



Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 6/6/2017 11:44:48 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: don.parrish@fb.org
Subject: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address lookup
DSN generated by: MWHPR01MB2591.prod.exchangelabs.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	6/6/2017 11:44:48 PM	CY1PR09MB1129.namprd09.prod.outlook.com	CY1PR09MB1129.namprd09.prod.outlook.com	map

2	6/6/2017 11:44:48 PM	CY1PR09MB1129.namprd09.prod.outlook.com	CY1PR09MB1129.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
3	6/6/2017 11:44:50 PM	gcc01-CY1- obe.outbound.protection.outlook.com	DM3NAM05FT055.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
4	6/6/2017 11:44:50 PM	DM3NAM05FT055.eop- nam05.prod.protection.outlook.com	BLUPR0101CA0033.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
5	6/6/2017 11:44:51 PM	BLUPR0101CA0033.prod.exchangelabs.com	MWHPR01MB2591.prod.exchangelabs.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

Received: from BLUPR0101CA0033.prod.exchangelabs.com (10.163.116.171) by MWHPR01MB2591.prod.exchangelabs.com (10.168.203.149) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1124.9; Tue, 6 Jun 2017 23:44:51 +0000

Received: from DM3NAM05FT055.eop-nam05.prod.protection.outlook.com (2a01:111:f400:7e51::202) by BLUPR0101CA0033.outlook.office365.com (2a01:111:e400:52e8::43) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1143.10 via Frontend Transport; Tue, 6 Jun 2017 23:44:50 +0000

Authentication-Results: spf=none (sender IP is 23.103.200.93)
smtp.mailfrom=epa.gov; fb.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;fb.org; dmarc=none action=none
header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

Received: from gcc01-CY1-obe.outbound.protection.outlook.com (23.103.200.93) by DM3NAM05FT055.mail.protection.outlook.com (10.152.98.169) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1075.12 via Frontend Transport; Tue, 6 Jun 2017 23:44:50 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
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Received: from CY1PR09MB1129.namprd09.prod.outlook.com (10.166.196.21) by CY1PR09MB1129.namprd09.prod.outlook.com (10.166.196.21) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id 15.1.1143.10; Tue, 6 Jun 2017 23:44:48 +0000

Received: from CY1PR09MB1129.namprd09.prod.outlook.com ([10.166.196.21]) by CY1PR09MB1129.namprd09.prod.outlook.com ([10.166.196.21]) with mapi id

15.01.1143.019; Tue, 6 Jun 2017 23:44:48 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "don.parrish@fb.org" <don.parrish@fb.org>

Subject: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Thread-Topic: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Thread-Index: AQHS3xT383e9ck3tAkKzbOvXNBz+JaIYa/dQgAATo6g=

Date: Tue, 6 Jun 2017 23:44:48 +0000

Message-ID: <641CA66D-2D35-4F37-96ED-618EFE390851@epa.gov>

References:

<7f61c520c0244932892898f8488bf422@epa.gov>, <BN1PR09MB03054902AD870BA63BEA0E099BCB0@BN1PR09MB0305.namprd09.prod.outlook.com>

In-Reply-To:

<BN1PR09MB03054902AD870BA63BEA0E099BCB0@BN1PR09MB0305.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

authentication-results: fb.org; dkim=none (message not signed)

header.d=none;fb.org; dmarc=none action=none header.from=epa.gov;

x-originating-ip: [2600:1003:b02b:2cf7:7cfl:ead4:3fe2:4a2a]

z-ms-publictraffictype: Email

X-Microsoft-Exchange-Diagnostics-untrusted:

1;CY1PR09MB1129;7;SFaY2nM9FSauoVcE0Nt8hsJEYqfc4ippYWFqlehFraxAezvpmN8M29xV6qt3hAf2vco2CEXfzocziI76dJUWG7qn2pWzUAYOTmayknMWNWIMVYCCNh8rOIAQsX8p-cmaDUPDAVdrpIxWkpIqN62gM3GkHO/36k2yPKAczc2J2FxlLuLs0GIKHK6wFnYgCaqxuuwyHF3PufL3tgQpkIKYVCaem+h8fzbjemH+FFaaSKQ5zN7qLnZ7X/ljTKAIeQOaPEmulnWo9nb62oPvEDcPg3PsIunz5NgWGmazq+G9/NQmdbsEH38aBVZ24YE+dZa7fH9/jIjgX5CGGqxttvJsP/WXhw==

X-MS-TrafficTypeDiagnostic: CY1PR09MB1129;|MWHPR01MB2591;

X-MS-Office365-Filtering-Correlation-Id: f83942b5-c60e-435a-2448-08d4ad360604

X-Microsoft-Antispam-Untrusted:

UriScan;BCL:0;PCL:0;RULEID:(22001)(2017030254075)(201703131423075)(201703031133081);SPVR;CY1PR09MB1129;

x-microsoft-antispam-prvs:

<CY1PR09MB1129A8E37A0422CD88B8107896CB0@CY1PR09MB1129.namprd09.prod.outlook.com>

x-exchange-antispam-report-test: UriScan:(18691203564520)(229425074694992);

z-exchange-antispam-report-cfa-test:

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Content-Type: multipart/mixed;
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MIME-Version: 1.0
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Return-Path: Bennett.Tate@epa.gov
X-EOPAttributedMessage: 0
X-EOFTenantAttributedMessage: 85bbc75f-c172-4368-9b82-c8bcfa263360:0
X-MS-Exchange-Transport-CrossTenantHeadersStripped: DM3NAM05FT055.eop-nam05.prod.protection.outlook.com
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EtF7yS2ACGSU14ISBYLlesxb3MqSQ6wyTlu72ZnL4a8yhEg=

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/6/2017 11:44:48 PM
To: don.parrish@fb.org
Subject: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Attachments: AZ Ducey 6-6-17.pdf; ATT00001.htm

FYI, Don!

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: June 6, 2017 at 6:35:34 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA’s efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States



E. SCOTT PRUITT
ADMINISTRATOR

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007

Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 PENNSYLVANIA AVE, NW • MAIL CODE 1101A • WASHINGTON, DC 20460 • (202) 564-4700 • FAX: (202) 501-1450

This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours



E. Scott Pruitt

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/6/2017 11:39:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Can you forward us all press you see?

Will do.

[Get Outlook for iOS](#)

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, June 6, 2017 7:14:17 PM
To: Adam Piper
Cc: Konkus, John; Wilcox, Jahan
Subject: Can you forward us all press you see?

Copying comms.

Message

From: John Campbell [JohnCa@mdac.ms.gov]
Sent: 6/28/2017 6:52:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Dudley Hoskins [Dudley@nasda.org]
Subject: FW: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS
Attachments: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS.6.28.17.doc

Tate-
Dudley Hoskins asked me to send you our press release regarding WOTUS.

On a separate note, if I can be of assistance to you on any other issue, please let me know.

Thank you,

John G. Campbell
Deputy Commissioner
Mississippi Department of Agriculture and Commerce

121 North Jefferson St.
Jackson, MS 39201

Office: Ex. 6

Cell: Ex. 6

Fax: (601) 354-6290

Email: johnca@mdac.ms.gov

From: Paige Manning
Sent: Wednesday, June 28, 2017 1:35 PM
To: Paige Manning
Subject: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

PRESS RELEASE

FOR IMMEDIATE RELEASE: June 28, 2017

Contact: Paige Manning, Director of Marketing and Public Relations
Phone: (601) 359-1163
E-mail: paige@mdac.ms.gov

Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

JACKSON, Miss. — Commissioner of Agriculture and Commerce Cindy Hyde-Smith applauds the decision by the U.S. Environmental Protection Agency (EPA) to rescind the 2015 Clean Water Rule and recodify the previous regulations.

“I am pleased with the actions taken by the EPA and their willingness to consider the impacts this rule would have had on our farmers and ranchers,” said Hyde-Smith. As President of the Southern Association of State

Departments of Agriculture (SASDA), Hyde-Smith looks forward to working with the EPA and agriculture commissioners and secretaries from across the country in developing a new rule.

“We must work collectively to ensure that our state’s and nation’s waters are kept clean, while simultaneously addressing the needs of our farmers, ranchers, and the agribusiness community. Farmers are some of the best conservationists and stewards of our land and water, and it is imperative that we protect them from overreaching, burdensome regulations.”

Rescinding the 2015 rule is the first step of a two-step process to redefine “waters of the United States.” Once the proposed new rule is published in the Federal Register, the public will be able to submit written comments.

###

Paige Manning
Director of Marketing and Public Relations
Mississippi Department of Agriculture and Commerce
121 North Jefferson Street
Jackson, MS 39201
Phone: (601) 359-1163
Fax: (601) 354-6001
paige@mdac.ms.gov

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**STATE OF MISSISSIPPI
DEPARTMENT OF AGRICULTURE AND COMMERCE**

CINDY HYDE-SMITH
COMMISSIONER

PRESS RELEASE

FOR IMMEDIATE RELEASE: June 28, 2017

Contact: Paige Manning, Director of Marketing and Public Relations
Phone: (601) 359-1163
E-mail: paige@mdac.ms.gov

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###

MARKET DEVELOPMENT • P.O. BOX 1609 • JACKSON, MISSISSIPPI 39215
(601) 359-1159 • FAX (601) 354-6001

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 6/27/2017 7:42:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: State Ag Departments, Farmers Applaud WOTUS Rescission

I am out of the office Monday, June 26 and Tuesday, June 27. I will return Wednesday, June 28. For urgent matters, please call **Ex. 6**

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/20/2017 3:50:40 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Just buzzed you

Just tried you back. Walking into a lunch meeting but can be available after.

Sent from my iPhone

> On Jun 20, 2017, at 11:41 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>

>

Ex. 6

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/27/2017 7:39:52 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
CC: Nathan Bowen [Nathan@nasda.org]
Subject: Fwd: State Ag Departments, Farmers Applaud WOTUS Rescission
Attachments: WOTUS_06272017.pdf; ATT00001.htm

FYI, please see NASDA's release below.

Thanks so much! Please let me know if you need anything else.

Britt

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: June 27, 2017 at 3:17:16 PM EDT
Subject: State Ag Departments, Farmers Applaud WOTUS Rescission

FOR IMMEDIATE RELEASE: June 27, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

State Ag Departments, Farmers Applaud WOTUS Rescission

Following the U.S. Environmental Protection Agency's (EPA) announcement today to withdraw the 2015 Clean Water Rule and recodify the previous regulations, National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain issued the following statement:

"The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule."

All of NASDA's official actions on WOTUS can be found [here](#). NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the

departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org.

###

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
June 27, 2017

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###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/27/2017 12:47:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: Re: WOTUS

Thanks!

Sent from my iPhone

On Jun 27, 2017, at 8:42 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Looks like we will be signing and sending the WOTUS FR this afternoon.

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Don Parrish [donp@fb.org]
Sent: 6/28/2017 5:27:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Can I give you a shout this AM?

Can you call my cell

Ex. 6

Sent from my iPhone

> On Jun 28, 2017, at 3:50 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Happy to work around your schedule. Or vice versa. 2023293948

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/27/2017 7:39:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Britt Aasmundstad [britt@nasda.org]
Subject: Fwd: State Ag Departments, Farmers Applaud WOTUS Rescission
Attachments: WOTUS_06272017.pdf; ATT00001.htm

Hi Tate - just got your message. Forwarding this along in case you haven't already received. Not sure of specific state releases but Britt may have additional info on that front.

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: June 27, 2017 at 3:17:16 PM EDT
Subject: State Ag Departments, Farmers Applaud WOTUS Rescission

FOR IMMEDIATE RELEASE: June 27, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

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###

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
June 27, 2017

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###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/15/2017 12:17:33 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: July 5th

ok

Paul Schlegel
Director, Energy and Environment Team
Direct: Ex. 6
Cell:
Email: pauls@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 15, 2017 8:17 AM
To: Paul Schlegel
Subject: RE: July 5th

2 PM. EPA North Building

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

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Thursday, June 15, 2017 8:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: July 5th

That should be ok
Let me know time & room

Paul Schlegel
Director, Energy and Environment Team
Direct: Ex. 6
Cell:
Email: pauls@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, June 14, 2017 7:37 PM
To: Paul Schlegel
Subject: July 5th

Would you be available that day to meet? If not, no worries. Understand it's a holiday week.

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/7/2017 9:21:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: WTAS Ozone

[Get Outlook for iOS](#)

From: Greg Cairns
Sent: Wednesday, June 7, 2017 5:20:47 PM
To: Adam Piper
Subject: RE: WTAS Ozone

Rutledge statement on Ozone delay - <http://arkansasag.gov/media-center/news-releases/rutledge-statement-on-epas-decision-to-delay-ozone-rule-implementation/>

From: Greg Cairns
Sent: Wednesday, June 7, 2017 12:17 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: RE: WTAS Ozone

Checked everyone's website and twitter feed. Paxton's is the only statement I can find.

From: Adam Piper
Sent: Wednesday, June 7, 2017 11:58 AM
To: Greg Cairns <gcairns@ruleoflawdefensefund.org>
Subject: Fwd: WTAS Ozone

Can you see if anyone else has put out a statement?

Rutledge, etc?

[Get Outlook for iOS](#)

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, June 7, 2017 11:54:51 AM
To: Adam Piper
Subject: Fwd: WTAS Ozone

You want to send any?

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: June 7, 2017 at 11:51:43 AM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Wilcox, Jahan"

<wilcox.jahan@epa.gov>

Subject: RE: WTAS Ozone

YES! We can do another one this afternoon.

From: Bennett, Tate

Sent: Wednesday, June 7, 2017 9:08 AM

To: Konkus, John <konkus.john@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: WTAS Ozone

Can I keep sending these your way?

From: Konkus, John

Sent: Wednesday, June 7, 2017 8:59 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: WTAS Ozone

What they are saying about EPA's intent to delay implementation of the 2015 ozone standards...

Senate Majority Leader Mitch McConnell (KY)

"I applaud Administrator Scott Pruitt for his decision to delay this Obama Administration issued regulation, which was finalized in October 2015. This regulation was yet another attack on the Middle Class by the Obama Administration and was forced through despite significant concern from communities across the country. Today's postponement will give states and municipalities relief in the interim while EPA continues to review NAAQS levels."

Senator Shelley Moore Capito (WV)

"State and local governments and employers across the country have had insufficient time to comply with the latest revisions to the ozone standards. I commend Administrator Pruitt and his staff at the EPA for acknowledging this reality and acting today to delay existing standards. The overlapping standards have caused regulatory confusion, even as ozone emissions continue to decline. However, Congress must now provide a permanent fix to the broken process of reviewing and implementing ozone standards."

Senator Jeff Flake (AZ)

"It's great to see the EPA working with Arizonans for a change. Nowhere are the flaws of previous administration's one-size-fits-all approach to regulating ozone more evident than in Arizona, a desert state where naturally-occurring ozone makes it impossible to meet the new federal mandate. While today's move buys Arizona much-needed time, I remain committed to advancing a solution that will provide permanent relief from this egregious and unworkable rule." said Flake. "I'd especially like to thank EPA Administrator Pruitt for listening to local stakeholders and recognizing Arizona's already successful efforts to significantly reduce ozone level in recent years."

Attorney General Ken Paxton (TX)

“I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I’m hopeful that the one year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy. Texas has continually reduced ambient ozone concentrations in the state without stifling the growth of Texas’s industry or population, and looks forward to continuing efforts to improve air quality while bolstering the Texas economy.”

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Ex. 6

From: Washington Ag Communicators [fpurcell@croplifeamerica.org]
Sent: 6/12/2017 1:47:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RSVP today! Washington Ag Communicators Networking Reception

[View in browser](#)



YOU'RE INVITED TO A
**PROFESSIONAL
MEET & GREET**
HOSTED BY THE
WASHINGTON AG COMMUNICATORS

DATE: JUNE 14
TIME: 5:30PM - 7:30PM
VENUE: CAPITOL VISITOR CENTER
ROOM SVC 209-08

LIGHT BITES AND BEVERAGES PROVIDED
MUST RSVP TO ATTEND

All communications staffers are invited to join D.C. agriculture communicators for an evening of networking, food and drink! Leave the

policy at the office and come to find out where to find resources when constituents reach out to you with agriculture related questions. Event is invite only.

Please respond by clicking **Yes** or **No**. We look forward to your response!

Your hosts:

CropLife America
National Milk Producers Federation
The Fertilizer Institute
National Corn Growers Association
Farm Credit Council
International Dairy Foods Association
American Frozen Food Institute
White House Writers Group
BIO
Ducks Unlimited
United Egg Producers
American Seed Trade Association
Food Marketing Institute
American Farm Bureau Federation
Agriculture Retailers Association
Crop Insurance and Reinsurance Bureau (CIRB)
National Association of Wheat Growers
USA Rice
American Soybean Association
Farm Journal Foundation
Look East Communications
National Cotton Council

[Unsubscribe](#) | [Opt Out](#)

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cvent

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/16/2017 5:15:45 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Amanda Culp [Amanda@nasda.org]
Subject: FW: Final NASDA WPS Press Statement
Attachments: WPSExtension_05152017.docx

NASDA press release attached.

Link to SDA letters (2016) requesting WPS extension: <http://www.nasda.org/statewpsrequests.aspx>

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Amanda Culp
Sent: Tuesday, May 16, 2017 1:09 PM
To: Dudley Hoskins
Subject: Final WPS Press Statement

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
May XX, 2017

NASDA Applauds EPA for WPS Implementation Extension

The U.S. Environmental Protection Agency's (EPA) recently granted NASDA's request for an extension to the Agricultural Worker Protection Standard (WPS) rule until necessary guidance and training have been completed.

"Protecting the health and safety of agricultural workers is a fundamental priority for NASDA members," said NASDA CEO Dr. Barbara P. Glenn. "While states have been working diligently with EPA to implement the agency's 2015 rule, the lack of needed education and training materials and other significant challenges with the rule have made the original implementation timeline unrealistic. We appreciate EPA delaying implementation until necessary guidance and training have been completed and we look forward to working with the agency to address our other concerns with the 2015 rule. EPA, state regulatory agencies, agricultural employers, trainers, farmers, and workers all have a shared responsibility to protect and promote worker safety."

NASDA most recently requested an extension of the WPS implementation timeline in February and a number of individual state departments of agriculture have submitted similar requests. In forty-three states and Puerto Rico, the state department of agriculture is a co-regulator with EPA and responsible for administering, implementing and enforcing the production, labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and other applicable laws and regulations.

NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org.

###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 7/5/2017 1:45:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: today

Tate — just checking in on today. Hope your calendar still works.
I was hoping Dudley would be around but he's not so it will just be me
Paul

Paul Schlegel
Director, Energy and Environment Team
Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

Message

From: Hoelscher, Douglas L. EOP/WHO [Douglas.L.Hoelscher@who.eop.gov]
Sent: 7/11/2017 5:57:55 PM
To: Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Rollins, Blake - OSEC, Washington, DC [Blake.Rollins@osec.usda.gov]
Subject: FW: ICYMI: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 1:54 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: ICYMI: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

Scott Pruitt reaffirms Trump Administration's commitment to American farmers

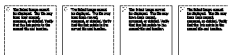
WASHINGTON, D.C. (July 11, 2017) - U.S. Environmental Protection Agency Administrator Scott Pruitt addressed the American Farm Bureau Federation's State Leadership Meeting earlier today to discuss EPA's recent decision to begin rescinding the 'Waters of the U.S.' rule (WOTUS), as well as other issues of concern to American farmers.

"EPA is returning power to the states and standing with farmers who have been hurt by misguided policies of the past," said Administrator Pruitt. **"The farming industry deserves regulatory certainty and I committed that to them today. The group expressed gratitude that their voices are being heard for the first time in a long time and I look forward to an ongoing partnership with the agriculture community in the future."**

The address follows the Administrator's visit to Gully Branch Tree Farm in rural Georgia last week where he and U.S. Secretary of Agriculture Sonny Perdue visited one of Georgia's premier outdoor classrooms to promote environmental stewardship and reaffirm the Trump Administration's commitment to farmers and foresters.

U.S. Environmental Protection Agency Administrator Scott Pruitt addresses American Farm Bureau's State Leadership Meeting

Visit The EPA's
Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 7/11/2017 5:55:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: ICYMI: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

Thx. Give a holler if you need help w/ any states

Paul Schlegel
Director, Energy and Environment Team
Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 1:54 PM
To: Bennett, Tate
Subject: ICYMI: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

Scott Pruitt reaffirms Trump Administration's commitment to American farmers

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U.S. Environmental Protection Agency Administrator Scott Pruitt addresses American Farm Bureau's State Leadership Meeting

[Visit The EPA's
Newsroom](#)

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Don Parrish [donp@fb.org]
Sent: 6/21/2018 5:25:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: any luck re July?

Not yet. Things are going crazy over here today.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 12:51 PM
To: Don Parrish <donp@fb.org>
Subject: any luck re July?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/27/2017 6:34:44 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: Re: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Thank you all! Our release will be out in a minute. I'll forward it along, thanks!!

Sent from my iPhone

On Jun 27, 2017, at 2:25 PM, Nitsch, Chad <Nitsch.Chad@epa.gov> wrote:

Nate, Britt, and Dudley,

Hot off the press....

Thank you,

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: EPA Press Office [<mailto:press=epa.gov@cmail19.com>] **On Behalf Of** EPA Press Office
Sent: Tuesday, June 27, 2017 2:15 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON - (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the

Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. **"This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."**

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information:

<http://www.epa.gov/wotus-rule>

<!--[if !vml]--><image001.png><!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Sent: 7/7/2017 7:50:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Pesticides on tobacco

Hi, Tate:

I just tried to give you a call, but your voicemail was full and I was unable to leave a message. Anyway, I hope you're having a nice week! I was wondering if you would be able to provide me with a definition "minimum risk" pesticide as well as the EPA's list of minimum risk pesticides. Also, can "minimum risk" pesticides be used on food crops?

Thank you in advance for your assistance. I really appreciate your help.

Please feel free to give me a call if you have any questions.

Thanks,



Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Wed, Jul 5, 2017 at 12:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
Team effort!

On Jul 5, 2017, at 12:31 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Thank you so much for getting me this information on Friday. I really appreciate it.



Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jun 30, 2017 at 2:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Cassie-

Thanks to Rick, the attached file lists every federally-registered product that can be used on tobacco at some stage in its production, including those uses where tobacco might be treated post-harvest while it is in storage.

Please note that this list should not be used as a substitute for a pesticide user to consult the label for specific directions on how to use the product. Not all of these products will necessarily be available for use in the State of Maryland. EPA does not maintain information regarding which products are registered in which states. The state lead agency for pesticide regulation would be the best source for that information.

Hope this helps.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Message

From: Don Parrish [donp@fb.org]
Sent: 6/20/2018 4:54:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: are you around?

yep

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, June 20, 2018 12:49 PM
To: Don Parrish <donp@fb.org>
Subject: are you around?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: yvette herrell [yherrell@yahoo.com]
Sent: 6/24/2017 2:51:06 AM
To: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Jim Townsend [townsend@pvt.net]; Denise McWatters [denise.mcwatters@hollyfrontier.com]; george.damiris@hollyfrontier.com
Subject: Thank you for your time today
Attachments: SKM_C554e17062315470.pdf

Preston,

Thank you so much for your time today. We certainly do appreciate your willingness to listen to our concerns regarding the RVO formula and the renewable volume obligation. Not only do we view the current formula and obligation as a system that is bankrupting our crude producers, the EPA's mandate on blending is mathematically impossible to attain.

Today we not only outlined how current guidelines are damaging to the crude industry as a whole, but also spent part of the call explaining how a state like New Mexico - so heavily reliant on the gas and oil industry - could recognize a substantial loss of revenues, gross receipts and employment opportunities.

With that being said, and with the help of Denise McWatters, we did provide solutions for Administrator Pruitt's consideration such as adjusting the RVO formula to neutralize how RINS are charged, as well as, providing a comprehensive relief plan to the system's current point of obligation.

Attached you will find a more detailed summary of our discussion today, along with two slides that provide a snapshot of the system. We look forward to continuing this conversation next week and will work to keep our schedules open in an effort to accommodate a day and time that will work for you.

Thank you again,

Rep. Yvette Herrell
NM House District 51
Alamogordo NM

Ex. 6

RENEWABLE FUEL STANDARD – ADMINISTRATIVE CHANGES NEEDED

I. HOLLYFRONTIER NAVAJO REFINING IN NEW MEXICO

- HollyFrontier projects its 2017 RIN costs to be greater than its payroll
- Market cap has dropped by half since the 10% blendwall hit (limits ability to blend more ethanol into gasoline)
- HollyFrontier's Navajo refinery refines more than 25% of the state's daily production of crude oil
- The Navajo Refining complex is the largest private employer in Artesia
- Average salaries exceed \$100,000 annually
- Employment in New Mexico will be harmed and fuel prices will increase if merchant refiners are driven out of business by RINs costs

II. PROPOSED ADMINISTRATIVE CHANGES

We're asking that EPA reform the RFS in two ways to save refineries:

1. Establish Renewable Volume Obligations ("RVO") for 2018 that are consistent with market realities
 - The E10 blendwall is imposing significant costs on New Mexico refineries
 - RIN shortfall, particularly for biodiesel, is imminent
 - RIN bank has been depleted
 - RIN deficit carryover is largest in RFS history – twice that of last year
 - Domestic production of biomass-based diesel has fallen short of EPA projections
 - Lower RVOs would throw a lifeline to refiners drowning in RIN obligations
2. Move the Point of Obligation
 - EPA should change point of obligation from refiners to blenders who make the RINs, reap the profits from renewable fuels and are best able to comply. The current point of obligation severely disadvantages refiners and small retailers across New Mexico.
 - A change in the point of obligation would level the playing field and significantly reduce compliance costs for currently obligated parties and would encourage blending of biofuels since the obligated party would be the party that controls blending. The number of obligated parties would not significantly change from the current number.
 - **Withdrawing the Obama Administration's proposed denial of the petition to change the point of obligation would be a neutral action that reflects EPA's current assessment of all options.**

CONTACT INFORMATION

Rep. Yvette Herrell
(R-Otero-51)
P.O. Box 4338
Alamogordo, NM 88311

Ex. 6

Rep. James G. Townsend
(R-Chaves, Eddy & Otero-54)
69 W. Compress Rd.
Artesia, NM 88210

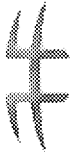
Ex. 6

Denise C. McWatters
SVP and General Counsel
HollyFrontier Corporation
2828 N. Harwood, Suite 1300
Dallas, TX 75201

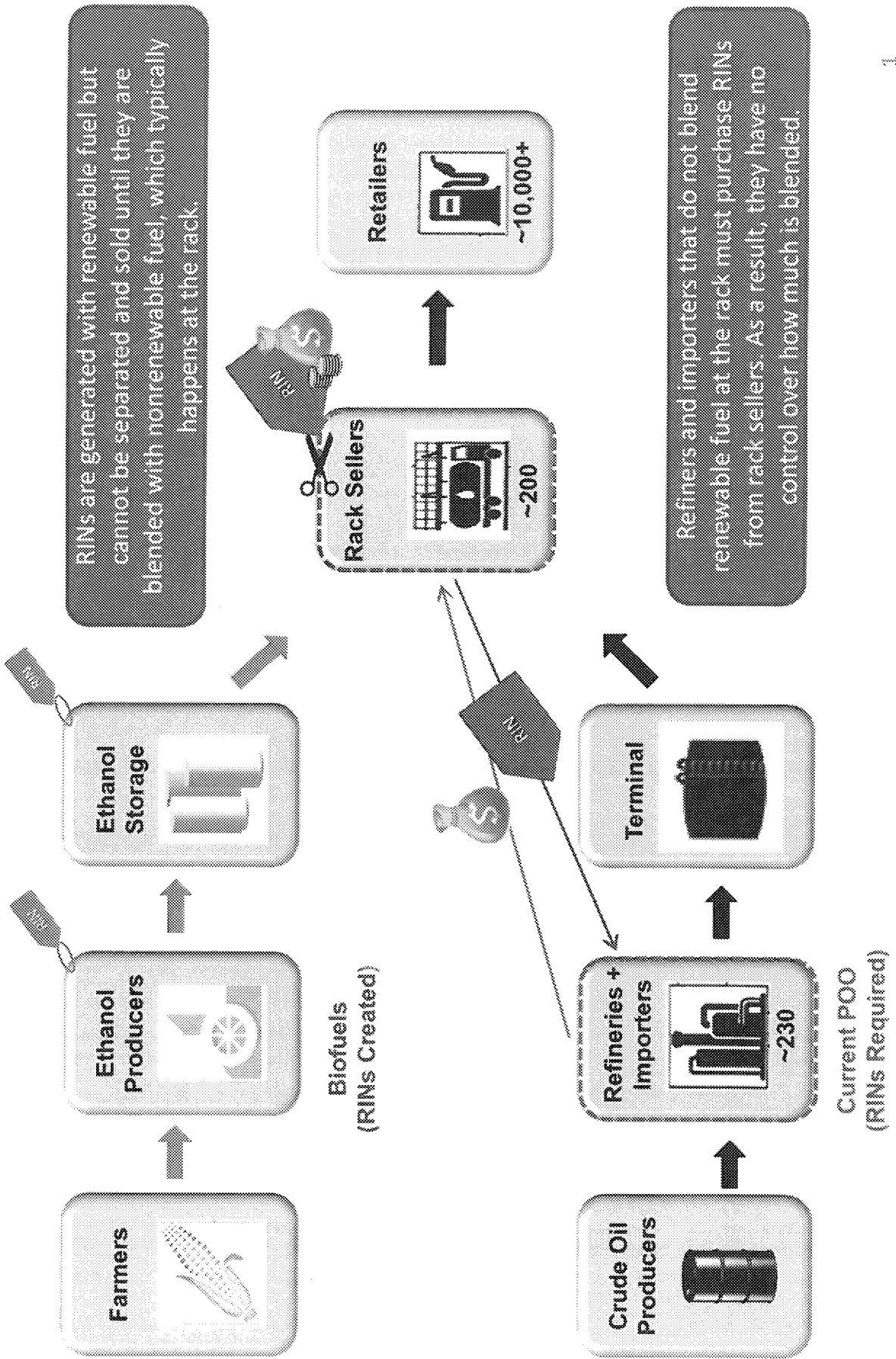
Ex. 6

Fuel Industry Structure:

Production Process for Current POO



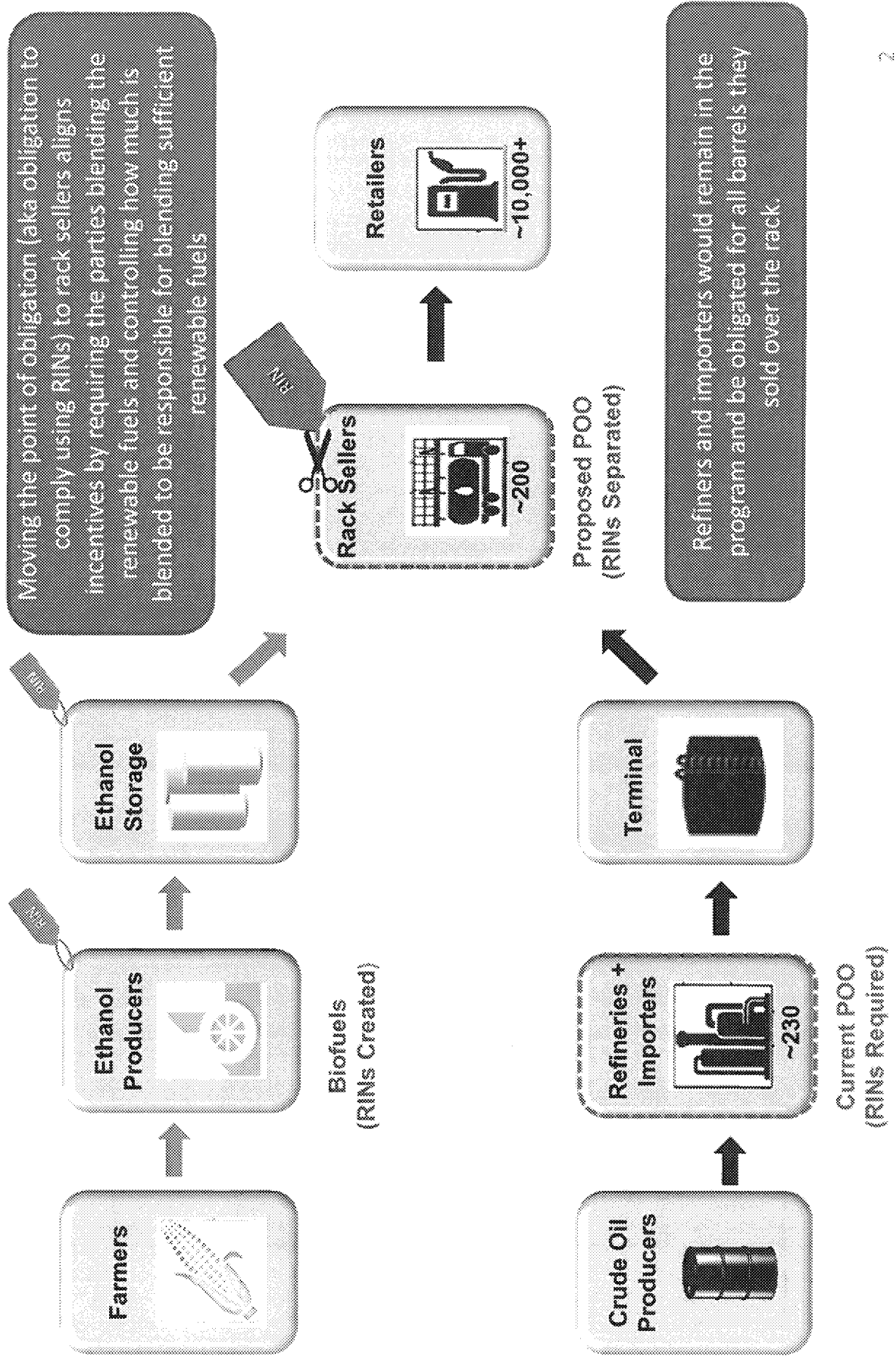
HOLLYFRONTIER.



Fuel Industry Structure:

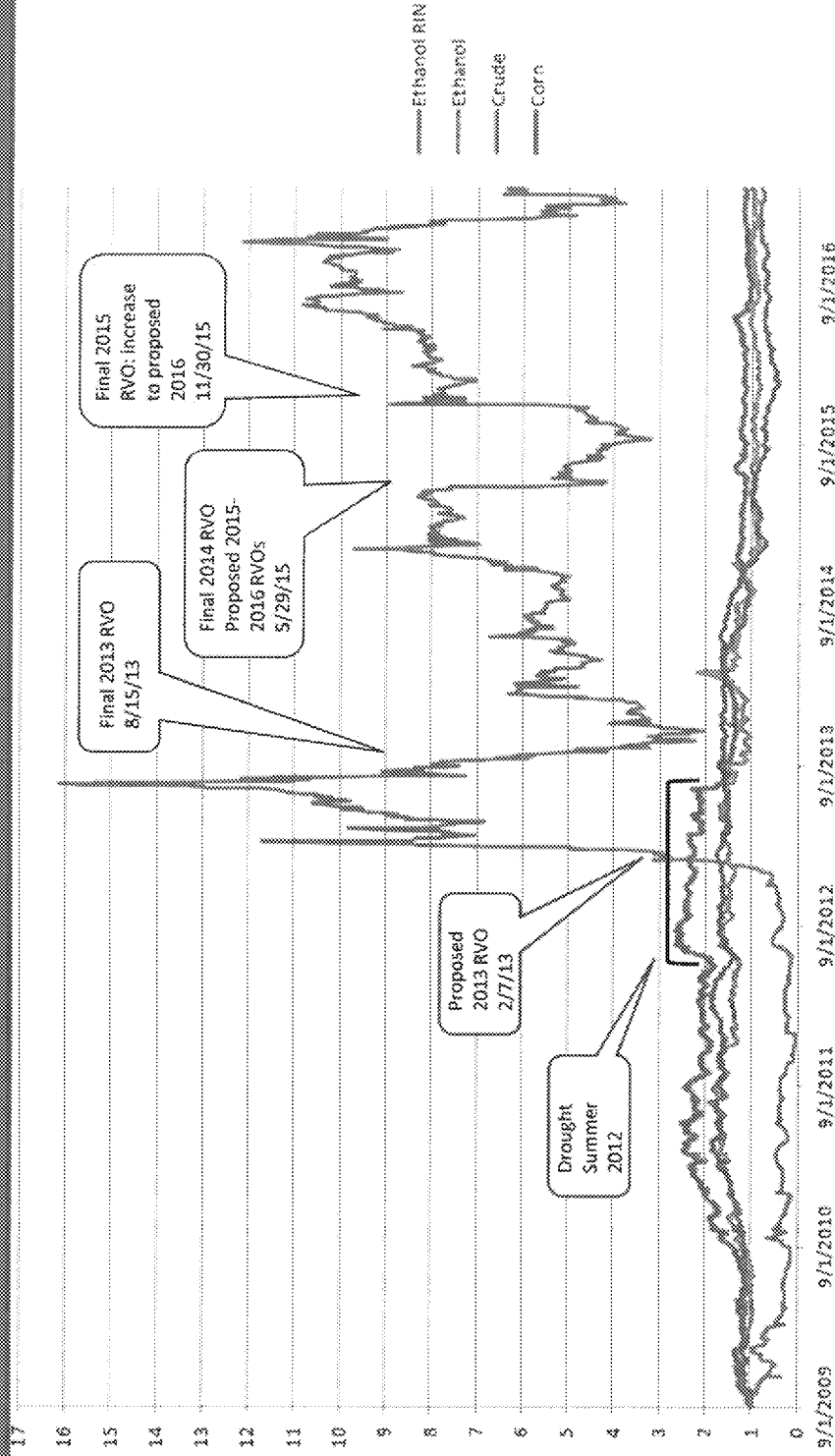
Production Process for Proposed POO

HOLLYFRONTIER.



Ethanol, Corn, and Crude Prices

Renewable fuel shortages, market constraints, and a misaligned point of obligation have caused RIN prices to move separately from ethanol, corn, and crude. As a result, RINs are giving windfall profits to fuel blenders and retailers instead of being used for compliance as intended and passed on to consumers, ethanol producers, or corn farmers.



To facilitate comparison, all prices have been divided by 9/1/2009 prices to normalize to 1. A value of 2, for example, means the price was twice as high that day as on 9/1/2009. $S(t) = P(t) / P(9/1/2009)$

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 7/5/2017 7:41:49 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]
CC: Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: RE: EPA Proposes RFS Volumes Reflective of Market Realities for 2018

Thanks, Chad! We'll get this out.

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Wednesday, July 05, 2017 3:39 PM
To: Britt Aasmundstad; Nathan Bowen; Dudley Hoskins
Cc: Osinski, Michael; Bennett, Tate; Bowles, Jack
Subject: Fwd: EPA Proposes RFS Volumes Reflective of Market Realities for 2018

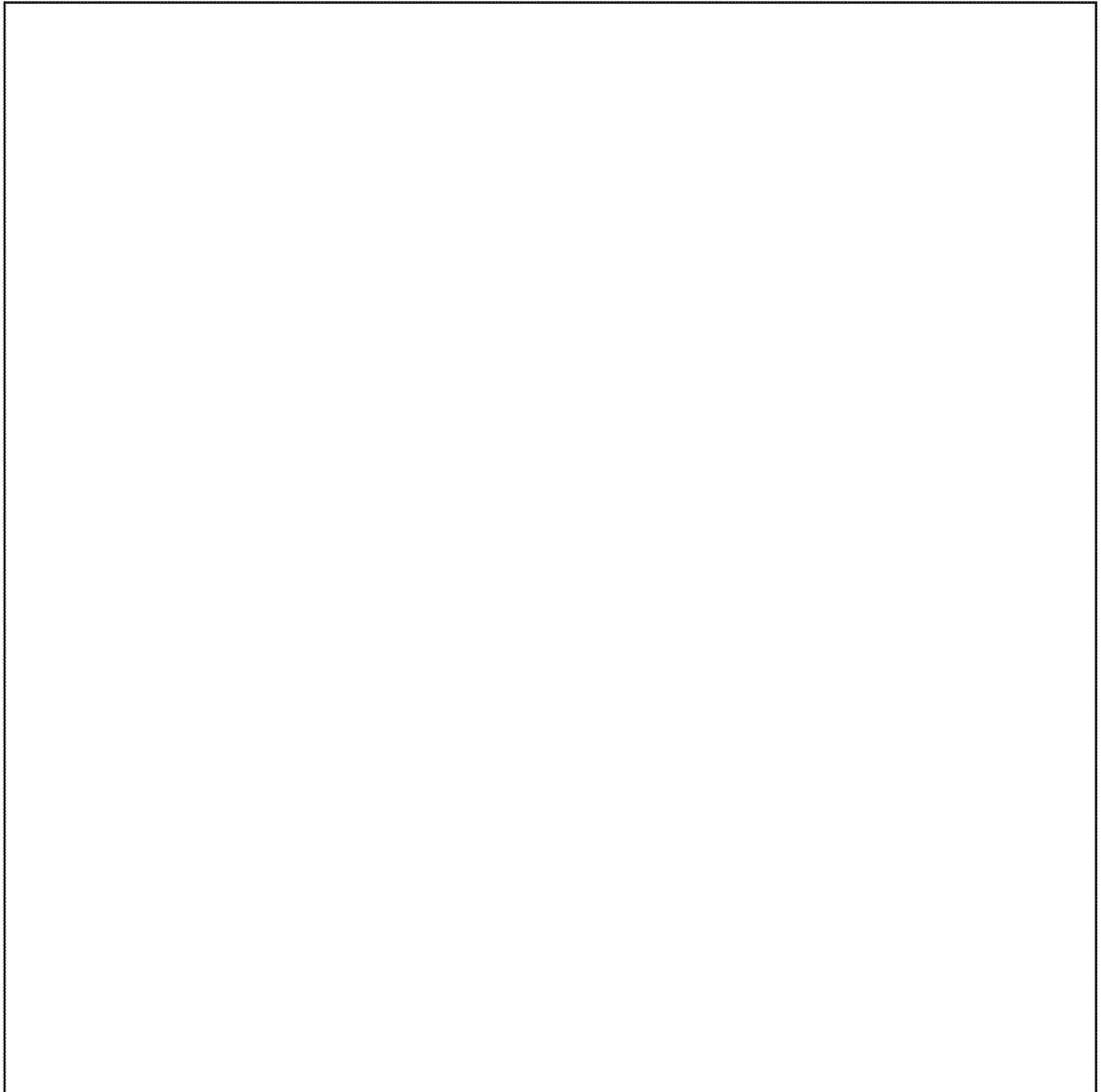
Britt, Nate, and Dudley,

For distribution to your members.

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: July 5, 2017 at 3:35:01 PM EDT
To: "Nitsch.Chad@epa.gov" <Nitsch.Chad@epa.gov>
Subject: EPA Proposes RFS Volumes Reflective of Market Realities for 2018
Reply-To: press@epa.gov



EPA Proposes RFS Volumes Reflective of Market Realities for 2018
Starting Technical Analysis to Inform Future Reset Rules

WASHINGTON - (July 5, 2017) Today, the U.S. Environmental Protection Agency (EPA) signed a proposed rule setting the minimum amount of renewable fuels that must be supplied to the market in calendar year 2018 under the Renewable Fuel Standards (RFS) program. Today's action proposes volume requirements and associated percentage standards that maintain renewable fuel volumes at levels comparable to the 2017 standards, recognizing limits to the growth of cellulosic and advanced biofuels.

EPA is committed to successfully administering the RFS consistent with the direction entrusted to the Agency by Congress and is on track to meet the November 30th statutory deadline to make today's proposed Renewable Volume Obligations (RVOs) final. The proposed volumes are based on requirements under the law and an analysis of current market dynamics, including energy demand, biofuel production, and market

constraints. The proposed standards will help stabilize the renewable fuels program and provide certainty for stakeholders.

“Increased fuel security is an important component of the path toward American energy dominance,” said EPA Administrator Scott Pruitt. **“We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace. Timely implementation provides certainty to American refiners, the agriculture community and broader fuels industry, all of which play an important role in the RFS program.”**

Some key elements of today’s action:

- ✦ Non-advanced or “conventional” renewable fuel volumes are maintained at the **15-billion gallon** target set by Congress.
- ✦ The biomass-based diesel standard for 2019 would be maintained at the 2018 levels of **2.1 billion gallons**.
- ✦ EPA is beginning technical analysis that will inform a future rule to reset the statutory volumes for cellulosic, advanced, and total biofuels. The law requires this reset when certain conditions are met.

EPA is also taking comment on addressing concerns that some RFS obligations are increasingly met with imported fuel from Brazil, Argentina and Indonesia. Additionally, the Agency is assessing higher levels of ethanol-free gasoline and bolstering an existing memorandum of understanding with the U.S. Commodity Futures Trading Commission (CFTC) to analyze and address a host of market concerns, including the need for increased transparency.

“The Clean Air Act requires EPA to reset volume targets when certain conditions are met. We expect those conditions to be met in the near future, so we are conducting technical analysis now, to inform future reset rules,” said Administrator Pruitt.

Proposed and Final Renewable Fuel Volume Requirements for 2014-2019

	2017	Proposed 2018	Proposed 2019
Cellulosic biofuel (million gallons):	311	238	n/a
Biomass-based diesel (billion gallons):	2.0	2.1*	2.1
Advanced biofuel (billion gallons):	4.28	4.24	n/a
Renewable fuel (billion gallons):	19.28	19.24	n/a

*Biomass-based diesel standard is final for 2018.

For more information on today's announcement, go

to: <https://www.epa.gov/renewable-fuel-standard-program/2017-announcements-renewable-fuel-standard>



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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▪

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/27/2017 6:30:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

fyi

News
www.newsroom.fb.org



AMERICAN FARM BUREAU FEDERATION®
600 Maryland Ave. SW | Suite 1000W | Washington, DC 20024 | 202.406.3600

Contacts: Will Rodger
(202) 406-3642
willr@fb.org

Kari Barbic
(202) 406-3672
karib@fb.org

Farm Bureau Applauds EPA Move to Ditch Flawed WOTUS Rule

WASHINGTON, D.C., June 27, 2017 – The following statement may be attributed to Zippy Duvall, president, American Farm Bureau Federation:

“Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day.

“But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected.

“Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

Paul Schlegel
Director, Energy and Environment Team
Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 27, 2017 2:29 PM
To: Paul Schlegel
Subject: Fwd: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 27, 2017 at 2:26:44 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Good afternoon! This Federal Register notice was just signed by Administrator Pruitt. Let us know if you have any questions.



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON - (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. **"This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."**

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information: <http://www.epa.gov/wotus-rule>



Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Kristal Hartsfield -GOV- [kristal.hartsfield@maryland.gov]
Sent: 5/12/2017 2:53:19 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Thanks for the intro!

Great to meet you!

Kristal Quarker Hartsfield
Director, Intergovernmental Affairs
Office of Governor Larry Hogan
State of Maryland

On May 12, 2017 10:31 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Happy Friday!

I wanted to take a quick second to introduce myself as the new Sr. Deputy Associate Administrator for Intergovernmental Relations (i.e. your liaison) at EPA in Administrator Scott Pruitt's Office. Please don't ever hesitate to give me a shout if I can be helpful. **Ex. 6** is my direct.

I also wanted to flag the below settlement agreement with Pebble Limited Partnership that was announced by EPA earlier this AM.

Let me know if I can ever be helpful.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6



CONTACT:

press@epa.gov

FOR IMMEDIATE RELEASE

May 12, 2017

EPA and Pebble Limited Partnership Reach Settlement Agreement

EPA Agrees to Allow Permit Process to Proceed; Pebble Agrees to Drop Lawsuits

WASHINGTON --The U.S. Environmental Protection Agency entered into a settlement agreement with the Pebble Limited Partnership to resolve litigation from 2014 relating to EPA's prior work in the Bristol Bay watershed in Alaska. The settlement provides the Pebble Limited Partnership (Pebble) an opportunity to apply for a Clean Water Act (CWA) permit from the U.S. Army Corps of Engineers before EPA may move forward with its CWA process to specify limits on the disposal of certain material in connection with the potential "Pebble Mine."

"We are committed to due process and the rule of law, and regulations that are 'regular,'" said EPA Administrator Scott Pruitt. "We understand how much the community cares about this issue, with passionate advocates on all sides. The agreement will not guarantee or prejudge a particular outcome, but will provide Pebble a fair process for their permit application and help steer EPA away from costly and time-consuming litigation. We are committed to listening to all voices as this process unfolds."

Key Terms of the Settlement:

- Pebble and the U.S. Department of Justice (on behalf of the EPA) will ask the U.S. District Court for the District of Alaska to dismiss the cases with prejudice and to lift the court-ordered preliminary injunction.
- EPA agrees to commence a process to propose to withdraw the currently pending proposed determination, consistent with its regulations.
- EPA agrees that it will not move to the next step in its CWA process, which would be to issue a recommended determination (determination steps are: proposed, recommended, final), until 48 months from settlement or until the U.S. Army Corps of Engineers issues its final environmental impact statement, whichever comes first. To take advantage of this period of forbearance, Pebble would have to file its permit application within 30 months.
- Pebble will drop its lawsuits and requests for fees against EPA, and agree to file no new Freedom of Information Act (FOIA) requests during the pendency of the "forbearance" period.
- EPA may use its scientific assessment regarding the Bristol Bay Watershed without limitation.

Background:

In 2014, under the previous administration, EPA's Region 10 completed a multi-year watershed assessment in Bristol Bay, and then issued a CWA Section 404(c) proposed determination, which described restrictions on large-scale mining in the watershed. Section 404 is the part of the CWA that governs the permit evaluation process for actions that discharge dredged or fill material into a covered water.

The May 11, 2017 settlement does not guarantee or prejudge any particular outcome to this process, but does ensure that the process will be carried out in a fair, transparent, deliberate, and regular way.

R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 6/27/2017 6:24:56 PM
To: Britt Aasmundstad [britt@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]
CC: Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: FW: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Nate, Britt, and Dudley,

Hot off the press....

Thank you,

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
202-564-4714

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, June 27, 2017 2:15 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

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"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. **"This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."**

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information:

<http://www.epa.gov/wotus-rule>

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Alex Noffsinger [alex@nasda.org]
Sent: 6/26/2017 9:15:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Britt Aasmundstad [britt@nasda.org]
Subject: Contacts
Attachments: John Campbell; Hassey Brooks; Adam Dye; Matt Joyner; Ilissa Nolan

Tate,

Attached to this email should be the contacts Britt referenced in her email a few minutes ago.

Alex

Contact

Full Name: John Campbell
Last Name: Campbell
First Name: John
Company: Mississippi Department of Agriculture and Commerce

Business Address: P.O. Box 5207 Mississippi State, MS 39762

Business Phone:

Ex. 6

E-mail: johnca@mdac.ms.gov

Contact

Full Name: Hassey Brooks
Last Name: Brooks
First Name: Hassey
Company: Alabama Department of Agriculture and Industries

Business Address: Richard Beard Building 1445 Federal Drive Montgomery, AL 36107 United States of America

Business Phone:

Ex. 6

E-mail: Hassey.Brooks@agi.alabama.gov

Contact

Full Name: Adam Dye
Last Name: Dye
First Name: Adam
Company: Georgia Department of Agriculture

Business Address: 19 Martin Luther King, Jr. Drive., SW Atlanta, Georgia 30334 United States of America

Business Phone: Ex. 6

Phone:

Mobile Phone: Ex. 6

E-mail: Adam.Dye@agr.georgia.gov

Contact

Full Name: Matt Joyner
Last Name: Joyner
First Name: Matt
Company: Florida Department of Agriculture and Consumer Services

Business Address: Tallahassee, FL

Business Phone: Ex. 6

E-mail: matt.joyner@freshfromflorida.com

Contact

Full Name: Ilissa Nolan
Last Name: Nolan
First Name: Ilissa
Company: Texas Department of Agriculture

Business Address: Capitol Station P.O. Box 12847 Austin, TX 78711 United States of America

Business Phone:

Ex. 6

E-mail: ilissa.nolan@texasagriculture.gov

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/6/2017 10:40:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Do you have a copy of the letter that I can share with those who ask for one?

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From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, June 6, 2017 6:35:14 PM
To: Bennett, Tate
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

FYI



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in "nonattainment" of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to

businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

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Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 7/5/2017 7:39:14 PM
To: britt@nasda.org; Nathan@nasda.org; Dudley@nasda.org
CC: Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: Fwd: EPA Proposes RFS Volumes Reflective of Market Realities for 2018

Britt, Nate, and Dudley,

For distribution to your members.

Chad Nitsch
Intergovernmental Relations | State and Regional Partnerships
United States Environmental Protection Agency
[202-564-4714](tel:202-564-4714)

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: July 5, 2017 at 3:35:01 PM EDT
To: "Nitsch.Chad@epa.gov" <Nitsch.Chad@epa.gov>
Subject: EPA Proposes RFS Volumes Reflective of Market Realities for 2018
Reply-To: press@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA Proposes RFS Volumes Reflective of Market Realities for 2018 ***Starting Technical Analysis to Inform Future Reset Rules***

WASHINGTON - (July 5, 2017) Today, the U.S. Environmental Protection Agency (EPA) signed a proposed rule setting the minimum amount of renewable fuels that must be supplied to the market in calendar year 2018 under the Renewable Fuel Standards (RFS) program. Today's action proposes volume requirements and associated percentage standards that maintain renewable fuel volumes at levels comparable to the 2017 standards, recognizing limits to the growth of cellulosic and advanced biofuels.

EPA is committed to successfully administering the RFS consistent with the direction

entrusted to the Agency by Congress and is on track to meet the November 30th statutory deadline to make today's proposed Renewable Volume Obligations (RVOs) final. The proposed volumes are based on requirements under the law and an analysis of current market dynamics, including energy demand, biofuel production, and market constraints. The proposed standards will help stabilize the renewable fuels program and provide certainty for stakeholders.

“Increased fuel security is an important component of the path toward American energy dominance,” said EPA Administrator Scott Pruitt. **“We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace. Timely implementation provides certainty to American refiners, the agriculture community and broader fuels industry, all of which play an important role in the RFS program.”**

Some key elements of today's action:

- ✦ Non-advanced or “conventional” renewable fuel volumes are maintained at the **15-billion gallon** target set by Congress.
- ✦ The biomass-based diesel standard for 2019 would be maintained at the 2018 levels of **2.1 billion gallons**.
- ✦ EPA is beginning technical analysis that will inform a future rule to reset the statutory volumes for cellulosic, advanced, and total biofuels. The law requires this reset when certain conditions are met.

EPA is also taking comment on addressing concerns that some RFS obligations are increasingly met with imported fuel from Brazil, Argentina and Indonesia. Additionally, the Agency is assessing higher levels of ethanol-free gasoline and bolstering an existing memorandum of understanding with the U.S. Commodity Futures Trading Commission (CFTC) to analyze and address a host of market concerns, including the need for increased transparency.

“The Clean Air Act requires EPA to reset volume targets when certain conditions are met. We expect those conditions to be met in the near future, so we are conducting technical analysis now, to inform future reset rules,” said Administrator Pruitt.

Proposed and Final Renewable Fuel Volume Requirements for 2014-2019

	2017	Proposed 2018	Proposed 2019
Cellulosic biofuel (million gallons):	311	238	n/a
Biomass-based diesel (billion gallons):	2.0	2.1*	2.1
Advanced biofuel (billion gallons):	4.28	4.24	n/a

Renewable fuel (billion gallons): 19.28 19.24 n/a

*Biomass-based diesel standard is final for 2018.

For more information on today's announcement, go

to: <https://www.epa.gov/renewable-fuel-standard-program/2017-announcements-renewable-fuel-standard>

<!--[if !mso]-->[Visit The EPA's Newsroom](#)<!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/19/2017 11:58:11 AM
Subject: Fwd: NASDA Applauds EPA for WPS Implementation Extension
Attachments: WPSExtension_05192017.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: May 19, 2017 at 7:31:39 AM EDT
Subject: NASDA Applauds EPA for WPS Implementation Extension

FOR IMMEDIATE RELEASE: May 19, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

NASDA Applauds EPA for WPS Implementation Extension

The U.S. Environmental Protection Agency's (EPA) recently granted NASDA's request for an extension to the Agricultural Worker Protection Standard (WPS) rule until necessary guidance and training have been completed.

"Protecting the health and safety of agricultural workers is a fundamental priority for NASDA members," said NASDA CEO Dr. Barbara P. Glenn. "While states have been working diligently with EPA to implement the agency's 2015 rule, the lack of needed education and training materials and other significant challenges with the rule have made the original implementation timeline unrealistic. We appreciate EPA delaying implementation until necessary guidance and training have been completed and we look forward to working with the agency to address our other concerns with the 2015 rule. EPA, state regulatory agencies, agricultural employers, trainers, farmers, and workers all have a shared responsibility to protect and promote worker safety."

NASDA most recently requested an extension of the WPS implementation timeline in February and a number of individual state departments of agriculture have submitted similar requests. In forty-three states and Puerto Rico, the state department of agriculture is a co-regulator with EPA and responsible for administering, implementing and enforcing the production, labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and other applicable laws and regulations.

NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org.

###

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
May 19, 2017

NASDA Applauds EPA for WPS Implementation Extension

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NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org.

###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/26/2017 9:11:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Alex Noffsinger [alex@nasda.org]
Subject: Re: Quick question

Hey Tate! Thanks for reaching out!

I think a few of us are out of the office right now, so CC'ing our intern Alex to help provide these contact cards.

GA: Adam Dye
FL: Matt Joyner
TX: Ilissa Nolan
MS: John Campbell
AL: Hassey Brooks

Alex, please send these contact cards--thank you.

Thanks, Tate! Please let me know if you need anything else.

Britt

Sent from my iPhone

On Jun 26, 2017, at 4:36 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Britt! Do you have any good POC's for Ag commissioners' offices in GA, FL, TX MS, and AL?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/14/2017 11:33:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Do you have Paul S's email with AFBF?

Here you go:

Paul Schlegel

Director, Energy and Environment Team

Direct: **Ex. 6**

Cell: **Ex. 6**

Email: pauls@fb.org

Sent from my iPhone

On Jun 14, 2017, at 5:18 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/9/2017 3:22:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EMBARGOED until 11 AM EASTERN

Thanks!

Sent from my iPhone

> On May 9, 2017, at 11:17 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>
>
> From: Bennett, Tate
> Sent: Tuesday, May 9, 2017 10:45 AM
> To: Bennett, Tate <Bennett.Tate@epa.gov<mailto:Bennett.Tate@epa.gov>>
> Cc: Bowman, Liz <Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>
> Subject: EMBARGOED until 11 AM EASTERN

> This morning, Administrator Pruitt is mailing the attached letter to all 50 governors, PR and territories garnering feedback on what a workable definition of WOTUS would look like for your specific state. He requests feedback be sent to the EPA by June 19th. Knowing of your boss's particular interest in WOTUS, we wanted to give your office advance notice.

> CC'd is Liz Bowman in our communications shop who would certainly be happy to work with you on press, statements, etc., should your office be inclined.

> Let us know if you have any questions.

> Tate

> Elizabeth Tate Bennett
> Senior Deputy Associate Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Ex. 6

> EPA & U.S. ARMY SOLICIT STATE INPUT ON REDEFINING "WATERS OF THE U.S."

> "EPA is restoring states' important role in the regulation of water" – Administrator Pruitt

> WASHINGTON – U.S. Environmental Protection Agency and the U.S. Army sent a letter to governors today soliciting input from states on a new definition of protected waters that is in-line with a Supreme Court Justice Antonin Scalia's opinion in the 2006 Rapanos v. United States case. Scalia's definition explains that federal oversight should extend to "relatively permanent" waters and wetlands with a "continuous surface connection" to large rivers and streams.

> "EPA is restoring states' important role in the regulation of water," said EPA Administrator Scott Pruitt. "Like President Trump, I believe that we need to work with our state governments to understand what they think is the best way to protect their waters, and what actions they are already taking to do so. We want to return to a regulatory partnership, rather than regulate by executive fiat."

> "The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

> The Clean Water Act asserts federal control over "traditionally navigable waters" without providing clarity or details about the law's scope. President Donald Trump signed an executive order on February 28, 2017 to direct federal agencies to roll back and replace the Obama Administration's Clean Water Rule –

also known as the “waters of the U.S.” or WOTUS – to ensure that the nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.

>
> To meet the objectives of the executive order, federal agencies are following a two-step process that will provide as much certainty as possible, as quickly as possible, to the regulated community and the public during the development of the replacement rule.

>
> The first step is to revise the Code of Federal Regulations to re-codify the definition of “Waters of the United States” which currently governs administration of the Clean Water Act, in light of a decision by the U.S. Court of Appeals for the Sixth Circuit staying a definition of “Waters of the United States” promulgated by the agencies in 2015. This action will simply make the text of the Code of Federal Regulations reflect the definition currently in effect under the Sixth Circuit stay. This action, when final, will not change current practice with respect to the how the definition applies, which is consistent with Supreme Court decisions, agency guidance documents, and longstanding practice.

>
> The second step will be a public notice-and-comment rulemaking involving a substantive reevaluation and revision of the definition of “waters of the U.S.” in accordance with the executive order. The letter sent to governors today is seeking input on the second step of the process.

> ###

>
> <WOTUS- Branstad.pdf>

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/21/2017 1:24:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Nathan Bowen [Nathan@nasda.org]
Subject: NASDA WOTUS Comments
Attachments: NASDA WOTUS EO Comments_Final.pdf

Good morning Tate,

Thanks for passing along notice of the FR notice to Dudley yesterday. I wanted to send you NASDA's comments on the WOTUS federalism consultation. Regarding these comments, I was wondering if you have a moment for a quick call this morning?

Thanks!

Britt

Britt Aasmundstad | Manager, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)



June 19, 2017

Ms. Donna Downing
Office of Water (4502–T)
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Submitted via email: cwawotus@epa.gov; hanson.andrew@epa.gov

Re: Comments on EPA’s Federalism Consultation on “The Definition of ‘Waters of the U.S.’”

Below are comments from the National Association of State Departments of Agriculture’s (NASDA) regarding the Environmental Protection Agency’s (EPA) re-proposal of a Waters of the United States (WOTUS) rule to clarify jurisdiction under the Clean Water Act (CWA). NASDA submits these comments in response to Executive Order (EO) 13778 “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the “Waters of the United States” Rule”¹ and EPA’s subsequent federalism consultation on April 19, 2017.

I. About NASDA

State departments of agriculture are responsible for a wide range of programs including conservation and environmental protection, food safety, combating the spread of plant and animal diseases and fostering the economic vitality of our rural communities. In forty-three states, the state departments of agriculture are the lead state agencies responsible for the regulation of pesticide use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). A number of state departments of agriculture also administer Section 402 National Pollutant Discharge Elimination System (NPDES) permitting programs for Concentrated Animal Feeding Operations (CAFO).

A healthy environment, including clean air and water, is necessary for the agriculture industry. NASDA appreciates EPA’s outreach and engagement through the federalism consultation process. NASDA supports cooperative federalism, a robust, co-regulatory partnership between states and federal agencies in policymaking, to ensure agriculture’s economic vitality while guaranteeing safe and accessible food. The current federalism process ahead of a new WOTUS rule is a meaningful step in growing the relationship between EPA and NASDA members. Further, this process is a positive move towards restoring the cooperative federalism enshrined in the CWA, which outlines a federal-state partnership in overseeing the nation’s waters. NASDA requests EPA view this as the beginning of the

¹ 82 FR 12497

process, and continues to engage with state and local governments beyond the final rule and implementation.

II. General Comments

The CWA is built on the concept of cooperative federalism. The CWA states, “it is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources.”² By acknowledging states role in providing clean water and using federal regulations as a framework, the CWA should be a prime example of cooperative federalism. As EPA considers re-proposing a WOTUS rule, EPA and the Army Corps of Engineers (USACE) (“the agencies”) must uphold this framework.

As the agency’s prepare a rule, NASDA recommends the following:

- Continue a robust federalism consultation process with NASDA, along with other state and local entities, throughout the rulemaking and implementation;
- Create a legally defensible rule that respects of state authority with utilizes clear, administrable definitions that acknowledge states also protect water, and Federal jurisdiction is limited;
- Protect statutory exemptions for farming operations for past, present and future farmland;
- Create cohesive guidance documents and implementation processes across the agencies and regions; and
- Ensure the rule is scientifically sound and that the agencies conduct a thorough economic analysis on the rule’s impacts.

NASDA’s comments center on the theme of cooperative federalism, which we have previously articulated to the Office of Management and Budget (OMB), White House Office of Information and Regulatory Affairs (OIRA),³ and EPA on ways to improve engagement in EPA’s retrospective regulatory review and to minimize the impact of regulations on both local governments and the regulated community. Our recommendations included the following specific and identifiable actions:

1. Enhance Federalism Consultations: Federal agencies should conduct robust federalism consultations early in the regulatory process, and include participation of a wide range of state regulatory agencies, including state departments of agriculture.
2. Improve economic analyses that more realistically account for economic costs to states: Federal agencies should engage state regulatory agencies and stakeholders to evaluate the financial impact of proposed regulations, availability of required financial and other resources, and whether expected outcomes merit those expenditures.

² (33 U.S.C. 1251 et seq.) SEC. 101. (b)

³ National Association of State Departments of Agriculture. (2015, March 6). NASDA Letter: OMB Retrospective Review Roundtable. <http://www.nasda.org/Policy/filings/Letters/33163/33289.aspx>

3. Enhance public participation and greater transparency of the regulatory process: OMB should exercise its authority to improve public participation and increase transparency of the regulatory process.
4. Incorporate flexibility in state regulatory programs: Federal agencies should engage state regulatory partners in creating programs that may provide local and state flexibility.
5. Renew focus on utilization of best available science: OMB should ensure agencies consistently and appropriately apply best available science to the regulatory system.
6. Improve stakeholder outreach, especially to rural communities: Federal agencies should enhance educational and outreach efforts to rural communities and provide teleconference access for oral comments, which can be submitted in the docket and become part of the official record.

These principles are important for ensuring a federal-state partnership that protects our nation's waters. Importantly, waters are protected even they are not a WOTUS under the CWA. Waters of the state and state voluntary conservation efforts continue to protect and enhance water quality. To ensure this work can continue, the agencies must promulgate a rule which creates clear jurisdictional lines without dramatically expanding federal authority. It is paramount that EPA develop a rule which utilizes quantifiable metrics or other objective criteria to establish jurisdiction that balances costs and benefits. Further, NASDA supports science-based regulations that provide necessary protections while also allowing for the regulated community to remain economically viable. These types of criterion would promote predictability and reduce uncertainty as described in the general principles of regulation found in the executive order.

State Departments of Agriculture Conservation Success

NASDA members are leaders in addressing agricultural non-point source runoff. State departments of agriculture have developed voluntary programs and in some cases, state regulatory programs, to implement best management practices, certify farming operations as environmentally sound, and directly address pollution sources to prevent problems. EPA's regulatory framework should be crafted in a manner that provides regulatory certainty for affected entities while also recognizing limits of Federal authority and the responsibility of states to protect water. States are in the best position to address the diversity of agricultural practices and environmental conditions across the country.

In the Mid-Atlantic, the Delaware Department of Agriculture has a nutrient management program that assists producers with protecting and improving the quality of Delaware's ground and surface waters and helps the state meet or exceed federally mandated water quality standards. The program, established in 1999, works on nutrient management, waste management for Animal Feeding Operations (AFO's) and NPDES permits for CAFOs. Between 2014 and 2016, nearly 271,000 acres in Delaware received assistance in planning their operations nutrient management strategies. The state program also yields valuable self-reported data on acres managed, fertilizer consumed, manure utilized and animals grown which serve as metrics for the return on investment of the program funding.

Out west, states leverage partnerships between agencies such as the Environmental Protection Agency, state departments of agriculture, state departments of environmental quality, state wildlife agencies, and universities to enhance stewardship practices within the watersheds. An example of these partnerships in New Mexico is the Paso del Norte Watershed Council's 319(h) Watershed Restoration Grant Program for the Lower Rio Grande, which started in 2000 and resulted in a Watershed Restoration Action Strategy to inventory best management practices for enhancing watershed health and reducing nonpoint source pollution, such as *e. coli*. The New Mexico Department of Agriculture supported this effort, which is ongoing, by serving as a fiduciary agency and sitting on the Paso del Norte Watershed Council's Executive Committee.

In 2013, the Iowa Nutrient Reduction Strategy was put into place to assess and reduce nutrients delivered to Iowa waterways and the Gulf of Mexico using a science and technology-based approach. The strategy outlines voluntary efforts to reduce nutrients in surface water from both point sources, such as wastewater treatment plants and industrial facilities, and nonpoint sources, including farm fields and urban areas, in a scientific, reasonable and cost effective manner. Based on statewide models, Iowa estimates that in 2015, nitrogen loading was reduced by over 3.8 million pounds through cover crops, bioreactors and other practices. In the same year, it is estimated that over 215,000 pounds of phosphorous loading was reduced. This statewide strategy, which follows the recommended framework provided by the Environmental Protection Agency, has served as a model for several states and has led to measurable progress in Iowa water quality.

The Florida Department of Agriculture and Consumer Services (FDACS) has developed and adopted over 950 best management practices covering all aspects of Florida agricultural production. These BMPs protect water quality and improve irrigation efficiency. Over 4.9 million acres of Florida farmland are enrolled in the BMP program, with more being added each day. In addition, the Department works with water management districts, local drainage districts, and other stakeholders to develop and implement regional water storage and treatment projects. In the Lake Okeechobee watershed alone, studies indicate that the FDACS cost-share BMP program has reduced total nitrogen (TN) losses by 245 tons/yr and total phosphorous (TP) losses by 47 tons/yr as the runoff leaves the edge of farms. Outside of that basin, annual reductions in nitrogen loading credited to BMPs through the statewide water quality protection program exceed 2.4 million pounds, while regional surface water treatment systems overseen by FDACS reduce phosphorous by over 9 tons/year.

The above examples demonstrate the leadership provided by the states in an effort to tackle non-point source pollution, but are not the only examples. Nearly every state department of agriculture has voluntary programs or state laws that work with producers to protect clean water. The net effect of these efforts retains and reduces nutrient loss into water. States are committed to nutrient management efforts and helping producers improve their operations to improve waters.

III. Protecting Farming Exemptions

While much of the discussion around CWA rulemaking has focused on what constitutes a WOTUS, the consequences of defining "normal farming activities" is particularly important for America's farmers and

ranchers. The jurisdictional scope of the CWA and the interpretation of what constitutes normal farming, silviculture, and ranching activities are inextricably linked and incredibly impactful for agricultural producers. As such, NASDA encourages the agencies to ensure the normal farming exemptions are interpreted consistently and sufficiently broadly to reflect the realities of agricultural production. NASDA has previously raised concerns with how the agencies have interpreted the statutory exemption for “normal farming activities.”⁴

NASDA agrees that the conservation practices cited in the previous rulemaking are “normal farming activities” and are therefore covered by the Section 404 “normal farming” exemption, but notes that the list of practices considered in the previous effort (the “Interpretive Rule”) arbitrarily excluded a multitude of other normal farming practices which presumably would not have been exempt. The listed practices were certainly “normal farming activities” that producers engage in every day. Whether building a fence, clearing brush, or utilizing conservation cover, producers utilize these practices as necessary tools for the management of their operations—regardless of if those practices are implemented in conjunction with a Natural Resources Conservation Service (NRCS) conservation program.

In the previous rulemaking, in order to qualify for the exemption, “activities must also be implemented in conformance with NRCS technical standards.” Rather than expanding the exemptions for producers as Administrator McCarthy wrote in a March 25, 2014 Op-Ed⁵, the actions undertaken by the administration actually narrowed the CWA’s “normal farming” exemption by requiring—for the first time—that certain “normal farming activities” be conducted in compliance with specific NRCS technical standards. Linking standards for voluntary NRCS conservation practices to compliance with mandatory regulatory requirements sets a dangerous precedent that could undermine the successful paradigm of utilizing voluntary, incentive-based conservation practices to improve environmental quality. The unintended result of this would have been fewer water quality improvements.

NASDA encourages the Administration to dismiss any option that would either undermine the voluntary nature of on farm conservation practices, or limit the applicability of the existing statutory exemption for “normal farming activities.” Instead, NASDA urges the EPA to pursue a policy with deference to U.S. Department of Agriculture (USDA), the various State Departments of Agriculture, and the agricultural community.

Past, Present, Future Farming Exemptions

Under current law, normal farming, silviculture, and ranching activities such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices are exempt from section 404 permitting requirements.⁶ The agencies have also long interpreted “normal” to mean only activities conducted as part of an

⁴ National Association of State Departments of Agriculture. (2014, November 14). NASDA Letter: Comments on Proposed Rule to Define “Waters of the United State” Under the Clean Water Act. <http://www.nasda.org/Policy/filings/10937/30804.aspx>

⁵ EPA: Clearer Protections for Clean Water Support a Strong Farm Economy, March 25, 2014

⁶ 33 U.S. Code § 1344(f)(1)(A)

"established (i.e. ongoing)" farming or ranching operation,⁷ though we fail to find any reference to this temporal limitation in the underlying law.

In 1993, the U.S. Army Corps adopted a rule that established that agricultural lands that were converted from wetlands prior to 1985 ("prior converted croplands") were categorically excluded from the definition of "the waters of the United States" and, therefore, were not subject to regulation under Section 404 of the CWA.⁸

Included in the public record is a suggestion that the EPA believes that to qualify for the normal farming exemption, "established" and "ongoing" means that the farming or ranching operation must have been ongoing at the particular location since 1977. Observers believe this to be the first time that EPA has provided any clarification on this point, so it provides important guidance for farmers and ranchers. Specifically, EPA suggests that when farming or ranching has not been ongoing since 1977, otherwise "normal" farming or ranching activities such as plowing, planting, etc. would require a section 404 permit—but only for the first year. After the first year, EPA indicates that the operation would be viewed as "established" for purposes of the exemption.

We believe that the including the caveats of "established" and "ongoing" in the agricultural exemption creates a barrier to entry for new or younger farmers and ranchers to begin operations on lands containing WOTUS features. Even if section 404 permitting were required "only for the first year," this is a major roadblock to new farming or ranching operations. EPA's own figures (adjusted for inflation) put the cost of individual section 404 permit application at \$62,166, plus \$16,787 per acre of impacts to WOTUS. For nationwide permits, costs are estimated at \$24,004, plus \$13,212 per acre of WOTUS impacted. Few new farmers and ranchers would be able to take on this burden—and yet, given the scope of the features to be regulated, in most parts of the country it literally would be impossible to avoid these features. They are simply too prevalent across the landscape to "farm around" them.

NASDA is likewise cognizant of efforts throughout the country, particularly in urban and suburban areas to convert lands for community gardens and other non-traditional commercial farming operations such as aeroponic and hydroponic facilities, regardless of their historical uses. NASDA asserts that had Congress intended to exempt some farming activities on some lands and not others, the law would have reflected such a limitation. Efforts within and among communities to raise food for local consumption should be facilitated through broad application of the statutory exemption for farming operations, not hindered, as they would be if an arbitrarily narrow interpretation were to prevail.

NASDA urges EPA to honor Congressional intent and apply the widest possible interpretation of the normal farming, silviculture and ranching exemption. NASDA takes note that the statute does allow for a single exclusion from the normal farming exemption. Specifically, the statute excludes from this exemption when dredged or fill material is discharged into the *navigable waters* (emphasis added)

⁷ See 33 C.F.R. § 323.4(a)(1)(ii); 40 C.F.R. § 232.3(c)(1)(ii)(A)

⁸ 33 U.S.C. § 1344. (See, Final Rule, Clean Water Act Regulatory Program, 58 Fed. Reg. 45,008 (Aug. 25, 1993) ("1993 Final Rule") (codified at 33 C.F.R. § 328.3(a)(8) (2009)).

incidental to any activity having as its purpose bringing an area of the navigable waters into a use to which it was not previously subject, where the flow or circulation of navigable waters may be impaired or the reach of such waters be reduced.⁹ NASDA urges the agencies to respect this limitation and ensure economic vitality in agriculture operations.

NASDA further urges EPA to consult with USDA, States, and agricultural industry stakeholders in developing a comprehensive cost benefits analysis to ensure that beginning farmers and non-traditional farming operations, such as those in the urban landscape are not negatively impacted by the EPA's final regulations.

Exemptions and Section 402

We are concerned that EPA's oversimplification of the "normal" farming and ranching exemption is misleading to farmers and ranchers. This exemption does not simply exempt ordinary or commonplace farming and ranching practices from CWA permit requirements—which is how most people would interpret EPA's prior statements. Instead, the exemption only applies to section 404 permits, not section 402 permits that would be required for applying fertilizer, manure, or pesticide in jurisdictional ephemeral streams, ditches, or wetlands. For this reason, a farmer or rancher grazing or moving cattle that deposit manure into a jurisdictional wetland or ephemeral feature could face vulnerability under section 402 of the CWA, notwithstanding the protections afforded under the section 404 farming exemption.

IV. Creating Administrable Definitions

NASDA urges any new rule to create legally defensible definitions that are administrable, clear to the public, and protect farmers and ranchers from citizen suits on their operations. The agencies must use specific, concise language used regarding the concepts of "navigable water," "relatively permanent" and "continuous surface connection."

Navigability

The CWA provides federal jurisdiction over WOTUS defined as "navigable waters" and originally understood to mean interstate waters or intrastate waters connected to the sea that were navigable in fact. As federal assertions of jurisdiction over other waters have, over the last several decades, challenged the original narrow scope of the CWA as intended by Congress, the U.S. Supreme Court has been compelled to intervene on the question of CWA jurisdiction in three major cases to date.

The definition of navigable waters is at the heart of jurisdictional questions within the Clean Water Act. When considering jurisdiction, NASDA urges the agency to always consider frequency and duration of flow, magnitude, predictability and consequence of connections. In *Rapanos*, the court expressed concern over extending jurisdiction to waters that are far from traditionally navigable waters and carry minor flow. NASDA's view of the law goes back to the foundational CWA premise, that jurisdictional

⁹ 33 U.S. Code § 1344(f)(2)

waters be tied in a clear, direct, substantive and non-speculative fashion to navigation and navigability. Other non-navigable waters are jurisdictional under the CWA, but it is through their close, direct and substantial hydrological contribution to these navigable waters that they can be considered as part of a navigable system and therefore WOTUS. By factoring in the above characteristics, we believe EPA will be able to make clearer jurisdictional lines that respect state authority and the limits of the CWA.

Further, NASDA urges the agencies to classify navigable waters as those able to be used as a highway for water transportation and carrying of commercial goods in addition to those that have enough connections and sufficient moving water through them to be considered part of a system of navigable waters. This clarity and certainty is necessary for farmers and ranchers to fulfill their responsibilities under the CWA. To supplement this effort, NASDA encourages the agencies to pursue a public process for determining traditionally navigable waters and publishing the results of such a process to further clarify jurisdiction.

Relatively Permanent and Continuous Surface Connection

Justice Scalia's opinion clearly delineates that jurisdictional waters under the CWA include "only relatively permanent, standing, or flowing bodies of water"¹⁰ **and** "only those wetlands with a continuous surface connection to bodies that are 'waters of the U.S.' in their own right...are 'adjacent' to such waters and covered by the [CWA]".¹¹ Throughout the federalism consultation, EPA asked for input on how states would like to see the terms "relatively permanent" for tributaries and streams and "continuous surface connection" for wetlands defined in order to be consistent with the *Rapanos* plurality opinion. The options that were discussed for better defining the term "relatively permanent" were: 1) perennial streams plus streams with "seasonal" flow, 2) perennial streams plus streams with another measure of flow, 3) perennial streams.

When examining these definitions, NASDA urges EPA to examine statutory language along with the court's opinions with the goal of reducing regulatory uncertainty. From NASDA's perspective, "relatively permanent" should be limited to perennial rivers and streams and permanent lakes which contain water except in times of extreme drought. Further, "continuous surface connection" should be defined as wetlands which are directly and visibly connected to, relatively permanent, jurisdictional waters. Narrowing these definitions to this level will ensure that federal jurisdiction does not impede state authority but also provides necessary water quality protections.

EPA stated in a webinar with NASDA members on May 31, 2017 that waters can be jurisdictional if they are either relatively permanent **or** have a continuous surface connection. This seems at odds with Justice Scalia's opinion which clearly indicates that waters are jurisdictional only if they are both relatively permanent and have a continuous surface connection. NASDA supports this exclusionary interpretation of the Clean Water Act and encourages EPA to conform their administration of the act to Scalia's interpretation.

¹⁰ *Rapanos v. United States*, 13

¹¹ *Rapanos v. United States*, 3

Ensure Definitions are Compatible with the 402 program

NASDA continues to have concerns related to a decision of the Sixth Circuit on January 9, 2009 in *National Cotton Council v. EPA* (553 F.3d 927; hereinafter, *National Cotton Council*) rejecting EPA's contention that, when pesticides are applied over, into, or near waterbodies to control pests, they are not considered pollutants as long as they comply with FIFRA, and held that NPDES permits are required for all pesticide applications that may leave a residue in water.

In vacating the rule and requiring NPDES permits for pesticide applications, the Sixth Circuit substituted its own interpretation of how federal laws apply to the use of pesticides for EPA's longstanding interpretation of the laws, and overlaid a new permitting process that is duplicative of FIFRA's longstanding regulatory objectives. In the process, the Court undermined the traditional understanding of how the CWA interacts with other environmental statutes, particularly FIFRA, and judicially expanded the scope of CWA regulation further into areas and activities not originally envisioned by Congress.

As a result of the Court's decision, EPA was required to develop and implement a new and expanded NPDES permitting process under the CWA to cover pesticide use. EPA estimated that the ruling would affect approximately 365,000 pesticide applicators that perform some 5.6 million pesticide applications annually virtually doubling the number of entities subject to NPDES permitting. The new permitting process has increased both the administrative difficulty and costs for pesticide applicators to come into compliance with the law. Compliance no longer means simply following instructions on a pesticide label. Instead, applicators have to navigate a complex process of identifying the relevant permit, filing with the regulatory authority a valid notice of intent to comply with the permit, and having a familiarity with all of the permit's conditions and restrictions. Some pesticide applicators also face significant monitoring, reporting, and recordkeeping costs complying with their permits.

Along with increased administrative burdens comes an increased monetary burden. Estimates are that the cost associated with the EPA permit scheme to small businesses and some local governments could be as high as \$50,000 each or more annually. In addition to the costs of coming into compliance, pesticide users are subject to an increased risk of litigation and large fines. Non-compliant pesticide applicators face fines of up to \$37,500 per day per violation. Given the fact that a large number of applicators had never been subject to the NPDES permitting process before expanded interpretation of WOTUS, even a good faith effort to be in compliance could fall short. Moreover, the CWA allows for private actions against individuals who may or may not have committed a violation. Thus, while EPA may exercise its judgment and refrain from prosecuting certain applicators, the applicators remain vulnerable to citizen suits.

In these comments, NASDA is mindful of the current regulatory framework impacting farmers, pesticide regulators, applicators and every day citizens, who rely on the public health benefits provided by pesticides and their responsible application. While it is up to Congress to take action to eliminate this costly and duplicative burden, we are concerned that regulatory proposals that expand the definition of WOTUS would not just impact programs administered under section 404 of the act, but also the NPDES

program under section 402. Narrowing the universe of waters that are jurisdictional, as proposed in these comments will undoubtedly help minimize the costs and burdens associated with the 6th circuit decision. NASDA also requests that in formulating a new rule, the agency examines the 402 program holistically and creates definitions that streamline, not impede this program.

Minimize Impact on Conservation and Mitigation Programs

NASDA emphasizes that with changes in jurisdiction, the rule could have an untoward impact on other agencies, such as USDA and state agencies. As such, NASDA strongly encourages EPA to engage in a comprehensive consultation with all potentially impacted federal, state and local governing bodies in each step of this process. As an example, USDA and EPA programs deliver technical assistance and financial assistance for timely restoration projects and important conservation efforts. Preventative watershed conservation projects, specifically NRCS and 319 projects, are much less costly than the mitigation and rehabilitation activities. These imperative, preventative measures cannot face increased costs or delays from permitting under a new rule.

Rule Process

Before the agencies issue a proposed rule, NASDA requests that the agencies share specifics regarding what direction the new rule is pursuing. The opportunity to view specific definitions and policy proposals would allow NASDA and other state and local entities to provide specific and meaningful input to the agencies.

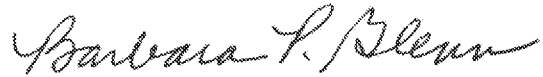
As the agencies crafted the 2015 rule, there were widespread stakeholder concerns that the agencies had not drafted or finalized guidance documents for implementation. This concern was especially acute for state and local governments, including NASDA, who operate co-regulatory programs with EPA. To avoid this confusion, we urge the agencies to work through implementation before finalizing a new rule to ensure consistent application once the rule is finalized. In particular, consistent application of the rule between the agencies is necessary, particularly across the various regions. To achieve this, appropriate guidance documents should be available upon implementation of a final rule and accompanied by consistent and frequent outreach from the agencies. NASDA looks forward to assisting the agencies throughout the rulemaking process and into implementation as part of our philosophy of “educating before, and while, you regulate.”

V. Conclusion

In summary, we encourage the EPA to create clear, administrable definitions and respect state authority while furthering the mission of protecting clean water. Further, we support protecting statutory exemptions for farming operations and a scientifically sound approach. As part of a new, comprehensive economic analysis, we encourage EPA to especially examine and minimize the impact new definitions could have on state permitting programs, voluntary conservation efforts, and the agricultural community. NASDA appreciates the opportunity to comment on EPA’s federalism consultation before a new definition of WOTUS Rule is drafted. We look forward to continuing to work with EPA throughout this process and into implementation of the rule to ensure the rule provides needed clarity to the

regulated community. Please contact Britt Aasmundstad (britt@nasda.org) if you have any questions or would like any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Glenn".

Barbara P. Glenn, Ph.D.

Chief Executive Officer

NASDA

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/23/2017 8:34:27 PM
To: Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Dexter, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c797a090c044297ae18fd5159bee22b-Dexter, Michael]
Subject: RE: ONathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>ppportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

Hi Mike,

Thanks so much for the outreach and opportunity to preview the NEPPS NPM Guidance.

After reviewing with a few of the technical leads in our members' agencies, we do not have any questions at this time.

Will look to provide additional review during the comment period.

Thanks so much and hope you have a great weekend - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Nathan Bowen
Sent: Wednesday, June 14, 2017 2:19 PM
To: Dudley Hoskins; Britt Aasmundstad
Subject: FW: Opportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

From: Osinski, Michael [<mailto:Osinski.Michael@epa.gov>]
Sent: Wednesday, June 14, 2017 12:08 PM
To: Nathan Bowen
Cc: Bennett, Tate; Nitsch, Chad; Dexter, Michael; Murphy, Dan; Richardson, RobinH
Subject: Opportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

Hi Nate,

We wanted to provide the NASDA with an opportunity to preview the FY18/19 NEPPS NPM Guidance before it is posted for the external comment period. As always, the NEPPS NPM Guidance is structured as the overall policy, outreach, and grants management "asks" of the EPA Regions when working with states and tribes through the NEPPS process.

Due to our internal schedule and deadlines, we need any feedback by Tuesday the 20th. States also will have the full 30 day external comment period to provide input, which is currently scheduled to begin on June 28.

Feel free to touch base with me or Chad if you have any questions. You may also contact Michael Dexter with specific questions about the content of the guidance. He can be reached at 564-7437 or dexter.michael@epa.gov.

Thanks,

Mike

Mike Osinski
Director, State and Regional Partnerships Staff
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-564-3792 (desk)
Ex. 6 (cell)

Message

From: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Sent: 5/11/2017 5:30:00 PM
To: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
CC: Tiffany Waddell [tiffany.waddell@maryland.gov]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Julia B. Johnson [redacted]; Hale, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb99f5247ab8412fa017133839301fee-Hale, Miche]
Subject: RE: Call with EPA Administrator Pruitt

The Governor would like to discuss the Chesapeake Bay and other issues facing Maryland.

Thanks!

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On May 11, 2017 1:26 PM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Thank you! Lastly, what is the specific topic?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Adminsitrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]

Sent: Wednesday, May 10, 2017 5:10 PM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Julia B. Johnson <[REDACTED] Ex. 6 >; Tiffany Waddell <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Hale, Michelle <hale.michelle@epa.gov>

Subject: Re: Call with EPA Administrator Pruitt

Thanks, Sydney!



Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Wed, May 10, 2017 at 5:08 PM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Conference line: [REDACTED] **Ex. 6** and the code is [REDACTED] **Ex. 6**

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]

Sent: Wednesday, May 10, 2017 10:34 AM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Julia B. Johnson <[Ex. 6](mailto:Ex.6)>; Tiffany Waddell <tiffany.waddell@maryland.gov>;

Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: Re: Call with EPA Administrator Pruitt

Okay, thanks! Please keep me posted on the logistics (conference line, etc.) We appreciate you fitting us on the calendar!

Ariel



Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Wed, May 10, 2017 at 10:27 AM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Great! Not 100% sure. Most likely Tate and then possibly Sarah Greenwalt who is a senior advisor to the Administrator.

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]

Sent: Wednesday, May 10, 2017 9:52 AM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Julia B. Johnson { **Ex. 6** }; Tiffany Waddell <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: Re: Call with EPA Administrator Pruitt

Thanks, Sydney! The Governor may be joined on the call by our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio.

Will anyone else be on the call on your end?

Best,

Ariel



Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

On Tue, May 9, 2017 at 5:31 PM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Yes! I've got it on the calendar. Will it just be the Governor on the call?

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6

(c)

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]

Sent: Tuesday, May 9, 2017 1:24 PM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Julia B. Johnson <**Ex. 6**>; Tiffany Waddell <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Sydney,

Yes, we could do 6/2. Would 11:15 am work?

Thanks,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On May 9, 2017 9:39 AM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Anyway we could do it on June 2?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]

Sent: Monday, May 8, 2017 10:20 AM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Tiffany Waddell <tiffany.waddell@maryland.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Julia B. Johnson <**Ex. 6**>

Subject: Re: Call with EPA Administrator Pruitt

Sydney,

The dates below would also work:

6/5 before 11:15 or after 3:30.

6/7 between 2-4

Thanks,

Ariel



Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

On Fri, May 5, 2017 at 6:12 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney. I will check and circle back.

Best,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On May 5, 2017 5:56 PM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Hello all! Originally set to leave on the 4th but that might be changing. Just to be safe, are there other potential dates they could connect?

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Bennett, Tate

Sent: Friday, May 5, 2017 2:11 PM

To: Hoelscher, Douglas L. EOP/WHO <**Ex. 6**>; Ariel Judah -GOV- <ariel.judah@maryland.gov>

Cc: Johnson, Julia B. EOP/WHO <**Ex. 6**>; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Hupp, Sydney <hupp.sydney@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Of course! Sydney, is there any way we could schedule a call before his big trip in June on the 6th?

From: Hoelscher, Douglas L. EOP/WHO <**Ex. 6**>

Sent: Friday, May 5, 2017 1:48 PM

To: Ariel Judah -GOV- <ariel.judah@maryland.gov>

Cc: Johnson, Julia B. EOP/WHO <**Ex. 6**>; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate – can you please take coordination from here?

*Julia – please log.

Thanks,

Doug

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]

Sent: Friday, May 5, 2017 1:46 PM

To: Hoelscher, Douglas L. EOP/WHO; **Ex. 6** >

Cc: Johnson, Julia B. EOP/WHO; **Ex. 6**; Tiffany Waddell -GOV-
<tiffany.waddell@maryland.gov>

Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel



Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/4/2017 7:29:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
Subject: Re: Call with NASDa

Yes indeed. Working on getting some proposed dates back shortly. Thank you!

Sent from my iPhone

On May 4, 2017, at 3:25 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Ken-

Dudley isn't sure about a call for tomorrow (I know you know how tough scheduling time for state officials can be 😊) . He's going to pitch some days and times very soon and likes the idea.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Provost, Megan (J) [MProvost@dow.com]
Sent: 6/13/2017 4:50:16 PM
To: Provost, Megan (J) [MProvost@dow.com]
Subject: She's Here!
Attachments: IMG_5083.jpg

Friends-

I wanted to let you all know that **Ex. 6** arrived right on time on **Ex. 6** She weighed in at 8lb and 4oz and measured in at 21 1/2" long. And the whole Provost family is doing great!

Thanks for all of your support as we start this new adventure in our lives. And I'll see you all in a few short months!

Thanks again,
Megan

Megan J. Provost
Dow AgroSciences
U.S. Government Affairs

Ex. 6
Email: mprovost@dow.com

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/14/2017 9:18:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Do you have Paul S's email with AFBF?

I am on work travel through Thur (June 15) with intermittent access to email. For urgent matters please call or text Ex. 6

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/3/2017 9:08:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: FW: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In
Attachments: AAWcongressionalreceptioninvite2017 (1).pdf

In case it's helpful context on any fronts --

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org


From: Barb Glenn
Sent: Wednesday, May 31, 2017 1:49 PM
To: Megan McDonald; Policy Unit
Subject: FW: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

From: AAW President [<mailto:president@americanagriwomen.org>]
Sent: Wednesday, May 31, 2017 1:33 PM
Subject: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

**You are cordially invited to the following events being held during the American Agri-Women Fly-In
June 5 & 6.**

Invitation

AAW 32ND ANNUAL FLY-IN
CONGRESSIONAL RECEPTION



Please be our guest on
Tuesday, June 6, 2017
4:30-6:30 P.M.
Lombard House 1909

We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW "Champions of Agriculture" awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, we are recognizing Senator Joni Ernst and Representative Rodney Blum. Please join us to celebrate agriculture in the United States.

Sincerely, Barb Glenn, President, American Agri-Women
AAWFlyIn@americanagriwomen.org

Additional Events

AAW'S 27TH ANNUAL SYMPOSIUM "NATIONAL SECURITY AND THE ROLES OF RURAL AMERICA" | sponsored by the President Council
Monday, June 5, 2017, 9-11 a.m. | LHMH 107-A Potts Bldg., 1909 Lombard Avenue
Please join us in discussing the state with our panelists.

We acknowledge our sponsors: **Sierra Club** • **Western Grazing Stewards** • **Sierra Club** • **National Association of Broadcasters**
Emergency Council on Democracy • **Association of America** • **CEJ Marketing**

Please feel free to share this information with your colleagues.
The full sized invitation is attached.
Sincerely,
Doris Mold

Doris Mold

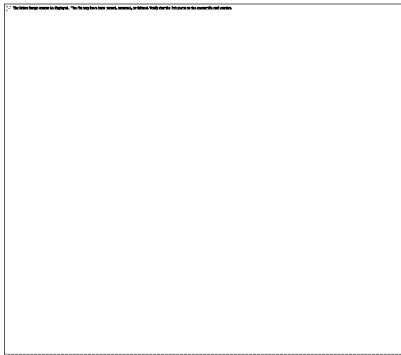
President American Agri-Women

Phone: Ex. 6

E-mail: president@americanagriwomen.org

www.americanagriwomen.org

@women4ag



*AAW - 42 Years of Advocating for Agriculture, Empowering Women in
Agriculture, and Planting the Future for Agriculture*

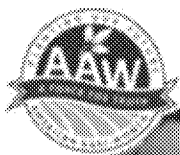
#AGDAY365

If you're having trouble viewing this email please [Click Here](#) to view on the web.



Greetings!

05/30/2017



AMERICAN AGRI-WOMEN

*** MEDIA ALERT * -- For Immediate Release**

American Agri-Women Invites Press and Ag Communicators to Events at Washington, D.C.

Legislative Fly-In

Washington, DC (AgPR) May 30, 2017 — The American Agri-Women (AAW) invites interested media and agricultural communications professionals, who are in the Washington, D.C. area next week, to two different events held during June 4-7 Legislative Fly-in.

- **AAW 27th Annual Agricultural Issues Symposium:** “National Security and The Role of Rural America” ... sponsored by the AAW Presidents’ Council, **Monday, June 5, 2017, 9–11 a.m.**...USDA Whitten Building, Room 107. Please join us as we discuss this issue with our panelists...Kimmi Lewis, Cattle Producer who is serving in the Colorado Legislature representing the 64th District; Kathleen Sgamma, President of Western Energy Alliance; Lawrence A. Kogan, Managing Principal for Kogan Law Group, P.C. in New York.
- **AAW 32nd Annual Congressional Reception** on **Tuesday, June 6, 2017, from 4:30-6:30 p.m.**... Longworth 1309. We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW “Champion of Agriculture” awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, AAW will recognize **Representative Rodney Davis** of Illinois and **Senator Joni Ernst** of Iowa. Please join us as we celebrate agriculture in the United States.

If you would like to attend either of these events please RSVP to aaw@americanagriwomen.org.

We appreciate support from the National Association of Broadcasters, CCI Marketing, Western Skies Strategies, Property Casualty Insurers Association of America, Syngenta, and Nutra-Lix, Inc.

Following the Legislative Fly-In, AAW will issue a follow-up release with photos and information about the success of the Legislative Fly-in. We also invite all to follow on Twitter ([@Women4Ag](https://twitter.com/Women4Ag)) and on Facebook ([American Agri-Women](https://www.facebook.com/AmericanAgriWomen)) using #AAW17DC during the Legislative Fly-In.

About American Agri-Women

American Agri-Women (AAW) promotes the welfare of our national security through a safe and reliable food, fiber and mineral supply. Since 1974, AAW members have worked together to educate consumers; advocate for agriculture; and offer networking and professional development opportunities. For more information, or to join, visit AmericanAgriWomen.org. Find and follow AAW on social media at: [facebook.com/AgriWomen](https://www.facebook.com/AgriWomen) and twitter.com/Women4Ag.

###

Media Contact:

Jane Marshall

VP Communications

American Agri-Women

Ex. 6 } mobile - voice or text
communications@americanagriwomen.org

AmericanAgriWomen.org

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Invitation

AAW 32ND ANNUAL FLY-IN CONGRESSIONAL RECEPTION



Please be our guest on

Tuesday, June 6, 2017

4:30-6:30 P.M.

LONGWORTH 1309

We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW "Champion of Agriculture" awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, we are recognizing **Senator Joni Ernst and Representative Rodney Davis**. Please join us to celebrate agriculture in the United States.

Sincerely, *Doris Mold, President, American Agri-Women*

RSVP: aaw@americanagriwomen.org

Additional Events

AAW'S 27TH ANNUAL SYMPOSIUM: "NATIONAL SECURITY
AND THE ROLE OF RURAL AMERICA" | *sponsored by the Presidents' Council*
MONDAY, JUNE 5, 2017, 9-11 A.M. | USDA 107-A PRESS ROOM, 1400 INDEPENDENCE AVENUE

Please join us in discussing this issue with our panelists.

WE APPRECIATE SUPPORT FROM THESE FRIENDS OF AAW
Western Skies Strategies • Syngenta • National Association of Broadcasters
Property Casualty Insurers Association of America • CCI Marketing

Message

From: Beau Greenwood [BGreenwood@croplifeamerica.org]
Sent: 6/9/2017 10:13:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: Comments - Existing regulations - May 15
Attachments: CropLife America Comments on Evaluation of Existing Regulations signed.pdf; ATT00001.htm; EPA-HQ-OA-2017-0190 PPC Comments re Regulatory Reform.pdf; ATT00002.htm; EPA-Final17.0515 AFBF et al.pdf; ATT00003.htm

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
Subject: Comments - Existing regulations - May 15

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: Ex. 6 | F: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org



May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
1200 Pennsylvania Ave, N.W.
Mail Code 1803A
Washington, D.C. 20460-0001

Submitted via www.regulations.gov; Docket ID: EPA-HQ-OA-2017-0190

Re: Evaluation of Existing Regulations

To whom it may concern:

CropLife America (CLA) appreciates the opportunity to submit these comments in response to the request for input, published in the Federal Register on April 13, 2017 by the United States Environmental Protection Agency (EPA or the Agency), seeking input on regulations that may be appropriate for repeal, replacement, or modification. The request for input references the February 24, 2017 Executive Order 13777, "Enforcing the Regulatory Reform Agenda."

CLA is the national trade association that represents the manufacturers, formulators and distributors of pesticides in the United States. CLA's member companies produce, sell and distribute virtually all the vital and necessary crop protection and biotechnology products used by American farmers, ranchers and landowners.

CLA recognizes the burden placed on American industry and agriculture by unnecessary, duplicative, or over-complicated regulations, no matter how well-intentioned. We support efforts to streamline and return common sense to the regulatory process. We also recognize, however, that the opportunities for reform are many and that a prudent approach to determining how best to meet these challenges will help us achieve our goals with minimum disruption to ongoing activities.

Many industries, including our own, depend on a predictable, science-based regulatory process to allow products to reach their intended customers – in our case, American farmers, ranchers and landowners – in a timely fashion. CLA's members' products must be registered (licensed) by the Agency, for use on food crops. This registration process must also establish "tolerances" for residues on those crops - regulations promulgated under the Federal Food, Drug, and Cosmetic Act (FFDCA). Our members support these regulatory actions, in part, through a user-fee program. American farmers and the entire food chain depend on this regulatory system to ensure that pesticides are used in a manner that is safe for food production and the environment.

Background. As the Agency is aware, pesticides protect the world's food supply, infrastructure, and public health from pests, weeds, and diseases. Farmers cannot grow enough food to feed the

Representing the Crop Protection Industry

1156 15th St. N.W., Suite 400 Washington, D.C. 20005 • 202.296.1585 phone 202.463.0474 fax www.croplifeamerica.org

world's population on existing farmland without the ability to control weeds, plant diseases, insects, and other pests. Pesticides play important roles in public health and safety, as well. They protect the public from mosquito- and tick-borne illnesses, and antimicrobial pesticides protect against deadly microorganisms. More familiar to many consumers, pesticides protect homes and other structures from cockroaches and rodents, and keep yards, parks, and playgrounds free of weeds and other pests.

The Agency closely regulates the use of pesticides in the United States. No one may sell or distribute a pesticide product without first submitting a registration application to EPA's Office of Pesticide Programs (OPP). Following the industry investment in a decade or more of effort and hundreds of millions of dollars in research and development costs, OPP scientists evaluate each pesticide to ensure that it will not pose unreasonable adverse effects to human health or the environment, pursuant to its authority granted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). As mentioned above, EPA grants a license or "registration" for pesticides that pass EPA's rigorous evaluations. The registration permits a pesticide product to be sold, distributed, and used in accordance with its EPA-approved label.

For pesticides used on food crops, the FFDCA also requires EPA to set tolerances through rulemaking for the legal limit of pesticide residue that may remain in or on each food or feed commodity harvested from a treated crop. In setting a tolerance, EPA makes a safety determination that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue ..." The FFDCA includes strong provisions for protecting infants and children, as well as other sensitive subpopulations.

A timely, predictable process for the pesticide registration process and tolerance rulemaking supports American manufacturing and agriculture by allowing growers predictable access to crop protection tools made by American companies. Registrations and tolerances help assure consumers in both the United States and other countries that food grown by American farmers is safe to eat.

Congress has repeatedly affirmed the need for a streamlined approval process for pesticide registrations funded in part by registration and user fees. The Pesticide Registration Improvement Act (PRIA) and subsequent iterations require that EPA make a registration determination on a manufacturer's pesticide application within the time specified in the PRIA statute. Similarly, for pesticides to be applied on food crops, PRIA sets timelines for EPA to make tolerance decisions.

Comments. We support the mission and purpose of OPP in its work on the processes outlined above. OPP serves as both a regulator and a licensing agency, whose goal is to fairly assess whether a given pesticide product can be properly labeled for its intended use with no unreasonable adverse effects. EPA's registration and label instructions represent the objective, risk-based standard that assures the public that lawful crop protection tools are available and meet the applicable standards.

Notwithstanding the regulated community's support for OPP's mission, the Agency is in serious need of reset to preserve risk-based regulation for pesticides based on sound science and a

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predictable regulatory process. Most urgently, CLA encourages the Administration to provide thorough, thoughtful review of OPP with scrutiny of departures from established policy, due process, and sound science that occurred in recent years. Lapses in EPA's risk assessment process (timing for registration and registration review) have threatened not only the effectiveness, but availability of a robust toolbox of crop protection products for American farmers, ranchers and landowners.

Resetting the process and science, and restoring transparency and predictability to the registration and review of pesticides, will resolve many product- and issue-specific concerns.

We also are very concerned about recent attempts to create policy without appropriate notice and public comment, using less formal and less transparent means instead.

Although not an exhaustive list, the following specific recommendations are deserving of action and oversight:

- **Reauthorize PRIA** - OPP is uniquely situated among the other offices within EPA in that it serves the critical function of reviewing and registering pesticides for the private sector – providing verification that a pesticide meets EPA's registration standards. To ensure a robust foundation for OPP's proper operation, CLA asks that the Administration support reauthorization of PRIA. This program is the private-sector-funded fee-for-service system that provides OPP a portion of the resources needed to complete timely pesticide registrations, and provides registrants business certainty and regulatory predictability, allowing proven and new technologies to reach pesticide users more quickly.
- **Develop Meaningful Endangered Species Act Reform** - We can do better when it comes to the proper implementation of the Endangered Species Act (ESA). The pervasive misapplication of the ESA across the regulated business spectrum and the ongoing dysfunctional working relationships among OPP, the Fish and Wildlife Service, and the National Marine Fisheries Service continue to frustrate the harmonization of ESA and FIFRA.
- **Restore Process and Science, Use Input Provided by the United States Department of Agriculture (USDA)** - Certain pending actions and recent policies are not consistent with the underlying science, or do not comply with the Agency's principles of transparency, or are otherwise not fully developed. These actions should be delayed until the policies are fully developed and the underlying science is determined to be reliable as the basis of decision-making. It is critically important that USDA's expertise and advice be meaningfully incorporated into all actions. An Executive Order that delays certain OPP actions until proper process and sound science are sorted out and restored could be helpful in this regard.
- **Zika Funding** - CLA urges the Administration to budget funding to states to support pest control operations and to support development of technology and products to deal with the Zika virus and its mosquito vectors. Surveillance and control of mosquitos is as important as vaccine development.

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Other issues of concern such as the Waters of the United States (WOTUS) Rule are outlined in comments to this docket made by the Pesticide Policy Coalition and the American Farm Bureau Federation, both of which we incorporate here by reference and fully support.

CropLife America believes that we can achieve our national environmental goals, including preservation and enhancement of biodiversity in agricultural landscapes, while maintaining and improving agricultural productivity, but to do so, we need effective, science-based federal policy.

The work done by OPP is critical to protect the environment, while serving the needs of America's farmers, ranchers, landowners, and consumers. CLA is proud to support that work. However, improvements can be made to provide greater clarity, greater reliance on sound science, and greater certainty for agriculture, the regulated community and other stakeholders. This will benefit farmers and ranchers across the country, as well as CLA's members with domestic manufacturing facilities. CLA would be pleased to provide greater detail on these issues and to discuss these matters more fully.

Should you have any questions or wish to discuss this matter, please contact me directly by email ([jcollins@croplifeamerica.org](mailto:collins@croplifeamerica.org)) or telephone (+ Ex. 6).

Thank you for your consideration of these comments.

Respectfully,



Janet E. Collins, Ph.D., R.D.
Executive Vice President, Science and Regulatory Affairs

Representing the Crop Protection Industry

1156 15th St. N.W., Suite 400 Washington, D.C. 20005 • 202.296.1585 phone 202.463.0474 fax www.croplifeamerica.org

May 15, 2017

U.S. Environmental Protection Agency
Washington, D.C. 20004

RE: Docket EPA-HQ-OA-2017-0190

The undersigned organizations commend the Environmental Protection Agency [the agency] for opening this docket and are pleased to submit the attached comments in response to the agency's request.

Our organizations represent individuals engaged in agricultural production, both for crops and livestock. Requirements imposed by the agency through its regulations can have significant impacts on our members; many of these impacts can be felt in the areas outlined by the agency for review¹ In the attached comments, we have sought to meet the agency's request to be as specific as possible. In some instances, where information responsive to the agency's request for "supporting data or other information such as cost information" is not available, we have attempted to quantify the impact of the regulatory burden as concretely as possible and to "provide specific suggestions regarding repeal, replacement or modification." We welcome questions from your office or the Task Force if these comments need further amplification and will do our best to respond in as prompt and comprehensive a manner as possible. We greatly value this effort and hope the agency succeeds in alleviating unnecessary and costly regulatory burdens on the agriculture community.

In this context, we wish to make a brief preparatory remark. As of mid-May, the docket exceeded 17,000 comments, the overwhelming majority of them anonymous. These are presumably submitted from well-intentioned individuals but they preponderantly assume that the agency's initiative is to undo, weaken, rescind or otherwise impair the nation's environmental safeguards. We see nothing in the Federal Register notice that supports such an inference. We wish to state for the record that the undersigned organizations are not requesting that the agency engage in, nor would we expect the agency to pursue, an effort to impair, rescind, weaken or in any way retreat from health or environmental safeguards that have been authorized by Congress. Nothing in Executive Order 13777 would have the agency ignore its statutory obligations to administer the environmental laws Congress has passed. We are not asking the agency to weaken its commitment to health and the environment. We have identified regulatory obligations that can be modified or repealed consistent with the laws Congress has enacted and we strongly encourage the agency to consider these recommendations.

¹ In its notice, EPA has specifically asked for recommendations that address regulations that, *inter alia*, "(i) eliminate jobs, or inhibit job creation; (ii) are outdated, unnecessary, or ineffective; (iii) impose costs that exceed benefits; (iv) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies; (v) are inconsistent with the requirements of section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), or the guidance issued pursuant to that provision in particular those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard or reproducibility..."

We appreciate your consideration of these comments. If you have questions or wish to discuss any specific issue in this submission, please contact Paul Schlegel at the American Farm Bureau Federation at Ex. 6 or pauls@fb.org.

Sincerely,

Agri-Mark Dairy Cooperative, Inc.
American Dairy Coalition
American Farm Bureau Federation
AmericanHort
American Soybean Association
American Sugarbeet Growers Association
American Sugar Cane League
California Specialty Crops Council
Dairy Cares
Dairy Farmers of America
Dairy Producers of New Mexico
Dairy Producers of Utah
Exotic Wildlife Association
Federal Forest Resource Coalition
GROWMARK, Inc.
Idaho Dairymen's Association
Missouri Dairy Association
National All-Jersey
National Aquaculture Association
National Association of State Departments of Agriculture
National Association of Wheat Growers
National Cattlemen's Beef Association
National Corn Growers Association
National Cotton Council
National Council of Agricultural Employers
National Council of Farmer Cooperatives
National Peach Council
National Pork Producers Council
National Milk Producers Federation
National Sorghum Producers
National Turkey Federation
Northeast Dairy Farmers Cooperatives
Panhandle Peanut Growers Association
Professional Dairy Managers of Pennsylvania
Select Milk Producers, Inc.
Society of American Florists
South East Dairy Farmers Association
Southwest Council of Agribusiness
St. Albans Cooperative Creamery

Upstate Niagara Cooperative, Inc.
US Apple Association
USA Rice
US Cattlemen's Association
Washington State Dairy Federation
Western Peanut Growers Association
Western United Dairymen

I. **‘Waters of the US’ (WOTUS) Rule (80 Fed. Reg. 37054, June 29, 2015)**

On February 28, President Trump signed Executive Order 13778 directing EPA to review the WOTUS rule and to publish a proposal rescinding or revising it. We strongly support the President’s EO and urge EPA to pursue this effort aggressively.

Recommendation: We recommend that the agency:

- (a) repeal the existing rule (80 Fed. Reg. 37054).
- (b) in a separate rulemaking, propose a revised rule that more closely adheres to the language of the Clean Water Act and Supreme Court decisions in *Riverside Bayview*, *SWANCC* and *Rapanos*.

II. **Spill Prevention Control and Countermeasures (SPCC) Rule (40 CFR 112)**

While EPA attempted to address concerns of the agriculture community raised by the SPCC rule, the program presents nearly insurmountable difficulties for agricultural producers. That assessment is borne out by the agency’s own Regulatory Impact Analysis (RIA). EPA examined the Clean Water Act violation data from 2001 to 2006. In over 10,000 violations in that time period, only 292 involved oil spills of any type, and only **one** of those involved a farm. Many other estimates in the RIA were incorrect as well. EPA estimated an approximate figure of 152,000 affected farms based on USDA numbers. Nowhere did EPA mention the USDA numbers presented in the 2005 round of proposals that numbered potentially affected farms closer to 400,000. Yet despite these facts, EPA moved to place a costly and burdensome rule on the agricultural industry with no data to show a risk justifying the cost. EPA included other incorrect assumptions to bolster the cost-savings analysis. They estimated a savings of \$3.6 million due to exempting pesticide application equipment but that cost was only based on a report from one state. They estimated \$2,000+ savings from not regulating home heating oil tanks but those tanks were exempted in the original 1973 rule and no one has ever applied SPCC to those tanks anyway. While Congress granted the agency flexibility to address any concerns on farms, the agency rejected this approach and imposed the strictest limit possible.

Recommendation: The SPCC for farms should be repealed.

III. **CERCLA/EPCRA**

- (a) On April 11, 2017 the US Court of Appeals for the DC Circuit issued a ruling in long running litigation that struck down a 2008 rule providing an exemption from federal reporting of emissions from livestock farms and providing a partial exemption from state/local reporting of such emissions. As a result of the DC Circuit ruling, in late May or early June 2017 livestock farmers will be responsible for calculating the rate of various chemical emissions associated with the storage of manure for use as a fertilizer, and treat and report these emissions as “emergency releases” to state and local authorities under 42 U.S.C. § 11004 (EPCRA § 304) and to the Coast Guards National

Response Center under 42 U.S.C. § 9603 (CERCLA § 103). These reports provide little emergency planning/response benefit to regulators or the public, and in fact could have a detrimental impact on emergency response programs (and the public's reliance on them) because the receipt of hundreds of thousands of reports of livestock odor will overwhelm a system designed for responding to true emergencies. Failure to file the reports will subject livestock farmers to expensive citizen suit litigation filed by eco and animal rights activists.

- (b) In recent years, efforts have been made to extend the liability provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980 and the Emergency Planning and Community Right-To-Know Act (EPCRA) of 1986 to livestock and poultry operations for emissions or discharges from manure produced in those operations. Animal agriculture operations are already regulated under the Clean Water Act, the Clean Air Act, and various state laws to protect the environment; these statutes provide for permitting, enforcement and, if needed, remediation. Manure is not a superfund waste and was not intended by Congress to be regulated as such.

Recommendation: EPA should promulgate regulations confirming that manure is not regulated under CERCLA or EPCRA.

IV. **Worker Protection Standards (WPS) rule (40 CFR Part 170)**

- (a) Designated Representative. In the WPS rule promulgated November 2, 2015, EPA included a provision that permits anyone claiming to be a 'designated representative' (DR) to gain access to a farmer's proprietary records relating to pesticide use.² This provision provides farmers with no protection from fraudulent or counterfeit claims; does not assure that records released by the farmer will actually be shared with workers; and imposes no constraints on what DR's may do with documentation once it is obtained. EPA has never cited any data or facts that demonstrate that such a provision would improve worker safety. Thus, the regulation imposes an unnecessary regulatory burden and cost, while exposing farmers to legal liability, with no discernible benefit.

Recommendation: EPA should repeal 40 CFR § 170.311(b)(9) and related provisions.

- (b) Application Exclusion Zone (AEZ). In the final WPS, EPA inserted a final articulation of the Application Exclusion Zone (AEZ) that unduly burdens state agencies and the regulated community.³ As finalized, the AEZ goes beyond the Agency's stated intent

² The specific requirement is at 40 CFR 170.311(b)(9).

³ WPS provision at 170.405(a)(1) establishes the applicable AEZ distances, and WPS provision 170.405(a)(2) establishes a requirement for the agricultural employer not to allow any worker or other person in the AEZ within the boundaries of the establishment until the application is complete. Provision at 170.505(b) establishes a requirement for the handler to suspend the application if any worker or other person is anywhere in the AEZ. Thus,

to create a one-hundred foot buffer surrounding the application equipment that, according to the regulations now in place, extends beyond the agricultural establishment, arguably jeopardizing a grower's ability to manage all his land and prohibiting appropriate pest mitigation activities if there is any kind of structure, permanent or otherwise, inhabited or vacant within one hundred feet of the agricultural establishment. Furthermore, any individual, structure, or a passing vehicle within one hundred feet of the property can effectively cease the grower's application activity. After the final rule was promulgated, EPA's Office of General Counsel (OGC) was working to issue interpretive guidance clarifying the Agency's intent under the final regulation; however, Agency guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity to assist state regulatory agencies or the grower community with compliance and enforcement activities. In short, both EPA and the state regulatory agencies are still uncertain on how to enforce or deliver compliance assistance on the AEZ.

Recommendation: EPA should revoke the Application Exclusion Zone (AEZ), which goes beyond EPA's original intent and creates an unworkable and unenforceable provision that does not provide any additional regulatory protections beyond those already required under law.

V. **Resource Conservation and Recovery Act**

In 1979, EPA promulgated regulations that reflect Congress' intent that the agency not regulate manure or crop residue under the Solid Waste Disposal Act (42 U.S.C. § 6903(27)). Certain court decisions, however, have injected uncertainty in this area of the law. Legislation is now pending in Congress (the Farm Regulatory Certainty Act) to provide legal certainty for farmers.⁴ The legislation would also amend Section 7002 of the Solid Waste Disposal Act (42 U.S.C. § 6972(b)(1)) to clarify that farmers are not to be targeted twice if they are engaged in legal action with a federal or state regulatory entity to address identified issues.

Recommendation: EPA should continue its policy of not regulating agricultural nutrients under RCRA. The EPA also should vigorously defend existing regulatory actions should a farming operation be targeted with a third-party lawsuit for an alleged violation that is already being addressed by a federal or state legal or administrative proceeding.

VI. **“Normal farming” activities under § 404(f) of the Clean Water Act (33 CFR § 323.4)**

Sec. 404(f)(1) of the Federal Water Pollution Control Act (33 U.S.C. § 1344(f)(1)) provides an exemption from 404 “dredge and fill” permitting for a wide range of normal farming,

the AEZ goes beyond the boundaries of the establishment in question and applies to any area on or off the establishment within the AEZ while the application is ongoing.

⁴ The Farm Regulatory Certainty Act would amend Section 1004(27) of the Solid Waste Disposal Act to codify EPA's existing regulations.

ranching and silviculture activities, including plowing, seeding, cultivating, harvesting for the production of food, fiber, and forest products as well as construction or maintenance of farm or stock ponds or irrigation ditches and for the maintenance of drainage ditches. Even though this broad language is written in the statute, the Corps' regulation (33 CFR § 323.4) and EPA's and the Corps' guidance and information interpretations have narrowed the scope of 'normal' farming, ranching and silviculture activity.⁵ Thus, even some explicitly exempt activities (i.e., plowing) have come under enforcement action. Congress has included appropriations riders directing EPA and the Corps to eliminate funding for the so-called "recapture" provision at Sec. 404(f)(2), which the agencies use to sweep otherwise exempt activities back into the regulatory program, yet EPA and the Corps have ignored Congress' directives.

Recommendation: EPA and the Corps should undertake a rulemaking that supersedes the Corps' existing regulation as well as prior guidance from the agencies and codifies the normal farming, ranching and silviculture exemption under § 404(f)(1) of the Clean Water Act consistent with the text of the statute.

VII. **Total Maximum Daily Loads (TMDLs) (40 CFR Part 130)**

EPA has used guidance and informal interpretation of sparse statutory text (Clean Water Act Sec. 303(d)) and ambiguous decades-old regulations to create a regulatory mechanism that puts EPA bureaucrats and technocrats in the role of land use planners. This has blurred the lines of authority between the Federal and state governments and robbed state environmental agencies of the ability to devise and adapt their own plans to most effectively and efficiently achieve water quality standards. This EPA overreaching raises the cost of achieving water quality goals, inhibits adaptive management and unlawfully puts EPA in the role of regulating farming practices. EPA's existing rules also fail to ensure that established water quality goals are in fact *achievable* before burdensome or even economy-breaking implementation measures are imposed. This is of particular concern where water quality impairment results largely from naturally occurring "pollutants."

Recommendations: EPA should revise its TMDL regulations to provide clarity and certainty to the regulated community and state and local governments by assuring that:

- (a) States, not EPA, have the authority to set pollutant "allocations" for waters within their borders and incorporate the allocations into state implementation plans. This provides states and localities with the flexibility they need to change allocations when needed.
- (b) EPA's TMDL authority is limited to approving or setting the *total* maximum load for a particular pollutant, as required by the statutory term "*total* maximum daily load."

⁵ For example, while the Act itself does not restrict the exemption, the agency has seemingly used the recapture provision in 404(f)(2) to claim that the exemptions for normal activities only apply to 'established, ongoing' operations. It has further extended this interpretation to claim that changing an operation from one agricultural activity (e.g., grazing cattle) to another (e.g., planting, cultivating and harvesting crops) constitutes a 'change in use' and therefore negates the exemption provided in the law. See [https://efotg.sc.egov.usda.gov/references/public/NM/CWA_404\(f\)_Ag_Exemptions.pdf](https://efotg.sc.egov.usda.gov/references/public/NM/CWA_404(f)_Ag_Exemptions.pdf)

VIII. **Prior Converted Cropland (33 CFR § 328.3(b))**

In 1993, EPA and the Army Corps of Engineers promulgated a regulation that clarified that wetlands converted before 1985 into farmland were ‘prior converted croplands’ (PCC) and therefore, not “waters of the US.” The preamble to the rule clearly provided that land remains as PCC regardless of the use to which the land is put. Yet, in 2005, the Army Corps of Engineers issued guidance eroding this exemption by proclaiming that land is no longer PCC if it is put to a non-agricultural use. A federal court found the guidance is unlawful because it conflicts with the 1993 rule,⁶ but the Corps ignored the court’s decision and continues to implement the guidance in order to re-regulate land.

Recommendation: EPA should undertake a rulemaking to clarify the 1993 rule that PCC lands are not subject to CWA regulation as jurisdictional wetlands regardless of the use to which the land is put.

IX. **Army Corps of Engineers 1987 Wetlands Delineation Manual and Regional Supplements**

In 1993, Congress prohibited the U.S. Army Corps of Engineers from using appropriated funds to delineate wetlands under the 1989 Wetlands Delineation Manual.⁷ Congress further stated that no funds shall be used to implement *any subsequent manual adopted without the public notice and comment* procedures of the Administrative Procedure Act (APA). In the meantime, Congress authorized the Corps to use the 1987 Wetlands Delineation Manual, but only until the adoption of a final delineation manual.

Almost 25 years later, the Corps has failed to propose, much less adopt, a final wetlands delineation manual. Instead, the Corps continues to use the 1987 Manual, adding regional “supplements” to modify the very same delineation criteria Congress disallowed in 1993. Rather than placing the Manual and regional supplements through the rulemaking process, the Corps has used the supplements to avoid the Congressional directive to formally promulgate a final Manual.

Recommendation: We recommend that EPA clarify that no regional supplements should be used in making determinations of what constitutes “navigable waters” and/or initiate a joint

⁶ *New Hope Power Company and Okeelanta Corporation v. U.S. Army Corps of Engineers and Stockton* 2010 WL 3834991 (S.D. Fla. September 29, 2010)

⁷ See Energy and Water Development Appropriations Act, Pub. L. No. 102-377, 106 Stat. 1315: “None of the funds in this Act shall be used to identify or delineate any land as a “water of the United States” under the Federal Manual for Identifying and Delineating Jurisdictional Wetlands that was adopted in January 1989 or any subsequent manual adopted without notice and public comment. Furthermore, the Corps of Engineers will continue to use the Corps of Engineers 1987 Manual, as it has since August 17, 1991, until a final wetlands delineation manual is adopted. PUBLIC LAW 102-377—OCT. 2, 1992 106 STAT. 1325 None of the funds in this Act shall be used to finalize or implement the proposed regulations to amend the fee structure for the Corps of Engineers regulatory program which were published in Federal Register, Vol. 55, No. 197, Thursday, October 11, 1990.”

rulemaking with the Corps that subjects the wetlands delineation manual through the rigors and transparency of the APA's public notice and comment process.

X. **EPA's proposed revision regarding objection to administratively continued permits (40 CFR § 123.44) (Docket ID No. EPA-HQ-OW-2016-0145c)**

EPA has proposed granting to itself the power to object to administratively continued permits by providing EPA Regional Administrators the discretion to change the status of an administratively continued permit to "proposed permit," an outcome that would trigger the robust federal review process outlined in 81 Fed. Reg. 31344, 31372 (May 18, 2016).

This proposed revision marginalizes a valuable tool afforded to states with authorized NPDES permit programs – the ability to administratively continue an existing NPDES permit in lieu of permit reissuance. This tool is important because it allows states to prioritize limited resources and limited personnel to ensure the most efficient management of their state NPDES program. This revision, if finalized, further erodes State authority to manage their own programs and will discourage unauthorized states from assuming NPDES authority.

Denial of an administratively continued permit, which this rule revision entails, would leave agricultural producers who hold NPDES permits without permit coverage and vulnerable to citizen lawsuits. It also raises a constitutional concern due to the lack of due process considerations given that there is no procedure to challenge the EPA's decision to change a permit's status to "proposed." The revision raises additional concern because it exceeds EPA's statutory authority. Clean Water Act § 402(d) grants EPA the authority to review proposed permits and to object to them, which if objected to prohibits the permit from issuing. The revision here would replicate this administrative power and apply it to administratively continued permits, a step that goes beyond the power Congress granted to EPA in the Clean Water Act.

Finally, this effort by EPA is not needed because EPA already manages a largely successful effort that resolves the underlying issue. The Priority Permit Measure provides an avenue for EPA to target state-issued NPDES permits to undergo the reissuance process by designating them as "priority permits".

Recommended: EPA withdraw its proposed revision regarding objection to administratively continued permits (40 CFR § 123.44) (Docket ID No. EPA-HQ-OW-2016-0145c)

XI. **National Ambient Air Quality Standards (NAAQS) for Coarse Particulate Matter (PM₁₀)**

The NAAQS and definition for coarse particulate matter are overly broad and do not take into account naturally occurring sources like dust found on farms.

Recommendation: EPA should clarify its NAAQS regulations to ensure that agricultural producers are not found to be in violation of the Clean Air Act for conditions beyond their control when operating under general farming practices.



PPC

PESTICIDE POLICY COALITION
A Coalition Working for Sound Pest Management Policies

May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
1200 Pennsylvania Ave. NW.
Mail Code 1803A
Washington, D.C. 20460-0001

Submitted via Federal eRulemaking Portal

Re: Evaluation of Existing Regulations; Docket ID No. EPA-HQ-OA-2017-0190

The Pesticide Policy Coalition (PPC or “the Coalition”) is pleased to submit comments to the U.S. Environmental Protection Agency (EPA) on its evaluation of existing regulations in accordance with Executive Order (EO) 13777, Enforcing the Regulatory Reform Agenda.

PPC is an organization of food, agriculture, forestry, pest management and related industries that support transparent, fair and science-based regulation of pest management products. PPC members include: nationwide and regional farm, commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators and distributors; pest-and vector-control operators; research organizations; and other interested stakeholders. PPC serves as a forum for the review, discussion, development and advocacy around pest management regulation and policy.

COMMENTS

The following comments refer to the regulations and policies PPC has identified as top candidates for regulatory reform actions, including modifications, replacement and/or elimination of specific regulations, or requirements within those rules. These recommended reforms will further the Administration’s goals set forth in the EO of

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eliminating regulatory requirements that inhibit job growth, impose burdensome costs that exceed environmental benefits, are unnecessary and ineffective, or are not substantiated by available data or are inconsistent with the data guidelines implementing the Information Quality Act.

I. Modifications and Revisions

A. Certified Applicator and Training Rule (82 Fed. Reg. 952).

The previous Administration recently finalized a regulation on certification and training of applicators of restricted use pesticides (RUPs). The responsibility of administering pesticide applicator certification programs rests solely with state, tribal and territorial authorities. EPA would not be able to effectively implement the program without this federal-state partnership. The certification and training rule brings a number of significant changes and increased certification requirements with which applicators must now comply, and state certifying authorities must implement in their respective state certification plans. The final rule underestimates the time and cost to overhaul state certification programs. Implementation of the rule is a resource-intensive process, and in some states will require legislative actions. Among other changes, the new rule sets a new minimum age requirement for commercial RUP applicators at 18 years. Prior to the new rule, individuals under the age of 18 could apply RUPs if they met certification and training requirements. No health or environmental risk or rationale is provided to justify or support such change. Further, several states allow individuals under 18 to apply RUPs. Implementation of the new age limit will require many of those states to pursue legislative action to amend applicable state law without any benefit to public health or the environment.

Faced with a largely unfunded federal mandate, and limited resources, some state legislatures could recommend returning the program to EPA. EPA does not have the capacity to run programs of the same scale, depth and caliber as do the state and local partners. Any loss of state/local partnerships would result in a significantly pared down program and potential increased risks to public health and the environment.

The PPC recommends that EPA modify the rule to eliminate the minimum age requirement. Absent the federal requirement, individual states are free to set age requirements at the state level, and the removal of this requirement will alleviate the need for state legislative actions in several states. The PPC also recommends that EPA delay implementation of the final rule and work with state authorities to identify a realistic implementation timeline to provide flexibility to account for states' resource concerns and needs.

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B. Agricultural Worker Protection Standard (80 Fed. Reg. 67496)

Promulgated in November 2015, EPA's new worker protection standard (WPS) for agricultural workers increased the frequency of required training, added recordkeeping requirements and introduced new concepts, including the "application exclusion zone" and "designated representative." Most of the new standard's requirements became effective in January 2017, in spite of a petition filed by groups representing farmers and state departments of agriculture requesting a delay to provide adequate time for implementing the changes. EPA failed to provide state lead agencies with enforcement guidance and training materials, and resources necessary to effectively implement the rule ahead of the effective date and to assist farmers and ranchers with compliance.

The PPC remains concerned about the concept of a "designated representative." Farmers and ranchers are entitled to a reasonable expectation of privacy in their businesses; this provision in the rule could result in disclosure of confidential and proprietary information, and also subject farmers to harassment and unfair criticism for the lawful and safe use of EPA-approved pesticides on their properties. EPA has not provided any assurance to growers that fraudulent requests by designated representatives will not expose them to legal liability, nor has EPA taken steps to limit disclosure of proprietary farm data to unrelated third parties. At no time has EPA brought forth evidence demonstrating that the provision would result in greater worker safety. The PPC urges the Task Force to recommend a revision of the WPS to eliminate or revise this "designated representative" provision to restore reasonable privacy protections for farmers and ranchers.

The Coalition also recommends that EPA amend the final WPS rule to eliminate the Application Exclusion Zone (AEZ). The AEZ created a one-hundred foot buffer surrounding the application equipment that, according to the regulations now in place, extends beyond the agricultural establishment. The AEZ prohibits pest mitigation activities if there is any kind of structure, permanent or otherwise, inhabited or vacant within one hundred feet of the agricultural establishment. Additionally, any individual, structure, or a passing vehicle within one hundred feet of the property can effectively cease the grower's application activity. This provision unduly burdens state agencies and grower without any additional regulatory benefits. Subsequent to finalization of the WPS rule, EPA's Office of General Counsel was working to issue interpretive guidance clarifying the EPA's intent under the final regulation. Guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity for state agencies tasked with compliance and enforcement activities, and regulatory certainty for farmers and pesticide applicators. The PPC recommends modifying the final WPS rule to remove the AEZ provision.

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Finally, in order for states and local authorities to implement the final rule, and to account for necessary training and certification, the PPC encourages the Task Force to recommend the WPS rule be revised to delay the effective date until 2018 at the earliest.

C. National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit (PGP)

The PPC urges the Task Force to recommend modifications of the NPDES PGP requirements to decrease reporting and recordkeeping burdens. The PGP was first issued in 2011 in response to a 6th Circuit Court of Appeals decision. In that litigation, EPA was aligned with the regulated community in opposing the imposition of Clean Water Act (CWA) permitting requirements for pesticide applications into, over and near Waters of the United States. Pesticides and pesticide applications are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). All pesticides undergo a rigorous review process before being approved by EPA for use. Such testing requirements include extensive studies examining potential human health and environmental effects. FIFRA requires that pesticides used according to label instructions will not generally cause unreasonable adverse effects on the environment. Under FIFRA, applicators also are required to keep detailed records documenting the time, location, type of pesticide, target pests, amount of pesticide applied and pesticide application method. Applicators also must report any knowledge of adverse incidents associated with the use of such pesticides. Failure to comply with FIFRA requirements can result in civil and criminal penalties.

The dual regulation of pesticide application under FIFRA and CWA is duplicative, burdensome, and does not result in enhanced environmental benefit or protection. The potential legal jeopardy from CWA citizen suits for alleged PGP violations has had a chilling effect on the industry. An operator could spend substantial resources defending against a CWA citizen suit for alleged failure to meet reporting and recordkeeping requirements—mere paperwork violations that do not result in environmental harm. The PGP includes a provision that holds all operators jointly and severally liable for violations that occur in connection with permitted activities, including any action or inaction of others that is beyond their control. The threat of legal jeopardy has led some applicators to decline contracts for mosquito-control services. The Benton County Mosquito Control District in Washington State has set aside twenty percent of its annual budget in the event that it becomes party to a CWA lawsuit. These resources could be better spent combatting mosquito-borne illnesses, including the Zika virus.

The PPC recommends scaling back the permitting requirements to eliminate Notice of Intent and annual reporting and recordkeeping requirements, as well as the

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permit's joint and several liability provision. An operator should only be held liable for those permitted activities that are completely within his/her control.

II. Process and Policy Reform

The Task Force should consider long overdue reforms of EPA's process and policies that form the foundation for regulatory decision-making. While not regulations per se, under FIFRA, pesticides undergo rigorous study, and registrants spend an estimated \$250 to 280 million to evaluate risk to human health and the environment prior to pesticide registration with label uses approved by EPA. Pesticide products play a vital role in crop production and public health. The rotation and mixture of a variety of pesticide products is integral to integrated pest management. The availability of a wide array of pesticide products is critical to the sustainable and safe use of pesticides and resistance management.

In recent years, EPA's risk assessment approach as part of a FIFRA pesticide registration and registration review has deviated dramatically from the fair, transparent, and risk-balancing process that Congress intended. EPA has relied on flawed science, including data that lacks reliability and reproducibility, in proposed tolerance revocations for a number of pesticide active ingredients. EPA has previously proposed revoking all tolerances for chlorpyrifos based largely on epidemiological studies that EPA's FIFRA Scientific Advisory Panels (SAP) questioned. EPA has failed to address the significant concerns expressed by three FIFRA SAP on these risk assessments, including lack of study validation and unavailability of raw data from studies used in regulatory decision making. Other respected regulatory agencies around the world have reviewed these epidemiological studies and rejected their use in risk assessments that way that EPA has proposed. These data quality issues also run afoul of reproducibility and transparency standards required by the Information Quality Act. EPA's drinking water assessment for chlorpyrifos and many other compounds need further refinement to avoid overly conservative and unrealistic exposure scenarios. Similarly, EPA's preliminary ecological risk assessment for pyrethroids—an entire class of pesticides—relies on modeling approaches to develop a risk assessment for ecological exposure to the pesticides that is not reflective of actual exposure. The models grossly overestimate exposure and will result in the loss of critical tools for farmers.

In December 2016, EPA's Office of Pesticide Programs (OPP) released its "Framework for Incorporating Human Epidemiologic & Incident Data in Risk Assessments for Pesticides" (Framework). This Framework has not been the subject of public notice and comment and requires stakeholder review. As such, the Administration should review and revise the framework with input from relevant

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stakeholders, and subject to peer review, before it is used to inform any regulatory decision-making.

The PPC encourages a return to a risk-based approach that is fair, transparent, and relies on verifiable scientific input. The PPC recommends delaying the finalization of these recent actions until further review and refinements ensure that overly conservative and unsupported limitations are not placed on these pesticide products.

CONCLUSION

The PPC appreciates the opportunity to provide input on regulations for the Task Force's recommended regulatory reform actions. The success of many federal regulations hinges on partnerships with state and local authorities, and EPA should ensure those vital authorities have adequate time and assistance with implementation of new rules and standards. As highlighted above, many regulations do not result in increased net environmental benefits, and in some cases may even divert resources from environmental and public health protection efforts. Finally, any regulatory review should examine the processes and policies that have informed regulatory decisions, and ensure that actions are based on sound and credible science. We look forward to working to further assist the Task Force and Administration with identifying ways to decrease ineffective regulatory burdens on agricultural interests that hinder economic growth and innovation.

Sincerely,



Ethan Mathews
Chair, Pesticide Policy Coalition



Beau Greenwood
Vice Chair, Pesticide Policy Coalition

{01041.001 / 111 / 00209140.DOCX}

Message

From: Lynn Buhl -MDE- [lynn.buhl@maryland.gov]
Sent: 6/6/2017 9:22:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Schedule on Thursday June 8

I will look forward to meeting you sometime in the near future.

Lynn

```
{"email-policy":{"state":"closed","expirationUnit":"days","disableCopyPaste":false,"disablePrint":false,"disableForwarding":false,"expires":false,"isManaged":false},"attachments":{}}
```

On Tue, Jun 6, 2017 at 5:04 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hi Lynn-

Sounds like EPA will be well represented at the event. As such, I'll hang back at HQ but thanks for the thoughtful offer. The Administrator has asked me to help coordinate a meeting with the Governor in the near future, so perhaps we can meet at that time.

Hope it goes well.

Tate

From: Ben Grumbles -MDE- [mailto:ben.grumbles@maryland.gov]
Sent: Tuesday, June 6, 2017 4:39 PM
To: Lynn Buhl -MDE- <lynn.buhl@maryland.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Lee Currey -MDE- <lee.currey@maryland.gov>
Subject: Re: Schedule on Thursday June 8

Tate:

We will make sure you can attend the public press conference, after the lunch, in person.

Ben

Sent from my iPhone

On Jun 6, 2017, at 4:36 PM, Lynn Buhl -MDE- <lynn.buhl@maryland.gov> wrote:

Good Afternoon Tate:

We are down to the wire in planning for the Executive Council meeting in Annapolis this Thursday. Sec Grumbles is concerned over seating for the luncheon in the Governor's Mansion and fears there will not be three seats for the EPA reps. So that you are not left in the lurch, I would be pleased to take you to lunch somewhere charming (and nearby) in Annapolis during that time slot.

Then it will be my responsibility to make sure you arrive at the State House after the lunch. I thought this plan might be helpful for you if you don't know Annapolis well.

Both Ben and I worked at EPA during the Bush Administration, so I look forward to meeting you and the others. Please let me know if my invitation is helpful for you and I'll figure out where we can meet.

--

Lynn Buhl
Assistant Secretary
Maryland Department of the Environment

Ex. 6

cell (**Ex. 6**

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Lynn Buhl
Assistant Secretary
Maryland Department of the Environment

Ex. 6

cell Ex. 6

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/29/2017 3:50:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: Senate Ag panel approves reauthorizing pesticide act

Wanted to put this on your radar and flag as a placeholder for further discussions. Will follow up with you on that front soon. Thanks Tate.

Sent from my iPhone

Begin forwarded message:

From: "POLITICO Pro Agriculture Whiteboard" <politicoemail@politicopro.com>
Date: June 29, 2017 at 10:44:28 AM EDT
To: <dudley@nasda.org>
Subject: Senate Ag panel approves reauthorizing pesticide act
Reply-To: "POLITICO subscriptions" <reply-fe8d12777363067d73-670980_HTML-639839407-1376319-0@politicoemail.com>

By Jenny Hopkinson

06/29/2017 10:41 AM EDT

The Senate Agriculture Committee has unanimously agreed to send legislation to reauthorize the Pesticide Registration Improvement Act to the Senate floor, clearing the way for lawmakers to sign off on the measure before the existing law expires Sept. 30.

The Pesticide Registration Improvement Extension Act, H.R. 1029, would be the fourth reauthorization of PRIA, which charges pesticide makers a fee to get timely EPA approval for their products.

The law is a carefully negotiated agreement between agricultural companies and environmentalists. It also includes money for farm worker safety programs and environmental grants.

The bill would renew the law for another seven years and increase the fees paid by industry — a move companies hope will ease the budget crunch in EPA's pesticide office. House lawmakers signed off on the bill in March.

Sen. Kirsten Gillibrand (D-N.Y.), during the markup of the bill this morning, raised concerns about moves by the Trump administration to delay EPA rules requiring more protections for farm workers and certification requirements for pesticide applicators. An amendment that Gillibrand offered and then withdrew called for provisions that would require any changes to the Obama-era rules made by current EPA leadership be "subject to a negotiated rulemaking process so that we can ensure that all members of our farm community are safe."

"We all have a responsibility to make sure farm workers are safe when they use pesticides and that means increased supervision and oversight," Gillibrand said.

To view online:

<https://www.politicopro.com/agriculture/whiteboard/2017/06/senate-ag-panel-approves-reauthorizing-pesticide-act-089905>

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This email was sent to dudley@nasda.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 5/11/2017 4:55:52 PM
To: Dudley Hoskins [Dudley@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Amanda Culp [Amanda@nasda.org]
Subject: RE: NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

Thanks for sharing!

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Thursday, May 11, 2017 12:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Amanda Culp <Amanda@nasda.org>
Subject: Fwd: NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

In case you didn't already receive --

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: May 11, 2017 at 12:15:11 PM EDT
Subject: NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

FOR IMMEDIATE RELEASE: May 11, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

Following the U.S. Environmental Protection Agency's (EPA) announcement today of their 12-month extension of implementation of the Certification of Pesticide Applicators rule changes, NASDA CEO Dr. Barbara P. Glenn issued the following statement:

"We greatly appreciate EPA extending the effective date of this rule. While we are generally supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as states work to implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities are in place to ensure we educate before we regulate."

NASDA's comments on EPA's proposed rule can be found [here](#). NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the

departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. Learn more about NASDA at www.nasda.org.

###

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/4/2017 5:08:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Monthly Call

For sure -- just got back to my office (direct: Ex. 6). Leaving again at 2:30 for Hill meetings -- will be on my cell after that Ex. 6 -- thanks!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, May 04, 2017 12:21 PM
To: Dudley Hoskins
Subject: Monthly Call

Dudley- can I give you a buzz again. What's the best number?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Beau Greenwood [BGreenwood@croplifeamerica.org]
Sent: 6/30/2017 7:29:28 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Comments - Existing regulations - May 15

Hi Tate. Always best to get me on my cell phone, Ex. 6

I am available to talk at your convenience. I will look for your call.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

On Jun 30, 2017, at 2:20 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Can I give you a quick buzz

From: Beau Greenwood [<mailto:BGreenwood@croplifeamerica.org>]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
Subject: Comments - Existing regulations - May 15

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CroLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: [] Ex. 6 | F: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/11/2017 4:48:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Amanda Culp [Amanda@nasda.org]
Subject: Fwd: NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule
Attachments: CTRule_05112017.pdf; ATT00001.htm

In case you didn't already receive --

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: May 11, 2017 at 12:15:11 PM EDT
Subject: NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

FOR IMMEDIATE RELEASE: May 11, 2017

Contact:

Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

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NASDA's comments on EPA's proposed rule can be found [here](#). NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. Learn more about NASDA at www.nasda.org.

###

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
May 11, 2017

NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators Rule

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###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Lynn Buhl -MDE- [lynn.buhl@maryland.gov]
Sent: 6/6/2017 8:36:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Lee Currey -MDE- [lee.currey@maryland.gov]; Ben Grumbles [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userreb77e807]
Subject: Schedule on Thursday June 8

Good Afternoon Tate:

We are down to the wire in planning for the Executive Council meeting in Annapolis this Thursday. Sec Grumbles is concerned over seating for the luncheon in the Governor's Mansion and fears there will not be three seats for the EPA reps. So that you are not left in the lurch, I would be pleased to take you to lunch somewhere charming (and nearby) in Annapolis during that time slot.

Then it will be my responsibility to make sure you arrive at the State House after the lunch. I thought this plan might be helpful for you if you don't know Annapolis well.

Both Ben and I worked at EPA during the Bush Administration, so I look forward to meeting you and the others. Please let me know if my invitation is helpful for you and I'll figure out where we can meet.

--

Lynn Buhl
Assistant Secretary
Maryland Department of the Environment

Ex. 6

cell Ex. 6

```
{"email-policy":{"state":"closed","expirationUnit":"days","disableCopyPaste":false,"disablePrint":false,"disableForwarding":false,"expires":false,"isManaged":false},"attachments":{}}
```

[Click here](#) to complete a three question customer experience survey.

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 5/31/2017 9:56:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: WOTUS Call

I'm free Tuesday, Wednesday, Thursday morning and Monday afternoon that week

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, May 31, 2017 5:56 PM
To: Britt Aasmundstad
Subject: Re: WOTUS Call

What about the following week?

On May 31, 2017, at 5:52 PM, Britt Aasmundstad <britt@nasda.org> wrote:

I will assure them, thank you. Next week is a little rough for me (I'm off to a wedding in Nebraska) but Tuesday morning I'm free!

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, May 31, 2017 5:22 PM
To: Britt Aasmundstad; Nitsch, Chad
Subject: RE: WOTUS Call

Hey! We still need to get coffee but please assure them there will be WAY more opportunities beyond today for them to get involved, even beyond the "June 19 deadline." Are you by chance around next week?

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Wednesday, May 31, 2017 5:11 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: WOTUS Call

Tate and Chad,

Thank you so much for holding today's call. I know only a few members spoke up, but I received a lot of positive feedback about the call. I know it took a lot of work on your end and we appreciate it!

As we work toward the comment period and beyond, please always let me know if you need anything.

Thanks!

Britt

Britt Aasmundstad | Manager, Public Policy | **National Association of State Departments of Agriculture**
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org |
[@NASDANews](https://twitter.com/NASDANews)

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/16/2017 12:05:07 AM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: NASDA Comments: Docket ID No. EPA-HQ-OA-2017-0190 (Evaluation of Existing Regulations)
Attachments: EPA_Evaluation.Existing.Regulations_05.15.17.pdf

Ken & Tate – wanted to share the attached NASDA comments just submitted to the docket.

Please let me know if you have any questions, and we are looking forward to seeing you all on Thur.

Many thanks,

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org



Submitted via Federal eRulemaking Portal

May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
1200 Pennsylvania Ave. NW.
Mail Code 1803A
Washington, D.C. 20460-0001

Re: **Docket ID No. EPA-HQ-OA-2017-0190** (*Evaluation of Existing Regulations*)

The National Association of State Departments of Agriculture (NASDA) appreciates the opportunity to provide the following general comments on improving the regulatory process and the following specific comments on the U.S. Environmental Protection Agency's (EPA) evaluation of existing regulations in accordance with Executive Order (EO) 13777, Enforcing the Regulatory Reform Agenda.

I. About NASDA

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among our chief responsibilities. In forty-three states and Puerto Rico, the state department of agriculture is the lead state agency responsible for the regulation of pesticide use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

II. General Comments to Improve the Regulatory Process & Accountability

EPA regulations and requirements have significant impacts on many of our members' agencies. As regulatory partners, NASDA members are charged with delivering and enforcing various regulatory programs on behalf of our federal partners. Cooperative Federalism is critical to enhancing our federal-state partnerships in order that we may deliver a predictable, transparent, and science-based regulatory framework to protect human health and the environment while allowing the agricultural community to prosper.

In order to succeed in delivering an effective regulatory framework, NASDA urges EPA to ensure a well-resourced and fully staffed Office of Pesticide Programs.. NASDA stands ready to help our federal partners develop a regulatory framework that provides the necessary protections and minimizes the economic impact and undue regulatory burdens on agricultural producers.

As the Administration seeks to improve the process, oversight and delivery of sound regulatory actions, NASDA offers six recommendations to enhance the rulemaking process:

1. Institutionalize enhanced Federalism Consultations;
2. Improve economic analyses that more realistically account for economic costs to states;
3. Enhance public participation and greater transparency of the regulatory process;
4. Provide increased flexibility in state regulatory programs;
5. Renew focus on utilization of best available science; and
6. Improve stakeholder outreach, especially to rural communities.

1. Enhanced Federalism Consultations

Because federal regulatory actions often impact multiple agencies at the state level, federalism consultations must be broad-based and include representatives from associations representing all relevant state agencies. Federalism consultations should commence early in the regulatory process and remain on-going. These consultations should allow significant opportunities for robust participation. Throughout the process of developing and implementing regulatory actions, it is important to emphasize that state regulatory agencies are not simply stakeholders, but are instead partners with federal agencies. States can—and should—be used more as resources for federal agencies. Often states have a wealth of data, experience, and expertise that would help federal agencies better implement regulatory programs.

Unfortunately, the federalism consultations conducted by agencies in the past were often perfunctory and did not allow regulator-to-regulator dialogue on issues of mutual interest. Additionally, on those occasions when consultation did occur, it was often limited to only a handful of associations representing state and local governments and did not necessarily include the representatives from state agency associations most impacted by the proposed regulation. Though some federal agencies did include other state and local representatives in their consultation processes, renewed focus on ensuring federalism consultations include the appropriate parties will be very beneficial to developing and implementing a science-based and statutorily compliant regulatory process.

2. Improved economic analyses that more realistically account for economic costs to states

State regulatory agencies, including state departments of agriculture, are responsible for implementing and enforcing significant elements of federal regulatory activities. In recent years federal regulatory actions have required state regulatory agencies to assume an increasing amount of new responsibilities. However, states across the country face significant budgetary pressures and additional state resources to fund these responsibilities are often simply not available. In many cases, years of federal funding stagnation have resulted in an increasing number of unfunded mandates being imposed on states.

In addition, states are often not only charged with carrying out federal regulatory changes, they must also comply with those new regulations just as industry or members of the regulated community. This often entails significant costs that are not adequately captured in economic impact analyses. We note there are often disproportionate demands (legal, accounting, training, etc.) on smaller state

governmental agencies that make implementing and/or complying with new federal regulations especially challenging.

Finally, federal agencies should engage state regulatory agencies and stakeholders to carefully evaluate proposed regulations to better determine whether the required resources are available and whether expected outcomes merit those expenditures. NASDA strongly urges EPA to adopt a cost/benefit policy whereby any cost imposed must be balanced by significant, quantifiable benefits for each individual component of a new regulation.

3. Enhanced public participation and greater transparency of the regulatory process

In recent years, increased attention has been devoted to new policy initiatives and de facto regulatory requirements that are implemented without the traditional notice and comment rulemaking process and outside of OMB's oversight and review through various means, such as: consent decrees ("sue and settle"), warning letters, policy memorandums, or guidance documents ("regulation by letter"). These informal agency actions often times create policy and compliance changes outside of the Administrative Procedures Act (APA) or a Regulatory Impact Analysis (RIA) and deprive OMB, state agencies, and interested stakeholders the opportunity to participate in the rulemaking process. To this end, NASDA requests:

- All federal agencies submit all non-formal actions (consent decrees, warning letters, policy memorandums and guidance documents) to OMB;
- OMB exercise its authority to review these notices for benefit-cost analysis.
- Any action having an economic impact over \$100 million, and where appropriate, be returned to the agency with guidance to comply with the APA or RIA;
- OMB require all agency notices to cite specific statutory authority and include a nonbinding disclaimer notice;
- OMB require all significant guidance documents or notices undergo a preliminary federalism consultation and subsequent notice and comment period; and
- OMB-OIRA review all proposed consent decrees an agency intends to sign before they are executed in an effort to mitigate policy initiatives through consent decrees or "sue and settle" practices.

Many of the negative impacts from these initiatives and notices can be further mitigated by OMB's earlier engagement and oversight of agency actions. Therefore, we recommend OMB require all agencies to submit such notices to OMB for compilation on OMB's website, which will enhance transparency and oversight. NASDA recommends OMB request the Government Accountability Office (GAO) to assist in compiling and tracking these non-formal rulemaking notices.

4. Flexibility in state regulatory programs

States need flexibility to implement and enforce certain federal regulations, which cannot account for all of the nuances and variations in demographics, operations, and local customs. NASDA encourages federal agencies to look for ways to engage state regulatory partners in creating programs to provide

these kinds of flexibility—especially in situations where the alternative may be an undue regulatory burden on the regulated community. We emphasize that even under these flexible approaches, states do still incur costs. Every effort must be taken to ensure these do not result in unfunded mandates on the states.

5. Renewed focus on utilization of best available science

Regulations must be based on the best available, sound, validated, and peer-reviewed science and rely on science-based risk assessments. Moreover, where the science is not fully formed or understood regulatory agencies should work to ensure policymakers do not misuse or inappropriately apply science that is not validated or otherwise related.

6. Improved stakeholder outreach, especially to rural communities

Expanded stakeholder outreach to farmers, ranchers, and rural communities will ensure proposed rulemakings and other agency actions will benefit from the diversity of those rural voices, perspectives, and opinions. Broadband infrastructure in rural communities is still developing, and many rural constituents do not have timely or comprehensive access to online tools or resources. As a result, rural stakeholders are often precluded from participating or commenting on agency actions through the federal register. NASDA encourages agencies to enhance educational and outreach efforts to rural communities and provide teleconference access for oral comments, which can be submitted in the docket and become part of the official record.

III. Specific Modifications and Revisions

NASDA submits the following specific recommendations on modifying, replacing and/or eliminating regulatory requirements (or specific provisions within those regulations) that currently inhibit job growth, impose burdensome costs that exceed environmental benefits, are unnecessary and ineffective, or are not substantiated by available data or are inconsistent with the data guidelines implementing the Information Quality Act.

As state regulatory agencies, NASDA is not requesting any actions that may impair, rescind, weaken or conflict with EPA's or state agency efforts to protect human health and the environment, and the following specific recommendations identify regulatory obligations that can be modified or repealed without compromising current statutory obligations or regulatory benefits and protections currently in place.

A. 'Waters of the US' (WOTUS) Rule (80 Fed. Reg. 37054, June 29, 2015; 40 CFR 230.3)

On February 28, 2017 President Trump signed Executive Order 13778 directing EPA to review the WOTUS rule. NASDA strongly support EPA's two-step process of rescinding the 2015 rule and issuing a new, revised rule. Throughout this process, it is critical the agency continue to engage state and local governments in a robust manner. Any new rule should respect state authority, clearly recognize the

limits of federal jurisdiction, respect private property rights, and minimize economic impact. We encourage the agency to develop its implementation plan before finalizing a new rule to ensure consistent application. Further, NASDA encourages the agency to clarify and protect normal farming exemptions and prior converted cropland in any new rule.

Recommendation: EPA should continue to consult with states and local governments throughout the two-step process of rescinding the 2015 rule and develop and issue a new revised rule. In addition EPA should create a new economic analysis as a part of this process.

B. Total Maximum Daily Loads (TMDLs) (40 CFR Part 130)

EPA's administration of the 303(d) program and implementation of total maximum daily loads has created a regulatory mechanism that removes authority from state regulators and local land use planners. This blurred authority between the Federal and state governments prevents states from devising and adapting their own plans to most effectively and efficiently achieve water quality standards. This EPA overreach has raised the cost of achieving water quality goals and inhibited adaptive management. Water quality goals must be achievable and take into account naturally occurring pollutants and local watershed characteristics.

Recommendation: EPA should revise its TMDL regulations to provide clarity and certainty to the regulated community and state and local governments by assuring that:

- (a) States, not EPA, have the authority to set pollutant "allocations" for waters within their borders and incorporate the allocations into state implementation plans. This provides states and localities with the flexibility they need to change allocations when needed.
- (b) EPA's TMDL authority is limited to approving or setting the *total* maximum load for a particular pollutant, as required by the statutory term "*total* maximum daily load."

C. Worker Protection Standards (WPS) rule (40 CFR 170)

EPA promulgated the worker protection standard (WPS) for agricultural workers in November 2015. Among other requirements, the new rule increased the frequency for mandatory training, added recordkeeping requirements and introduced new concepts, including the "application exclusion zone" and "designated representative." Most of the new WPS requirements became effective in January 2017. Due to the lack of availability and timely delivery of the necessary educational materials, enforcement guidance, training resources, and other tools necessary to effectively implement the rule and help the regulated community with compliance assistance activities, NASDA joined the American Farm Bureau Federation in a joint petition in December 2016 seeking regulatory relief to these challenges. EPA denied NASDA's request for relief at that time, but because the implementation challenges remain, NASDA submitted a supplemental request for relief in February 21, 2017. NASDA greatly appreciates EPA granting relief to this urgent request and suspending implementation of the WPS rule changes that went into effect in 2015 until EPA has finalized and delivered adequate enforcement guidance, educational

materials, and training resources to the states with the adequate advanced time necessary to effectively implement the rule changes and assist the regulated community with compliance activities.

NASDA requests EPA initiate actions to revoke the problematic changes that went into effect in 2015. Specifically, NASDA requests EPA revoke the “Designated Representative” (40 CFR § 170.311(b)(9) and related provisions) and the “Application Exclusion Zone” (40 CFR §170.405(a)(1); §170.405(a)(2); §170.505(b); and related provisions). These two specific provisions effectively make the WPS rule changes promulgated in 2015 unworkable for state agencies in its entirety. NASDA welcomes the opportunity to work with EPA to find the least burdensome path forward to maximize worker protection while mitigating undue regulatory burdens on the states and the regulated community.

Designated Representative: In the WPS rule promulgated November 2, 2015, EPA included a provision that permits anyone claiming to be a ‘designated representative’ (DR) to gain access to a farmer’s proprietary records relating to pesticide use.¹ This provision provides farmers with no protection from fraudulent or counterfeit claims; does not assure that records released by the farmer will actually be shared with workers; and imposes no constraints on what DR’s may do with documentation once it is obtained. EPA has never cited any data or facts that demonstrate that such a provision would improve worker safety. Thus, the regulation imposes an unnecessary regulatory burden and cost, while exposing farmers to legal liability, with no discernible benefit.

Recommendation: EPA should repeal 40 CFR § 170.311(b)(9) and related provisions.

Application Exclusion Zone: In the final WPS, EPA inserted a final articulation of the Application Exclusion Zone (AEZ) that unduly burdens state agencies and the regulated community.² As finalized, the AEZ goes beyond the Agency’s stated intent to create a one-hundred foot buffer surrounding the application equipment that, according to the regulations now in place, extends beyond the agricultural establishment, arguably jeopardizing a grower’s ability to manage all his or her land and prohibiting appropriate pest mitigation activities if there is any kind of structure, permanent or otherwise, inhabited or vacant within one hundred feet of the agricultural establishment. Furthermore, any individual, structure, or a passing vehicle within one hundred feet of the property can effectively cease the grower’s application activity. After the final rule was promulgated, EPA’s Office of General Counsel (OGC) was working to issue interpretive guidance clarifying the Agency’s intent under the final regulation; however, Agency guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity to assist state regulatory agencies or the grower community with compliance and enforcement activities. In short, both EPA and the state regulatory agencies are still uncertain on how to enforce or deliver compliance assistance on the AEZ.

¹ The specific requirement is at 40 CFR 170.311(b)(9).

² WPS provision at 170.405(a)(1) establishes the applicable AEZ distances, and WPS provision 170.405(a)(2) establishes a requirement for the agricultural employer not to allow any worker or other person in the AEZ within the boundaries of the establishment until the application is complete. Provision at 170.505(b) establishes a requirement for the handler to suspend the application if any worker or other person is anywhere in the AEZ. Thus, the AEZ goes beyond the boundaries of the establishment in question and applies to any area on or off the establishment within the AEZ while the application is ongoing.

Recommendation: EPA should revoke the AEZ, which goes beyond EPA's original intent and creates an unworkable and unenforceable provision that does not provide any additional regulatory protections beyond those already required under law.

D. Certification of Pesticide Applicators (40 CFR 171)

NASDA greatly appreciates the significant improvements EPA made to the *Pesticides: Certification of Pesticides Applicators* final rule (*published on January 4, 2017*), and NASDA further appreciates the twelve month extension EPA provided to states on the effective date of this rule to help states and the regulated community have the educational assistance and resources necessary to deliver an effective implementation. NASDA appreciates the on-going collaboration with EPA's Office of Pesticide Programs on this rule.

During this twelve month extension, NASDA requests EPA revise and amend the new mandatory minimum age standard for commercial RUP applicators at 18 years (§171.103(a)(1); 171.105(g); and related provisions), which will unnecessarily complicate some states' ability to facilitate a successful implementation. Prior to this rulemaking, individuals under the age of 18 were able to apply RUPs if they met certification and training requirements promulgated within their respective state. The age requirement would require numerous states to undertake the lengthy and costly process of amending state statutes through the state legislature and/or undertake a state regulatory public comment and rule change. The age requirement, like many other aspects of pesticide applicator certification and training standards should be a determination made by individual states and not a federally mandated requirement that will force states to amend their statutory authorities. We request that the Agency amend this narrow portion of the final rule, and NASDA stands ready to assist EPA in addressing this specific revision.

Recommendation: EPA should work with states to revisit and revise the mandatory minimum age provision to provide states greater regulatory flexibility in implementing the final rule changes.

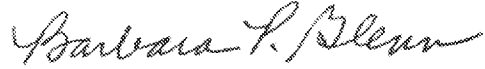
IV. Conclusion

The successful development and delivery of a transparent, predictable, consistent and science-based regulatory process and framework requires robust and meaningful consultation with state agencies. NASDA recommends EPA ensure its state regulatory partners have adequate time, assistance, and resources necessary to assist in the development, delivery, and implementation of new rules and new standards.

As noted above, many regulations do not result in increased net environmental benefits, and in some cases may even divert resources from environmental and public health protection efforts. NASDA welcomes the opportunity to discuss these recommendations further with EPA, and NASDA greatly appreciates EPA undertaking this effort to identify and alleviate unnecessary and costly regulatory burdens on the agriculture community and its state regulatory partners.

Thank you for your consideration of this request. Please contact Dudley Hoskins (Dudley@nasda.org) or Britt Aasmundstad (Britt@nasda.org) if you have any questions or would like any additional information at this time.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Glenn".

Barbara P. Glenn, Ph.D.
Chief Executive Officer

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/17/2017 2:15:17 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Nathan Bowen [Nathan@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]
Subject: NASDA Agenda & Additional Reference Materials (Meeting Thur @ 9:00 AM)
Attachments: NASDA.Exec.Comm_EPA.OICR_05.18.17_DRAFT.docx; EPA_Evaluation.Existing.Regulations_05.15.17.pdf; Senate Ag_Pesticides_Testimony_Black_05_08_17_FINAL.pdf; NASDA_Meeting_Participants_05.17.17.docx

Please see the attached "draft" agenda we are asking our Exec Comm members to work off of for tomorrow's meeting.

Also attaching:

1. NASDA EPA Reg Reform comments (submitted to the docket this past Monday) – includes additional context on Certification of Pesticide Applicators rule and Worker Protection Standard;
2. NASDA member testimony (Senate Ag Hearing on Pesticides & PRIA); and
3. Full list of NASDA attendees.

Please let me know if you have any questions or would like to touch base at any time. My cell Ex. 6

Many thanks again for your time, partnership, and leadership across the board – looking forward to seeing you all tomorrow morning. - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Monday, May 15, 2017 1:01 PM
To: Dudley Hoskins
Cc: Nathan Bowen; Wagner, Kenneth; Bennett, Tate; Cheatham-Strickland, Latonia
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Dudley,

Ken and Tate are both available to meet at EPA. Does 9-10 still work on Thursday?

Thank you,

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Friday, May 12, 2017 4:00 PM
To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>

Cc: Nathan Bowen <Nathan@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

I should be free. Not sure of Ken's calendar off the top of the head.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, May 12, 2017 3:57 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>
Subject: Potential Meeting Coordination: NASDA Executive Comm Members

Ken & Tate – hope all is well on your ends.

I wanted to send a quick note to gauge your interest/availability to meet with a few of our Executive Committee members who will be in town next Thursday (18th)?

It looks like the only time we have available will be between 9:00 – 10:00 AM, but I wanted to send this note to check in on potential coordination, schedules permitting.

NASDA Members in town next week:

- President : Commissioner Michael Strain, Louisiana Department of Agriculture & Forestry;
- Vice President : Commissioner Steven Reviczky, Connecticut Department of Agriculture;
- Second Vice President : Secretary/Director Jeff Witte, New Mexico Department of Agriculture; and
- Secretary-Treasurer: Secretary Jamie Clover Adams, Michigan Department of Agriculture.

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4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org



Submitted via Federal eRulemaking Portal

May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
1200 Pennsylvania Ave. NW.
Mail Code 1803A
Washington, D.C. 20460-0001

Re: **Docket ID No. EPA-HQ-OA-2017-0190 (*Evaluation of Existing Regulations*)**

The National Association of State Departments of Agriculture (NASDA) appreciates the opportunity to provide the following general comments on improving the regulatory process and the following specific comments on the U.S. Environmental Protection Agency's (EPA) evaluation of existing regulations in accordance with Executive Order (EO) 13777, *Enforcing the Regulatory Reform Agenda*.

I. About NASDA

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among our chief responsibilities. In forty-three states and Puerto Rico, the state department of agriculture is the lead state agency responsible for the regulation of pesticide use under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

II. General Comments to Improve the Regulatory Process & Accountability

EPA regulations and requirements have significant impacts on many of our members' agencies. As regulatory partners, NASDA members are charged with delivering and enforcing various regulatory programs on behalf of our federal partners. Cooperative Federalism is critical to enhancing our federal-state partnerships in order that we may deliver a predictable, transparent, and science-based regulatory framework to protect human health and the environment while allowing the agricultural community to prosper.

In order to succeed in delivering an effective regulatory framework, NASDA urges EPA to ensure a well-resourced and fully staffed Office of Pesticide Programs.. NASDA stands ready to help our federal partners develop a regulatory framework that provides the necessary protections and minimizes the economic impact and undue regulatory burdens on agricultural producers.

As the Administration seeks to improve the process, oversight and delivery of sound regulatory actions, NASDA offers six recommendations to enhance the rulemaking process:

1. Institutionalize enhanced Federalism Consultations;
2. Improve economic analyses that more realistically account for economic costs to states;
3. Enhance public participation and greater transparency of the regulatory process;
4. Provide increased flexibility in state regulatory programs;
5. Renew focus on utilization of best available science; and
6. Improve stakeholder outreach, especially to rural communities.

1. Enhanced Federalism Consultations

Because federal regulatory actions often impact multiple agencies at the state level, federalism consultations must be broad-based and include representatives from associations representing all relevant state agencies. Federalism consultations should commence early in the regulatory process and remain on-going. These consultations should allow significant opportunities for robust participation. Throughout the process of developing and implementing regulatory actions, it is important to emphasize that state regulatory agencies are not simply stakeholders, but are instead partners with federal agencies. States can—and should—be used more as resources for federal agencies. Often states have a wealth of data, experience, and expertise that would help federal agencies better implement regulatory programs.

Unfortunately, the federalism consultations conducted by agencies in the past were often perfunctory and did not allow regulator-to-regulator dialogue on issues of mutual interest. Additionally, on those occasions when consultation did occur, it was often limited to only a handful of associations representing state and local governments and did not necessarily include the representatives from state agency associations most impacted by the proposed regulation. Though some federal agencies did include other state and local representatives in their consultation processes, renewed focus on ensuring federalism consultations include the appropriate parties will be very beneficial to developing and implementing a science-based and statutorily compliant regulatory process.

2. Improved economic analyses that more realistically account for economic costs to states

State regulatory agencies, including state departments of agriculture, are responsible for implementing and enforcing significant elements of federal regulatory activities. In recent years federal regulatory actions have required state regulatory agencies to assume an increasing amount of new responsibilities. However, states across the country face significant budgetary pressures and additional state resources to fund these responsibilities are often simply not available. In many cases, years of federal funding stagnation have resulted in an increasing number of unfunded mandates being imposed on states.

In addition, states are often not only charged with carrying out federal regulatory changes, they must also comply with those new regulations just as industry or members of the regulated community. This often entails significant costs that are not adequately captured in economic impact analyses. We note there are often disproportionate demands (legal, accounting, training, etc.) on smaller state

governmental agencies that make implementing and/or complying with new federal regulations especially challenging.

Finally, federal agencies should engage state regulatory agencies and stakeholders to carefully evaluate proposed regulations to better determine whether the required resources are available and whether expected outcomes merit those expenditures. NASDA strongly urges EPA to adopt a cost/benefit policy whereby any cost imposed must be balanced by significant, quantifiable benefits for each individual component of a new regulation.

3. Enhanced public participation and greater transparency of the regulatory process

In recent years, increased attention has been devoted to new policy initiatives and de facto regulatory requirements that are implemented without the traditional notice and comment rulemaking process and outside of OMB's oversight and review through various means, such as: consent decrees ("sue and settle"), warning letters, policy memorandums, or guidance documents ("regulation by letter"). These informal agency actions often times create policy and compliance changes outside of the Administrative Procedures Act (APA) or a Regulatory Impact Analysis (RIA) and deprive OMB, state agencies, and interested stakeholders the opportunity to participate in the rulemaking process. To this end, NASDA requests:

- All federal agencies submit all non-formal actions (consent decrees, warning letters, policy memorandums and guidance documents) to OMB;
- OMB exercise its authority to review these notices for benefit-cost analysis.
- Any action having an economic impact over \$100 million, and where appropriate, be returned to the agency with guidance to comply with the APA or RIA;
- OMB require all agency notices to cite specific statutory authority and include a nonbinding disclaimer notice;
- OMB require all significant guidance documents or notices undergo a preliminary federalism consultation and subsequent notice and comment period; and
- OMB-OIRA review all proposed consent decrees an agency intends to sign before they are executed in an effort to mitigate policy initiatives through consent decrees or "sue and settle" practices.

Many of the negative impacts from these initiatives and notices can be further mitigated by OMB's earlier engagement and oversight of agency actions. Therefore, we recommend OMB require all agencies to submit such notices to OMB for compilation on OMB's website, which will enhance transparency and oversight. NASDA recommends OMB request the Government Accountability Office (GAO) to assist in compiling and tracking these non-formal rulemaking notices.

4. Flexibility in state regulatory programs

States need flexibility to implement and enforce certain federal regulations, which cannot account for all of the nuances and variations in demographics, operations, and local customs. NASDA encourages federal agencies to look for ways to engage state regulatory partners in creating programs to provide

these kinds of flexibility—especially in situations where the alternative may be an undue regulatory burden on the regulated community. We emphasize that even under these flexible approaches, states do still incur costs. Every effort must be taken to ensure these do not result in unfunded mandates on the states.

5. Renewed focus on utilization of best available science

Regulations must be based on the best available, sound, validated, and peer-reviewed science and rely on science-based risk assessments. Moreover, where the science is not fully formed or understood regulatory agencies should work to ensure policymakers do not misuse or inappropriately apply science that is not validated or otherwise related.

6. Improved stakeholder outreach, especially to rural communities

Expanded stakeholder outreach to farmers, ranchers, and rural communities will ensure proposed rulemakings and other agency actions will benefit from the diversity of those rural voices, perspectives, and opinions. Broadband infrastructure in rural communities is still developing, and many rural constituents do not have timely or comprehensive access to online tools or resources. As a result, rural stakeholders are often precluded from participating or commenting on agency actions through the federal register. NASDA encourages agencies to enhance educational and outreach efforts to rural communities and provide teleconference access for oral comments, which can be submitted in the docket and become part of the official record.

III. Specific Modifications and Revisions

NASDA submits the following specific recommendations on modifying, replacing and/or eliminating regulatory requirements (or specific provisions within those regulations) that currently inhibit job growth, impose burdensome costs that exceed environmental benefits, are unnecessary and ineffective, or are not substantiated by available data or are inconsistent with the data guidelines implementing the Information Quality Act.

As state regulatory agencies, NASDA is not requesting any actions that may impair, rescind, weaken or conflict with EPA's or state agency efforts to protect human health and the environment, and the following specific recommendations identify regulatory obligations that can be modified or repealed without compromising current statutory obligations or regulatory benefits and protections currently in place.

A. 'Waters of the US' (WOTUS) Rule (80 Fed. Reg. 37054, June 29, 2015; 40 CFR 230.3)

On February 28, 2017 President Trump signed Executive Order 13778 directing EPA to review the WOTUS rule. NASDA strongly support EPA's two-step process of rescinding the 2015 rule and issuing a new, revised rule. Throughout this process, it is critical the agency continue to engage state and local governments in a robust manner. Any new rule should respect state authority, clearly recognize the

limits of federal jurisdiction, respect private property rights, and minimize economic impact. We encourage the agency to develop its implementation plan before finalizing a new rule to ensure consistent application. Further, NASDA encourages the agency to clarify and protect normal farming exemptions and prior converted cropland in any new rule.

Recommendation: EPA should continue to consult with states and local governments throughout the two-step process of rescinding the 2015 rule and develop and issue a new revised rule. In addition EPA should create a new economic analysis as a part of this process.

B. Total Maximum Daily Loads (TMDLs) (40 CFR Part 130)

EPA's administration of the 303(d) program and implementation of total maximum daily loads has created a regulatory mechanism that removes authority from state regulators and local land use planners. This blurred authority between the Federal and state governments prevents states from devising and adapting their own plans to most effectively and efficiently achieve water quality standards. This EPA overreach has raised the cost of achieving water quality goals and inhibited adaptive management. Water quality goals must be achievable and take into account naturally occurring pollutants and local watershed characteristics.

Recommendation: EPA should revise its TMDL regulations to provide clarity and certainty to the regulated community and state and local governments by assuring that:

- (a) States, not EPA, have the authority to set pollutant "allocations" for waters within their borders and incorporate the allocations into state implementation plans. This provides states and localities with the flexibility they need to change allocations when needed.
- (b) EPA's TMDL authority is limited to approving or setting the *total* maximum load for a particular pollutant, as required by the statutory term "*total* maximum daily load."

C. Worker Protection Standards (WPS) rule (40 CFR 170)

EPA promulgated the worker protection standard (WPS) for agricultural workers in November 2015. Among other requirements, the new rule increased the frequency for mandatory training, added recordkeeping requirements and introduced new concepts, including the "application exclusion zone" and "designated representative." Most of the new WPS requirements became effective in January 2017. Due to the lack of availability and timely delivery of the necessary educational materials, enforcement guidance, training resources, and other tools necessary to effectively implement the rule and help the regulated community with compliance assistance activities, NASDA joined the American Farm Bureau Federation in a joint petition in December 2016 seeking regulatory relief to these challenges. EPA denied NASDA's request for relief at that time, but because the implementation challenges remain, NASDA submitted a supplemental request for relief in February 21, 2017. NASDA greatly appreciates EPA granting relief to this urgent request and suspending implementation of the WPS rule changes that went into effect in 2015 until EPA has finalized and delivered adequate enforcement guidance, educational

materials, and training resources to the states with the adequate advanced time necessary to effectively implement the rule changes and assist the regulated community with compliance activities.

NASDA requests EPA initiate actions to revoke the problematic changes that went into effect in 2015. Specifically, NASDA requests EPA revoke the “Designated Representative” (40 CFR § 170.311(b)(9) and related provisions) and the “Application Exclusion Zone” (40 CFR §170.405(a)(1); §170.405(a)(2); §170.505(b); and related provisions). These two specific provisions effectively make the WPS rule changes promulgated in 2015 unworkable for state agencies in its entirety. NASDA welcomes the opportunity to work with EPA to find the least burdensome path forward to maximize worker protection while mitigating undue regulatory burdens on the states and the regulated community.

Designated Representative: In the WPS rule promulgated November 2, 2015, EPA included a provision that permits anyone claiming to be a ‘designated representative’ (DR) to gain access to a farmer’s proprietary records relating to pesticide use.¹ This provision provides farmers with no protection from fraudulent or counterfeit claims; does not assure that records released by the farmer will actually be shared with workers; and imposes no constraints on what DR’s may do with documentation once it is obtained. EPA has never cited any data or facts that demonstrate that such a provision would improve worker safety. Thus, the regulation imposes an unnecessary regulatory burden and cost, while exposing farmers to legal liability, with no discernible benefit.

Recommendation: EPA should repeal 40 CFR § 170.311(b)(9) and related provisions.

Application Exclusion Zone: In the final WPS, EPA inserted a final articulation of the Application Exclusion Zone (AEZ) that unduly burdens state agencies and the regulated community.² As finalized, the AEZ goes beyond the Agency’s stated intent to create a one-hundred foot buffer surrounding the application equipment that, according to the regulations now in place, extends beyond the agricultural establishment, arguably jeopardizing a grower’s ability to manage all his or her land and prohibiting appropriate pest mitigation activities if there is any kind of structure, permanent or otherwise, inhabited or vacant within one hundred feet of the agricultural establishment. Furthermore, any individual, structure, or a passing vehicle within one hundred feet of the property can effectively cease the grower’s application activity. After the final rule was promulgated, EPA’s Office of General Counsel (OGC) was working to issue interpretive guidance clarifying the Agency’s intent under the final regulation; however, Agency guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity to assist state regulatory agencies or the grower community with compliance and enforcement activities. In short, both EPA and the state regulatory agencies are still uncertain on how to enforce or deliver compliance assistance on the AEZ.

¹ The specific requirement is at 40 CFR 170.311(b)(9).

² WPS provision at 170.405(a)(1) establishes the applicable AEZ distances, and WPS provision 170.405(a)(2) establishes a requirement for the agricultural employer not to allow any worker or other person in the AEZ within the boundaries of the establishment until the application is complete. Provision at 170.505(b) establishes a requirement for the handler to suspend the application if any worker or other person is anywhere in the AEZ. Thus, the AEZ goes beyond the boundaries of the establishment in question and applies to any area on or off the establishment within the AEZ while the application is ongoing.

Recommendation: EPA should revoke the AEZ, which goes beyond EPA's original intent and creates an unworkable and unenforceable provision that does not provide any additional regulatory protections beyond those already required under law.

D. Certification of Pesticide Applicators (40 CFR 171)

NASDA greatly appreciates the significant improvements EPA made to the *Pesticides: Certification of Pesticides Applicators* final rule (*published on January 4, 2017*), and NASDA further appreciates the twelve month extension EPA provided to states on the effective date of this rule to help states and the regulated community have the educational assistance and resources necessary to deliver an effective implementation. NASDA appreciates the on-going collaboration with EPA's Office of Pesticide Programs on this rule.

During this twelve month extension, NASDA requests EPA revise and amend the new mandatory minimum age standard for commercial RUP applicators at 18 years (§171.103(a)(1); 171.105(g); and related provisions), which will unnecessarily complicate some states' ability to facilitate a successful implementation. Prior to this rulemaking, individuals under the age of 18 were able to apply RUPs if they met certification and training requirements promulgated within their respective state. The age requirement would require numerous states to undertake the lengthy and costly process of amending state statutes through the state legislature and/or undertake a state regulatory public comment and rule change. The age requirement, like many other aspects of pesticide applicator certification and training standards should be a determination made by individual states and not a federally mandated requirement that will force states to amend their statutory authorities. We request that the Agency amend this narrow portion of the final rule, and NASDA stands ready to assist EPA in addressing this specific revision.

Recommendation: EPA should work with states to revisit and revise the mandatory minimum age provision to provide states greater regulatory flexibility in implementing the final rule changes.

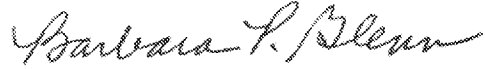
IV. Conclusion

The successful development and delivery of a transparent, predictable, consistent and science-based regulatory process and framework requires robust and meaningful consultation with state agencies. NASDA recommends EPA ensure its state regulatory partners have adequate time, assistance, and resources necessary to assist in the development, delivery, and implementation of new rules and new standards.

As noted above, many regulations do not result in increased net environmental benefits, and in some cases may even divert resources from environmental and public health protection efforts. NASDA welcomes the opportunity to discuss these recommendations further with EPA, and NASDA greatly appreciates EPA undertaking this effort to identify and alleviate unnecessary and costly regulatory burdens on the agriculture community and its state regulatory partners.

Thank you for your consideration of this request. Please contact Dudley Hoskins (Dudley@nasda.org) or Britt Aasmundstad (Britt@nasda.org) if you have any questions or would like any additional information at this time.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Glenn".

Barbara P. Glenn, Ph.D.
Chief Executive Officer



AGENDA

NASDA-EPA: Intergovernmental Meeting

May 18, 2017

9:00 – 9:50 AM

1200 Pennsylvania Ave, NW

North Entrance

Washington DC 20004

OBJECTIVE: *Introduction NASDA Executive Committee & Identify Opportunities for Enhanced Collaboration*

9:00 AM	Welcome & Introductions <ul style="list-style-type: none">• Administrator Meeting (April 11)	<i>Strain & All</i>
9:05 AM	Support Regulatory Reform Agenda <ul style="list-style-type: none">• WOTUS (Consultations)• Chlorpyrifos• Certification of Pesticide Applicators• Worker Protection Standard• NASDA Comments: Reg Reform Docket	<i>All</i>
9:20 AM	NASDA Vision: Cooperative Federalism <ul style="list-style-type: none">• Overview & Support• NASDA Testimony (Sen Ag Hearing)	<i>All</i>
9:30 AM	Opportunities for Enhanced Engagement <ul style="list-style-type: none">• Monthly/Quarterly Leadership Calls• Interagency/SDA Reg Review• EPA Personnel (Ag Counselor; Regional Admins)• EPA FACA (FRRCC, others?)• NASDA Meetings (Regional; AM; TNA; WPC)• Other Opportunities	<i>All</i>
9:50 AM	Adjourn	<i>Strain & All</i>

NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders.



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NASDA Meeting Participants

NASDA Executive Committee Members

1. President: **Commissioner Mike Strain**
Louisiana Department of Agriculture & Forestry
2. Vice President: **Commissioner Steven Reviczky**
Connecticut Department of Agriculture
3. Second Vice President: **Secretary Jeff Witte**
New Mexico Department of Agriculture
4. Secretary-Treasurer: **Secretary Jamie Clover Adams**
Michigan Department of Agriculture

NASDA Staff

5. **Dr. Barb Glenn**, CEO
6. **Nathan Bowen**, Policy Director
7. **Dudley Hoskins**, Public Policy Counsel
8. **Britt Aasmundstad**, Manager, Public Policy

NASDA's mission is to represent the state departments of agriculture in the development, implementation, and communication of sound public policy and programs which support and promote the American agricultural industry, while protecting consumers and the environment.

**Testimony of
The Honorable Gary W. Black, Commissioner of Agriculture, State of Georgia
On behalf of the National Association of State Departments of Agriculture**

**As submitted to the U.S. Senate Committee on Agriculture, Nutrition, and
Forestry Public Hearing on Pesticide Registration under the Federal Insecticide,
Fungicide, and Rodenticide Act: Providing Stakeholders with Certainty through
the Pesticide Registration Improvement Act.**

**May 11, 2017
328A Russell Senate Office Building**

Chairman Roberts, Ranking Member Stabenow, and distinguished members of the Committee, thank you for the invitation to testify today on behalf of the National Association of State Departments of Agriculture (NASDA) and the Georgia Department of Agriculture on the pesticide registration process. I appreciate the opportunity to share a state agency perspective on this important topic. My name is Gary Black, and I proudly serve as Georgia's Commissioner of Agriculture and NASDA member as an ambassador, advocate, regulator, and educator.

NASDA

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in all fifty states and four territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the introduction and spread of plant and animal diseases, and fostering the economic vitality of our rural communities. Environmental protection and conservation are also among our chief responsibilities.

In forty-three states and Puerto Rico, the state department of agriculture is the state lead agency responsible for administering and enforcing the labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)¹. Georgia is one of those forty-three state agencies with FIFRA responsibilities and serves as a co-regulatory partner with the U.S. Environmental Protection Agency (EPA) on the delivery and enforcement of pesticide programs and activities.

¹ 7 U.S.C. §136, *et. seq.*

Georgia Agriculture

I am proud of the fact that Georgia has a rich history in production agriculture. Some would even say that it is in our name. For you see the name “Georgia”, the feminine version of George, truly means “a farmer”, or “worker of the land”. In fact, the first crop of soybeans in North America was harvested on Skidaway Island in 1765. Today we are better known as world leaders in the production of poultry, peanuts, pecans, cotton, forest products and our famous sweet Vidalia onions. Our agricultural economy continues to thrive representing a \$75 billion annual economic impact to our state’s economy and serves as our largest industrial sector.

The diversity of our agricultural production is equally reflected within our agency’s Plant Industries Division. The Georgia Department of Agriculture routinely register approximately 15,000 pesticide products annually and issues license to over 30,000 certified pesticide applicators. Through our cooperative agreement with EPA we make every effort to provide unmatched education and regulatory oversight to our agricultural producers and pest management professionals. The regulatory burden over the last decade has put considerable stress on our agency, our land grant university system and partnering stakeholders who are charged with pesticide registration and enforcement.

Relationship between EPA and the Agriculture Community

It is no secret that we have experienced a number of significant challenges between the agriculture community and the EPA over the recent years. I want to start by acknowledging the tremendous efforts by newly appointed EPA Administrator Scott Pruitt to improve this relationship. From his meeting directly with several of my colleagues in NASDA; to offering public remarks at the national meetings of various agriculture producer organizations; and countless other efforts all within his first few weeks at the helm, Administrator Pruitt has demonstrated genuine respect and appreciation for the hard-working women and men who feed and clothe us. While we are still working with EPA to address several remaining regulatory challenges and process improvements, we see these efforts as a badly needed reboot of our relationship with EPA, and we applaud the Administrator’s efforts in delivering a transparent, predictable, and science-based regulatory approach to protecting human health and the environment while allowing for the production of the world’s safest, most abundant, and most

affordable food supply. The FIFRA registration process and the Registration Improvement Act (PRIA) are cornerstones to this essential regulatory foundation.

Cooperative Federalism

Among NASDA's highest priorities is the pursuit to codify and institutionalize the concept of cooperative federalism. That is, the recognition that governance of this great nation is a shared responsibility of federal and state partners. This is particularly true with regard to the regulation of pesticides. Through the administration of FIFRA, EPA undertakes extensive review of more than 125 different health, safety and efficacy studies, and ultimately, EPA makes a decision to register a pesticide for distribution, sale and use if it determines that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment."

While some may believe this is the end of the process, it is in fact only the beginning. Specifically, the pesticide must also be registered in any state where it is to be used. In most cases, it is the responsibility of my colleagues in the state Departments of Agriculture to review and register these products for use in the state.

Nobody will be surprised to learn that there are high costs associated with bringing crop protection products to the market. We are concerned that regulatory costs and burdens are unnecessarily exacerbated when, as we have witnessed in the past few years, there is not a robust level of communication, cooperation, and coordination between EPA and its co-regulatory partners at the state level. NASDA members, myself included, have been continually frustrated by the seeming lack of regard for our concerns and contributions to this process.

We were particularly encouraged by Administrator Pruitt's comments during his confirmation hearing reaffirming the role of states through Cooperative Federalism, and subsequently, we have been extremely pleased with the direct action and outreach EPA has undertaken to execute this new directive.

As I've suggested, many issues of concern of the state co-regulators with EPA's regulatory proposals can and should be addressed at the beginning of the process. Communication, cooperation and coordination shouldn't be a goal, they should be a given. We feel there are opportunities to strengthen this regulatory partnership between EPA and the state departments of agriculture, and we would

welcome the opportunity to explore these possibilities with the Committee going forward.

FIFRA Process Integrity

FIFRA established a unique, effective, and comprehensive regulatory structure to provide pesticide-related environmental and public health protection in which state lead agencies have primacy in the enforcement of pesticide matters. FIFRA created requirements for pesticide registration, labeling, and use that are the end result of an extensive pre-market approval process. This registration process requires products to meet strict safety guidelines and includes rigorous examination of environmental fate data and health exposure assessments.

It is essential for state departments of agriculture and the producers we serve to have a robust, transparent, and scientifically-sound FIFRA registration and reregistration process to deliver new technologies and critical crop protection tools in a timely and predictable manner. In order to achieve this end, NASDA requests Congress ensure there is a fully funded, fully resourced, and fully staffed Office of Pesticide Programs to conduct the rigorous and timely scientific review necessary for these essential crop protection tools.

NASDA supports the original intent of Congress that FIFRA be the primary federal statute under which pesticide registration and use is regulated. As regulatory partners with EPA, state departments of agriculture play an essential role in delivering, implementing, and enforcing various FIFRA-related programs.

Pesticide registration and use should not be regulated under other federal statutes that were neither designed for, nor intended to be the governing statutes for pesticide distribution, sale and use (e.g. the Clean Water Act, the Endangered Species Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, etc.). Pesticide uses that have been reviewed and registered under FIFRA should not be subject to additional requirements (including costly and duplicative permit requirements) under other federal statutes.

In situations where conflicting or duplicative requirements of other environmental statutes overlap with FIFRA, deference should be granted to the FIFRA registration process in a manner that is science-based, transparent, and

allows stakeholders the opportunity to comment upon and fully analyze the ramifications of the proposed action. EPA must recognize that state lead agencies are not only important stakeholders, but are also co-regulators under FIFRA and must, therefore, be intimately involved in this process.

Pesticide Registration Improvement Act

The Pesticide Registration Improvement Act (PRIA) is once again nearing time for reauthorization. The current law (PRIA 3) expires on September 30 of this year. PRIA provides a stable and predictable funding source for the EPA Office of Pesticide Programs and establishes a functional and timely process for pesticide and inert ingredient review so that registrants are able to efficiently plan for product approval and market availability. Equally important, PRIA provides additional resources to the states to conduct pesticide education, training, and worker protection activities.

As you know, PRIA has attracted wide, bipartisan support due to its unique success of delivering good government through stakeholder collaboration. NASDA is a member of the PRIA Coalition, which includes organizations representing the registrant community, chemical and biotechnology industries, farmworker advocates, and environmental non-governmental organizations. NASDA supported legislation (H.R. 1029) introduced in the House by Representative Davis of Illinois that attracted widespread bipartisan support, and in fact was agreed to by unanimous voice vote in the House of Representatives on March 20.

Legislation passed in the House would reauthorize existing provisions for seven years, as opposed to the five year extensions in previous iterations of PRIA. The legislation provides two increases of 5% each on registration fees over the seven years. The legislation also provides a \$500,000 set aside for EPA to meet deadlines for efficacy guidelines for pesticides to combat bed bugs (which have shut down schools, hotels, dorms, and movie theaters), and crawling and flying insects, which will inform industry what efficacy tests are required. The bill increases maintenance fees to \$31 million annually from 2017-2023 and provides increased funding for grant programs, promoting Good Laboratory Practices, and farm worker protection education. This latest iteration of PRIA also sets the appropriations trigger level at 2012 budget levels of \$128.3 million ensuring that the industry fee supplements appropriations. Under FIFRA Section 33(c)(3)(B),

the EPA is authorized to use 1/17 of the amount of the Pesticide Registration Fund (but not less than \$1 million) to enhance current scientific and regulatory activities related to worker protection and \$500,000 in each fiscal year, 2018 through 2023, for funding of the Pesticide Safety Education Program (PSEP). State agencies strongly support the allocation of these funds to support the critical mission related to worker protection.

NASDA supports this legislation and asks that this Committee and the Senate to act swiftly to pass this important legislation and send this to the President for his signature.

Support for OPMP

The U.S. Department of Agriculture's (USDA) Office of Pest Management Policy (OPMP) was created as part of the 1998 Agricultural Research, Extension, and Education Reform Act in order to provide leadership in coordinating interagency activities with the EPA, the U.S. Food and Drug Administration (FDA), and other Federal and State agencies to coordinate agricultural policies within the Department related to pesticides. The law further requires OPMP to consult with and provide services to producer groups and interested parties.

The Congress believed creating OPMP was necessary to focus and coordinate the many pest management and pesticide-related activities carried out within the Department. From the legislative history, it is apparent Congress felt strongly this was a necessary step for USDA to effectively carryout its statutory responsibilities with respect to pesticide issues and pest management research.

The law creating this office established that the Director of this office would work with EPA, State Departments of Agriculture producers, producers, and other appropriate groups to develop effective, efficient mechanisms for gathering data necessary for making regulatory decisions. To achieve the many objectives the law envisioned in creating this office, it was expected the office would be created within and staffed by an official within the Office of the Secretary.

Congress was particularly concerned the Director of the OPMP be someone the Secretary had trust and confidence in to ensure that the department would be an effective and forceful advocate within the administration on issues within the

purview of this office. As such, the law requires the Director of the OPMP report directly to the Secretary or Deputy Secretary of Agriculture.

We ask that members of this Committee use your considerable influence to ensure OPMP is vested with the authority and political leverage intended by the statute under which it was created. OPMP is an essential resource and indispensable partner to state departments of agriculture in its delivery of expertise on pesticide regulatory programs.

Conclusion

State departments of agriculture play a critical role in carrying out the regulatory programs impacting our agricultural producers. We serve as both enforcement agents and ambassadors to our agricultural producers, and at a minimum, we have a responsibility and an obligation to fulfill the spirit and intent of the statutes, programs, and Executive Orders controlling and directing that regulatory development process.

It is essential for our federal partners to utilize the expertise of the states and the producers in those states to inform, develop, and implement a scientifically sound, consistent, and transparent regulatory framework to ensure our producers are able to continue to produce the food, fiber, and fuel our country and much of the world depends upon.

Before I conclude my remarks, I want to offer a solution and point out a constant theme all of my colleagues as Secretaries, Directors and Commissioner of state departments of agriculture discuss throughout the country and that is the need to "Educate before you Regulate."

I appreciate the opportunity to testify before you today, and I welcome any questions you may have.

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/29/2017 2:42:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

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From: Adam Piper
Sent: Tuesday, June 27, 2017 6:54:04 PM
To: Bennett, Tate
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

[Get Outlook for iOS](#)

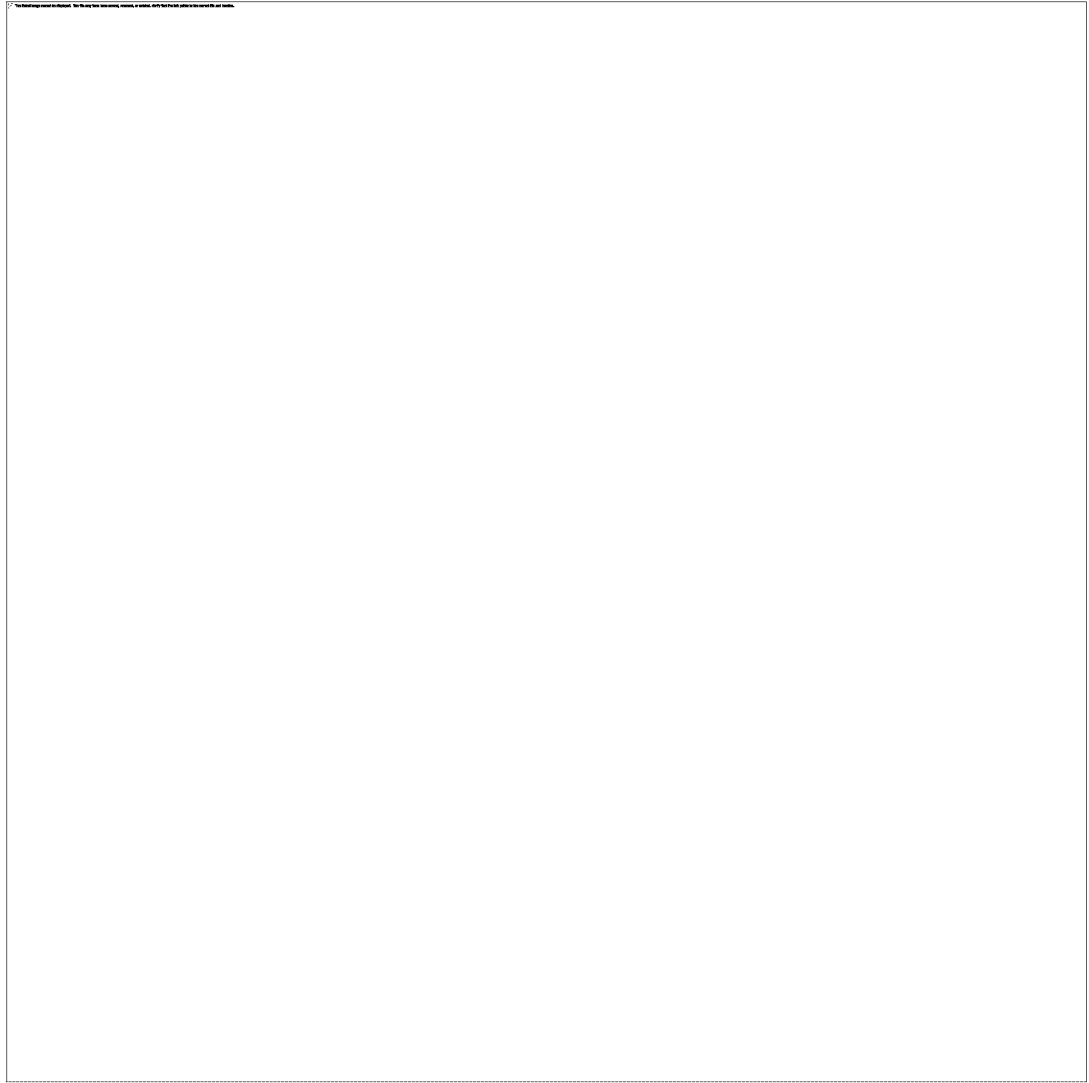
From: Adam Piper <adampiper1@gmail.com>
Sent: Tuesday, June 27, 2017 3:53:36 PM
To: Adam Piper
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

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

From: John Hazzard <JHazzard@scag.gov>
Date: Tue, Jun 27, 2017 at 3:45 PM
Subject: Fwd: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations
To: Adam Piper <adampiper1@gmail.com>

Begin forwarded message:

From: "SCAG Media" <media@scag.gov>
Date: June 27, 2017 at 1:32:53 PM PDT
To: <jhazzard@scag.gov>
Subject: NEWS: SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations
Reply-To: media@scag.gov



FOR IMMEDIATE
RELEASE
27, 2017

June

SC Attorney General Applauds EPA Proposal to Remove Excessive Regulations

(COLUMBIA, SC) - South Carolina Attorney General Alan Wilson today applauded the U.S. Environmental Protection Agency's move to rescind the Clean Water Rule and go back to the regulations that were in place before 2015. This proposed rule follows a Presidential Executive Order that President Donald Trump signed February 28, 2017.

On June 30, 2015, South Carolina joined eight states in filing a lawsuit against the EPA and the Army Corps of Engineers over the Clean Water Rule, which would have greatly expanded the phrase "Waters of the United States," or WOTUS.

Calling it a victory for common sense, AG Wilson said, "The EPA's regulatory filing has a laudable intent of protecting small streams and wetlands from the risk of pollution. But in fact, it does so through extraordinary means by greatly expanding the already broad definition of 'Waters of the U.S.' This expansion would bring many roadside ditches, small ponds on family farms, water features on golf courses,

and storm water systems under onerous federal regulation. Simply put, our argument is that drainage ditches aren't navigable waters.

One of my biggest concerns with this rule is that unelected bureaucrats at the EPA and the Corps of Engineers have virtually no restrictions on what they can determine to be 'navigable waters.' This has led numerous South Carolinians to share their concerns about this new rule with me. They have reason to fear that a ditch which hasn't held standing water in years could now meet the new criteria and fall under federal regulation."

He says the rule proposed in 2015 would have required South Carolina farmers, ranchers, and other land owners to get permits for basic land uses like digging a ditch or even building a fence. Foresters were also opposed to the change, concerned that a ditch running along a forest road that connects to a larger public highway ditch that discharges into a wetland or waterway would qualify the entire ditch system as "navigable water."

The U.S. Court of Appeals for the Sixth District had blocked the 2015 rule, so the EPA's action, when final, will not change current practice but will re-codify the rules in place before 2015.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. "This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

###

Contact:
RKittle@scag.gov

Ex. 6

This message was sent to jhazzard@scag.gov from media@scag.gov

SCAG Media
S.C. Attorney General
1000 Assembly Street Room 519
Columbia, SC 29201



Unsubscribe

--
Adam Piper

Mobile: **Ex. 6**

E-mail: adampiper1@gmail.com

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 5/23/2017 2:31:45 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Dudley Hoskins [Dudley@nasda.org]
Subject: RE: connecting you

Of course! We'll formulate and get back to you ASAP. Also, we should definitely grab that coffee this week. How does your morning look on Friday?

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, May 23, 2017 10:29 AM
To: Dudley Hoskins
Cc: Wilcox, Jahan; Nathan Bowen; Britt Aasmundstad
Subject: Re: connecting you

And please keep a close hold

On May 23, 2017, at 9:58 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

Thanks Tate -- yes indeed. Please let us strategize internally and get back to you shortly. Thanks!

Sent from my iPhone

On May 23, 2017, at 9:55 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Dudley-

Working on putting together our WOTUS tour. Can you identify some good state Ag Commissioners (will keep confidential) for us to target while beginning to build out a plan? Copying Jahan who is running point.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/29/2017 2:37:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: Updated WOTUS statements
Attachments: WTAS WOTUS Proposed Rule.docx; ATT00001.htm

Do you need AG Wilson and Morrissey individual statements?

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From: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
Sent: Thursday, June 29, 2017 10:31:29 AM
To: Brian Sanderson; Adam Piper
Subject: FW: Updated WOTUS statements

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 29, 2017 10:21 AM
To: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
Cc: [Ex. 6] EOP/WHO (Intern) [Ex. 6] EOP/WHO (Intern)
[Ex. 6]
Subject: Fwd: Updated WOTUS statements

See below. I believe Bevin may have contributed as well.

States

Governor Kim Reynolds (IA): "Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa's farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them."

Governor Eric Holcomb (IN): "I commend U.S. EPA Administrator Pruitt's leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state's waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana's environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state."

Governor Sam Brownback (KS): "The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water

innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch.”

Governor Eric Greitens (MO): “When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama’s Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they’ve heard us. They’ve heard that Obama’s Waters of the US regulations are hurting family farmers.”

Governor Pete Ricketts (NE): “Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state’s top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.”

Steve Nelson, Common Sense Nebraska: “Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA’s proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies.”

Greg Ibach, Director of the Nebraska Department of Agriculture: “I applaud the Trump Administration and Secretary Pruitt’s announcement to walk away from the previous administration’s WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska’s agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska’s ability to protect our water and land resources.”

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule.”

Alabama Attorney General Steve Marshall: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels,

roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule's broad assertion of authority unlawfully impinges on the States' traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA's final action withdrawing the WOTUS Rule and providing relief for our States and their citizens."

Arkansas Attorney General Leslie Rutledge: "The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today's action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists."

Georgia Attorney General Chris Carr: "This is a significant step in addressing the WOTUS Rule's sweeping assertion of authority, which unlawfully impinges on the State's traditional role as the primary regulators of land and water resources," said Attorney General Chris Carr. "We look forward to EPA's final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities."

Tennessee Attorney General Herbert Slatery: "We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution."

Wisconsin Attorney General Brad Schimel: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA's final action withdrawing the WOTUS rule and providing relief for our states and their citizens."

Ryan Quarles, Kentucky Agriculture Commissioner: "I applaud EPA Administrator Scott Pruitt's decision to propose a repeal of the destructive Obama-era 'Waters of the United States' rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration."

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today's statement from EPA and Army Corps of Engineers is a great step forward for Michigan's farmers. The misguided WOTUS rule would have placed unnecessary burden on Michigan's farmers, requiring a whole new level of regulation on nearly all of the state's farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as

originally defined in the Clean Water Act. We'll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state."

Minnesota Farm Bureau President Kevin Paap: "Minnesota Farm Bureau was pleased with the EPA's proposal to ditch the 2015 rule defining "Waters of the United States" (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states."

Texas Farm Bureau President Russell Boening: "We are thankful new leadership has taken the action needed to repeal this flawed rule," TFB President Russell Boening said. "WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA's regulatory overreach and will instead allow the agency to work as it was intended by our forefathers."

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): "The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington's control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America's water clean and safe."

Senator Deb Fischer (NE): "Today's announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state's water resources."

Senator Steve Daines (MT): "Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn't impose regulations that hurt Montana farmers, ranchers and landowners."

Senator Chuck Grassley (IA): "This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation's waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers."

Senator Joni Ernst (IA): "I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstrings our

farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): “I’m pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I’m grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources.”

House Members

Speaker of the U.S. House, Paul Ryan: “The West has finally won in the battle over the Obama administration’s WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

Chairman of the House Science Committee, Rep. Lamar Smith (TX): “Clean water is a necessity for all Americans. Today’s decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation.”

Chairman of the House Natural Resources Committee Rob Bishop (UT): “This rule aggrandized federal bureaucrats at the expense of farmers’ water and private property rights. EPA’s decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses.”

U.S. Rep. Mike Bost (IL): “Turning back WOTUS is a clear win for Southern Illinois’ hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration’s WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That’s why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois’ economy at risk and impact millions of rural Americans.”

U.S. Rep. Paul Gosar (AZ): “Today’s announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that

good work with today's proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy's water grab."

U.S. Rep. Scott Tipton (CO): "This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of 'Waters of the United States.'"

U.S. Rep. Dan Newhouse (WA): "I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump's order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country."

U.S. Rep. Steve Pearce (NM): "This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government."

U.S. Rep. Mike Johnson (LA): “The so called ‘WOTUS Rule’ was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people.”

***U.S. Rep. Rick Allen (GA):** “The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt’s action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America’s farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations.”

***U.S. Rep. Doug LaMalfa (CA):** “The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California’s first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration’s power grabs.”

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho’s businesses and communities. I strongly opposed the previous administration’s ‘WOTUS’ rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho’s economy, and I appreciate the administration for continuing to show leadership on these types of issues.”

U.S. Rep. Martha McSally (AZ): “WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA’s decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news.”

U.S. Rep. Lee Abraham (LA): “I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today’s news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they’ve taken so far to repeal this terrible rule.”

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today's announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress' promise to return government to its proper role."

U.S. Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration's WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property."

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts."

U.S. Rep. Doug Collins (GA): "Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely."

U.S. Rep. Markwayne Mullin (OK): "Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don't know the first thing about a backyard like mine." "The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I'm grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule."

U.S. Rep. Kristi Noem (SD): "Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal."

U.S. Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its

business free from fear of undue regulatory interference and without sacrificing the agencies' ability to protect the United States' water resources."

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: "The goal of the Clean Water Act is to restore and maintain the integrity of the nation's waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming."

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: "We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power."

Zippy Duvall, president, American Farm Bureau Federation: "Farmers and ranchers across this country are cheering EPA's proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That's why our federal courts blocked it from going into effect for the past two years. Today's announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt's proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states."

National Mining Association (NMA) President and CEO Hal Quinn: "This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended."

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: “Today’s proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources.”

National Stripper Well Association Chairwoman Darlene Wallace: “Today’s actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers.”

American Exploration & Mining Association Executive Director Laura Skaer: “Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states’ authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that.”

National Cattlemen’s Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: “We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers.”

National Pork Producers Council President Ken Maschhoff: “This is great news for America’s pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands. It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and environmental activists to attack farmers. We’re extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture.”

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito: “Today’s action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America’s energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration’s actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses.”

John Konkus
Deputy Associate Administrator
Office of Public Affairs
Environmental Protection Agency

Ex. 6

States

Governor Kim Reynolds (IA): “Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa’s farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them.”

Governor Eric Holcomb (IN): “I commend U.S. EPA Administrator Pruitt’s leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state’s waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana’s environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state.”

Governor Sam Brownback (KS): “The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch.”

Governor Eric Greitens (MO): “When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama’s Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they’ve heard us. They’ve heard that Obama’s Waters of the US regulations are hurting family farmers.”

Governor Pete Ricketts (NE): “Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state’s top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.”

Steve Nelson, Common Sense Nebraska: “Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating the demise of EPA’s proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have

worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies.”

Greg Ibach, Director of the Nebraska Department of Agriculture: “I applaud the Trump Administration and Secretary Pruitt’s announcement to walk away from the previous administration’s WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska’s agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska’s ability to protect our water and land resources.”

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule.”

Alabama Attorney General Steve Marshall: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule’s broad assertion of authority unlawfully impinges on the States’ traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA’s final action withdrawing the WOTUS Rule and providing relief for our States and their citizens.”

Arkansas Attorney General Leslie Rutledge: “The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today’s action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists.”

Georgia Attorney General Chris Carr: “This is a significant step in addressing the WOTUS Rule’s sweeping assertion of authority, which unlawfully impinges on the State’s traditional role as the primary regulators of land and water resources,” said Attorney General Chris Carr. “We look forward to EPA’s final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities.”

Tennessee Attorney General Herbert Slatery: “We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution.”

Wisconsin Attorney General Brad Schimel: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA’s final action withdrawing the WOTUS rule and providing relief for our states and their citizens.”

Ryan Quarles, Kentucky Agriculture Commissioner: “I applaud EPA Administrator Scott Pruitt’s decision to propose a repeal of the destructive Obama-era ‘Waters of the United States’ rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration.”

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today’s statement from EPA and Army Corps of Engineers is a great step forward for Michigan’s farmers. The misguided WOTUS rule would have placed unnecessary burden on Michigan’s farmers, requiring a whole new level of regulation on nearly all of the state’s farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as originally defined in the Clean Water Act. We’ll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state.”

Minnesota Farm Bureau President Kevin Paap: “Minnesota Farm Bureau was pleased with the EPA’s proposal to ditch the 2015 rule defining “Waters of the United States” (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states.”

Texas Farm Bureau President Russell Boening: “We are thankful new leadership has taken the action needed to repeal this flawed rule,” TFB President Russell Boening said. “WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA’s regulatory overreach and will instead allow the agency to work as it was intended by our forefathers.”

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): “The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington’s control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America’s water clean and safe.”

Senator Deb Fischer (NE): “Today’s announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state’s water resources.”

Senator Steve Daines (MT): “Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn’t impose regulations that hurt Montana farmers, ranchers and landowners.”

Senator Chuck Grassley (IA): “This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation’s waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers.”

Senator Joni Ernst (IA): “I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstringing our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): “I’m pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I’m grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources.”

House Members

Speaker of the U.S. House, Paul Ryan: “The West has finally won in the battle over the Obama administration’s WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.”

Chairman of the House Science Committee, Rep. Lamar Smith (TX): “Clean water is a necessity for all Americans. Today’s decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation.”

Chairman of the House Natural Resources Committee Rob Bishop (UT): “This rule aggrandized federal bureaucrats at the expense of farmers’ water and private property rights. EPA’s decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses.”

U.S. Rep. Mike Bost (IL): “Turning back WOTUS is a clear win for Southern Illinois’ hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration’s WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That’s why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois’ economy at risk and impact millions of rural Americans.”

U.S. Rep. Paul Gosar (AZ): “Today’s announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that

good work with today's proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy's water grab."

U.S. Rep. Scott Tipton (CO): "This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of 'Waters of the United States.'"

U.S. Rep. Dan Newhouse (WA): "I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump's order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country."

U.S. Rep. Steve Pearce (NM): "This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers, ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I

am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government.”

U.S. Rep. Mike Johnson (LA): “The so called ‘WOTUS Rule’ was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people.”

***U.S. Rep. Rick Allen (GA):** “The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt’s action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America’s farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations.”

***U.S. Rep. Doug LaMalfa (CA):** “The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California’s first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration’s power grabs.”

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho’s businesses and communities. I strongly opposed the previous administration’s ‘WOTUS’ rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho’s economy, and I appreciate the administration for continuing to show leadership on these types of issues.”

U.S. Rep. Martha McSally (AZ): “WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities

throughout the United States. I am pleased with the EPA's decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news."

U.S. Rep. Lee Abraham (LA): "I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today's news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they've taken so far to repeal this terrible rule."

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today's announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress' promise to return government to its proper role."

U.S. Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration's WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama Administration engineered. It is a victory for those who love liberty and something called private property."

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts."

U.S. Rep. Doug Collins (GA): "Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely."

U.S. Rep. Markwayne Mullin (OK): “Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

U.S. Rep. Kristi Noem (SD): “Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal.”

U.S. Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs:

“We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson:

“Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association:

“The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson:

“We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look

forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands. It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and

environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito:

"Today's action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America's energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration's actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses."

John Konkus
Deputy Associate Administrator
Office of Public Affairs
Environmental Protection Agency

Ex. 6

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/10/2017 1:30:55 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: NASDA Statement on C&T

Thanks for the update!

Sent from my iPhone

On May 10, 2017, at 9:30 AM, Graham, Amy <graham.amy@epa.gov> wrote:

Dudley – We really appreciate your help. I wanted to give you an update on timing. We are planning to hold this announcement until tomorrow morning now. We have some other things popping on our end today. I'll share the final release once it is approved, and I'll keep you updated on timing.

Please let me know if you have any questions in the meantime.

Thanks,
Amy

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]
Sent: Tuesday, May 9, 2017 7:20 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: NASDA Statement on C&T

Hi Amy – thanks so much for your note and outreach.

Yes, we are comfortable and will be issuing a press release in support of any extension that may be forthcoming.

Please let me know if you have any questions or would like any additional information at this time.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Graham, Amy [<mailto:graham.amy@epa.gov>]
Sent: Tuesday, May 09, 2017 5:35 PM
To: Dudley Hoskins
Cc: Bennett, Tate
Subject: NASDA Statement on C&T

Hi Dudley – Tate passed along your email. We are planning to announce the C&T extension tomorrow morning and wanted to make sure you are comfortable with us including this NASDA quote in our press release:

“We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities.”

Give me a call if you would like to discuss by phone – 202-564-4464.

Thank you,
Amy

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]
Sent: Tuesday, May 2, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; admoore@agaviation.org
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 5/31/2017 9:14:28 PM
To: Britt Aasmundstad [britt@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: WOTUS Call

And thank you coordinating with the members! There were 55 participants which I think is a terrific turnout.

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Wednesday, May 31, 2017 5:11 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: WOTUS Call

Tate and Chad,

Thank you so much for holding today's call. I know only a few members spoke up, but I received a lot of positive feedback about the call. I know it took a lot of work on your end and we appreciate it!

As we work toward the comment period and beyond, please always let me know if you need anything.

Thanks!

Britt

Britt Aasmundstad | Manager, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org | [@NASDANews](https://twitter.com/NASDANews)

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 5/11/2017 3:51:18 PM
To: Briden, Parker [parker.briden@governor.mo.gov]; Dudley Hoskins [Dudley@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: FW: EPA Extends Timeline for Pesticide Applicators Rule

This is out. Here is the link to the release on our website: <https://www.epa.gov/newsreleases/epa-extends-timeline-pesticide-applicators-rule>

Here is the link to the federal register notice: https://www.federalregister.gov/agencies/environmental-protection-agency?utm_campaign=pi%20subscription%20mailing%20list&utm_source=federalregister.gov&utm_medium=email

From: U.S. EPA Media Relations [mailto:no-replysubscriptions@epa.gov]
Sent: Thursday, May 11, 2017 11:38 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: EPA Extends Timeline for Pesticide Applicators Rule



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 11, 2017

EPA Extends Timeline for Pesticide Applicators Rule

WASHINGTON – U.S. Environmental Protection Agency Administrator Scott Pruitt today announced a 12-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule. EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule. The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

“In order to achieve both environmental protection and economic prosperity, we must give the regulated community, which includes farmers and ranchers, adequate time to come into compliance with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule’s intended benefits,” **said Administrator Pruitt.**

Last month, Administrator Pruitt met with Missouri Governor Eric Greitens to discuss the C&T rule, among other issues.

“Administrator Pruitt proved today that the old way of doing business at the EPA is over and done with. We presented them with a problem, and they took quick action to begin fixing it. Missouri farmers have waited a long time for common sense government, and now it’s on its way. I’m grateful for this new leadership, and look forward to continuing to work with this administration to curb regulations that are killing jobs and hurting our farmers. It’s time for government to get out of the way and let our farmers farm,” **said Governor Greitens.**

“We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities,” **said Dr. Barbara P. Glenn, CEO**

of the National Association of State Departments of Agriculture.

Administrator Pruitt recently launched his *Back-to-Basics agenda* for returning EPA to its core mission: protecting the environment by engaging with state, local, and tribal partners to create sensible regulations that enhance economic growth. Today's action is the latest evidence of Administrator Pruitt's commitment to cooperative federalism and getting the EPA back to basics.

R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 6/14/2017 6:18:23 PM
To: Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Dexter, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c797a090c044297ae18fd5159bee22b-Dexter, Michael]; Murphy, Dan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c9679745ab44451b214c1a2d6fbc227-Murphy, Dan]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Dudley Hoskins [Dudley@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Opportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

Michael,
Thank you very much for sharing this. We will review.
Regards,
Nathan

From: Osinski, Michael [mailto:Osinski.Michael@epa.gov]
Sent: Wednesday, June 14, 2017 12:08 PM
To: Nathan Bowen
Cc: Bennett, Tate; Nitsch, Chad; Dexter, Michael; Murphy, Dan; Richardson, RobinH
Subject: Opportunity to Preview the FY18/19 NEPPS NPM GUIDANCE

Hi Nate,

We wanted to provide the NASDA with an opportunity to preview the FY18/19 NEPPS NPM Guidance before it is posted for the external comment period. As always, the NEPPS NPM Guidance is structured as the overall policy, outreach, and grants management “asks” of the EPA Regions when working with states and tribes through the NEPPS process.

Due to our internal schedule and deadlines, we need any feedback by Tuesday the 20th. States also will have the full 30 day external comment period to provide input, which is currently scheduled to begin on June 28.

Feel free to touch base with me or Chad if you have any questions. You may also contact Michael Dexter with specific questions about the content of the guidance. He can be reached at 564-7437 or dexter.michael@epa.gov.

Thanks,

Mike

Mike Osinski
Director, State and Regional Partnerships Staff
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency

202-564-3792 (desk)

Ex. 6 (cell)

Message

From: Briden, Parker [parker.briden@governor.mo.gov]
Sent: 5/11/2017 3:14:34 PM
To: 'Dudley Hoskins' [Dudley@nasda.org]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: EPA Extends Timeline for Pesticide Applicators Rule

Thanks!

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Thursday, May 11, 2017 9:29 AM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Briden, Parker <parker.briden@governor.mo.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: EPA Extends Timeline for Pesticide Applicators Rule

Thank you!

Sent from my iPhone

On May 11, 2017, at 10:28 AM, Graham, Amy <graham.amy@epa.gov> wrote:

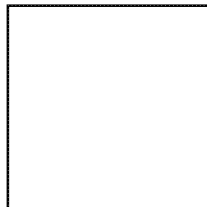
Parker and Dudley - I wanted to make you aware of an important change in the release. The extension is actually for 12 months, not 18. That change has been made in the release below and we are planning to send this shortly.

Thanks again for your help.

Amy

Begin forwarded message:

From: "U.S. EPA Media Relations" <no-replysubscriptions@epa.gov>
Date: May 11, 2017 at 9:59:28 AM EDT
To: <graham.amy@epa.gov>
Subject: EPA Extends Timeline for Pesticide Applicators Rule



CONTACT:
press@epa.gov

May 11, 2017

EPA Extends Timeline for Pesticide Applicators Rule

WASHINGTON – U.S. Environmental Protection Agency Administrator Scott Pruitt today announced a 12-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule. EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule. The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

“In order to achieve both environmental protection and economic prosperity, we must give the regulated community, which includes farmers and ranchers, adequate time to come into compliance with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule’s intended benefits,” **said Administrator Pruitt.**

Last month, Administrator Pruitt met with Missouri Governor Eric Greitens to discuss the C&T rule, among other issues.

"Administrator Pruitt proved today that the old way of doing business at the EPA is over and done with. We presented them with a problem, and they took quick action to begin fixing it. Missouri farmers have waited a long time for common sense government, and now it's on its way. I'm grateful for this new leadership, and look forward to continuing to work with this administration to curb regulations that are killing jobs and hurting our farmers. It's time for government to get out of the way and let our farmers farm," **said Governor Greitens.**

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Administrator Pruitt recently launched his *Back-to-Basics agenda* for returning EPA to its core mission: protecting the environment by engaging with state, local, and tribal partners to create sensible regulations that enhance economic growth. Today’s action is the latest evidence of Administrator Pruitt’s commitment to cooperative federalism and getting the EPA back to basics.

R082

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/9/2017 3:36:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: PRIA Coalition Members
Attachments: House Ag letter.pdf; Senate Ag Letter.pdf

Tate – thanks for your time yesterday. Per our conversation, I wanted to share the attached PRIA letters sent to the House (Feb 16) and Senate (May 1).

List of PRIA Coalition members included on the signature line.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

February 16, 2017

The Honorable Mike Conaway
Chairman
House Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

The Honorable Collin Peterson
Ranking Member
House Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman and Ranking Member Peterson:

The undersigned organizations are grateful for your past support of the fee-for-service program for pesticide registration and re-registration programs at the U.S. Environmental Protection Agency, commonly known as PRIA. More so, we are appreciative for your work and that of Subcommittee Chairman Davis and Ranking Member Lujan-Grisham to begin the process of the third reauthorization of this legislation in HR. 1029, the Pesticide Registration Enhancement Act of 2017.

Our organizations came together as a unique coalition consisting of the registrant community -- including both agricultural and non-agricultural uses, antimicrobial companies, large and small companies, biotech companies, and biopesticides -- as well as labor and environmental advocates and state regulatory agencies to develop and advocate for the passage of the Pesticide Registration Improvement Act of 2003 (PRIA). Those same organizations continue to work with EPA to administer the program, to work together to develop subsequent reauthorization proposals, and to advocate for appropriated funds to further support the activities specified in the law.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), a pesticide cannot be legally used if it has not been registered with EPA's Office of Pesticide Programs. Prior to the passage of PRIA, the review process could take several years or longer. PRIA established a new section of FIFRA, which put in place a fee schedule for pesticide registration requests. It lists specific time periods for EPA to make a regulatory decision on pesticide registration and tolerance actions submitted to the Agency. The goal of PRIA was to create a more predictable and effective evaluation scheme for affected pesticide decisions and couple the collection of individual fees with specific decision review periods. It also promoted shorter decision review periods for reduced-risk applications.

H.R. 1029 builds upon the win-win tradition of the first PRIA. It also increases and clarifies categories of EPA actions covered under the law, uses maintenance fees for registration review, protects funds for research and grant programs for worker safety and training, and provides for funds to be used to address new issues and helping to ensure that companies continue to have access to export markets for their products.

This legislation will continue the positive progress that the original PRIA brought to the pesticide registration process. We respectfully urge Congress to move quickly to reauthorize the highly successful pesticide registration program and provide certainty for the regulated community.

Sincerely,

American Chemistry Council Biocides Panel
Biotechnology Innovation Organization
Biopesticide Industry Alliance
Consumer Specialty Products Association
CropLife America

Farmworker Justice
ISSA-The Worldwide Cleaning Industry Association
National Association of State Departments of
Agriculture
Responsible Industry for a Sound Environment

CC: Rep. Rodney Davis & Rep. Michelle Lujan Grisham

May 1, 2017

The Honorable Pat Roberts
Chairman
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Ranking Member
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

The undersigned organizations are writing to support HR 1029, the Pesticide Registration Enhancement Act. The support for this legislation comes from a unique coalition of organizations—environmental NGOs, farmworker advocates, and pesticide companies.

This coalition first came together to support initial passage of the Pesticide Registration Improvement Act of 2003 (PRIA). The Pesticide Registration Enhancement Act is now the third reauthorization of PRIA. These same organizations continue to work with EPA to support administration of the program, to work together to develop subsequent reauthorization proposals, and to advocate for appropriated funds to further support the activities specified in the law.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), a pesticide cannot be legally used if it has not been approved for registration through EPA's Office of Pesticide Programs. In addition, EPA is required to review a pesticide at least every 15 years to ensure that it continues to meet the FIFRA legal standard. The key goals of PRIA have been to provide an industry-funded source of adequate funding to support these key functions of EPA's Office of Pesticide Programs in registering new pesticides and new pesticide products, and, reviewing existing pesticide products.

Prior to PRIA, the review process for new pesticides could take several years or longer. PRIA established a new section of FIFRA, which put in place a fee schedule for pesticide registration requests. PRIA also lists specific time periods for EPA to make a regulatory decision on pesticide actions.

Also, prior to PRIA, EPA had a goal, but not a mandate, to review existing pesticides on the market. Under PRIA, EPA is required to review a pesticide at least every 15 years to determine whether the pesticide should continue to be distributed in the U.S., or whether additional measures are needed for a pesticide meet the legal standard for use under FIFRA.

H.R. 1029 builds upon the win-win tradition of PRIA. The maintenance fees in H.R. 1029 provide funds to EPA to accomplish the registration review required by the law in a timely fashion. It also tracks that the risk mitigation measures are implemented by the

agency. It increases and clarifies categories of EPA actions covered under the law and protects funds for research and grant programs for worker safety and training. It provides assurance that registration actions will be reviewed in a timely manner. The legislation also provides funds to address new issues, helping to ensure that companies continue to have access to export markets for their products.

This legislation will continue the positive progress that the original PRIA brought to the pesticide registration and evaluation process. We respectfully urge Congress to move quickly to reauthorize this highly successful program, providing certainty to the regulated community in the review of pesticide applications, and continued scrutiny over the appropriate use of pesticides to provide assurance to the public.

Sincerely,

American Chemistry Council Biocides Panel
Biotechnology Innovation Organization
Biopesticide Industry Alliance
Consumer Specialty Products Association
CropLife America
Farmworker Justice
ISSA – The Worldwide Cleaning Industry Association
National Association of State Departments of Agriculture
Natural Resources Defense Council
Responsible Industry for a Sound Environment

Message

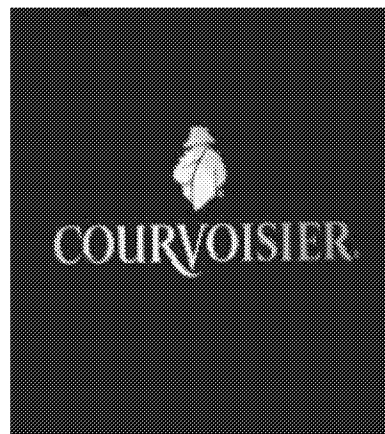
From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/19/2018 7:02:54 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report June 19, 2018

June 19, 2018



A More Dynamic Economy: HOW TO TRANSFORM OUR ANALOGUE ECONOMY WITH 21ST CENTURY SOLUTIONS

Dynamic Conference: Join us July 19-20, 2018 in Washington, DC for our annual conference "A More Dynamic Economy". This is power packed for networking, connecting, and growing. Come for the content; stay for the community! A glamorous evening hosted by Courvoisier and Miss Black America is the newest agenda item. [Register here](#) (early bird discount still applies).



Turning SNAP into Economic Empowerment: With the help of our Lord we are going to disrupt the poverty cycle. Thanks President Lyndon B. Johnson but [we got this now!](#)

CTIA leads the Charge to support the AIRWAVES Act: We are proud to support this effort to make America the new leader in Broadband Deployment.



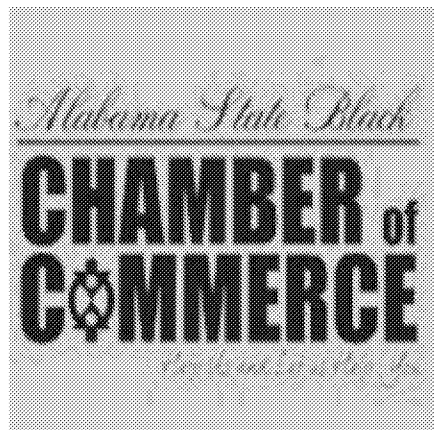
South Africa heading “South with a bullet”: What is happening to this nation is a virtual betrayal and disgrace of the legacy of the great Nelson Mandela.



MBDA has Grants Available: Here's an opportunity to apply for funding from this division of the Department of Commerce.

Free at Last, Free at Last: We are so thankful that our Internet freedom has been restored, effective June 11, 2018. Goodbye Net Neutrality

Sweet Home Alabama! We congratulate our chapters in the state of Alabama while they celebrate their annual conference. Birmingham is going to rock!

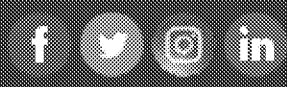


A Massive Missed Opportunity: Wealth has arrived but, somehow, we don't seem to notice it.



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

STAY CONNECTED





National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](mailto:bennett.tate@epa.gov)

[Update Profile](#) | [About our service provider](#)

Sent by halford@nationalbcc.org in collaboration with



Try it free today

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/11/2017 2:29:21 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Parker Briden [parker.briden@governor.mo.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EPA Extends Timeline for Pesticide Applicators Rule

Thank you!

Sent from my iPhone

On May 11, 2017, at 10:28 AM, Graham, Amy <graham.amy@epa.gov> wrote:

Parker and Dudley - I wanted to make you aware of an important change in the release. The extension is actually for 12 months, not 18. That change has been made in the release below and we are planning to send this shortly.

Thanks again for your help.

Amy

Begin forwarded message:

From: "U.S. EPA Media Relations" <no-replysubscriptions@epa.gov>
Date: May 11, 2017 at 9:59:28 AM EDT
To: <graham.amy@epa.gov>
Subject: EPA Extends Timeline for Pesticide Applicators Rule



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 11, 2017

EPA Extends Timeline for Pesticide Applicators Rule

WASHINGTON – U.S. Environmental Protection Agency Administrator Scott Pruitt today announced a 12-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule. EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule. The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

“In order to achieve both environmental protection and economic prosperity, we must give the regulated community, which includes farmers and ranchers, adequate time to come into compliance with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule’s intended benefits,” **said Administrator Pruitt.**

Last month, Administrator Pruitt met with Missouri Governor Eric Greitens to discuss the C&T rule, among other issues.

"Administrator Pruitt proved today that the old way of doing business at the EPA is over and done with. We presented them with a problem, and they took quick action to begin fixing it. Missouri farmers have waited a long time for common sense government, and now it's on its way. I'm grateful for this new leadership, and look forward to continuing to work with this administration to curb regulations that are killing jobs and hurting our farmers. It's time for government to get out of the way and let our farmers farm," **said Governor Greitens.**

“We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities,” **said Dr. Barbara P. Glenn, CEO of the National Association of State Departments of Agriculture.**

Administrator Pruitt recently launched his *Back-to-Basics agenda* for returning EPA to its core mission: protecting the environment by engaging with state, local, and tribal partners to create sensible regulations that enhance economic growth. Today’s action is the latest evidence of Administrator Pruitt’s commitment to cooperative federalism and getting the EPA back to basics.

R082

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/8/2017 4:34:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Quick call?

Can I call you in about 20 mins?

Sent from my iPhone

On Jun 8, 2017, at 12:33 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

When you get a moment. Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/2/2017 4:52:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Can I buzz you!

Good deal

Sent from my iPhone

On Jun 2, 2017, at 12:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Talked to Heggem. All good.

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]
Sent: Friday, June 2, 2017 12:30 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Can I buzz you!

Should be good.

Sent from my iPhone

On Jun 2, 2017, at 12:19 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Really quick! Or vice versa: Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/7/2017 4:09:06 PM
To: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Amanda Culp [Amanda@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: FOR APPROVAL: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview

Thanks Tate.

Sent from my iPhone

On Jun 7, 2017, at 11:58 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

We are doing another one of these this afternoon if your bosses want to send us any quotes.

From: EPA Press Office [<mailto:press=epa.gov@cmail19.com>] **On Behalf Of** EPA Press Office
Sent: Wednesday, June 7, 2017 10:18 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

WHAT THEY ARE SAYING ...

**About The EPA'S Decision To Delay
Implementation of the 2015 Ozone Standards**

Leaders Across The Country ...

Senate Majority Leader Mitch McConnell applauded Administrator Pruitt decision, calling the standards an attack on middle-class families from the Obama Administration. “I applaud Administrator Scott Pruitt for his decision to delay this Obama Administration issued regulation, which was finalized in October 2015. This regulation was yet another attack on the Middle Class by the Obama Administration and was forced through despite significant concern from communities across the country. Today’s postponement will give states and municipalities relief in the interim while EPA continues to review NAAQS levels.” ([Press Release](#), 06/06/17)

West Virginia Senator Shelley Moore Capito said state and local employers had insufficient time to comply with these standards. “State and local governments and employers across the country have had insufficient time to comply with the latest revisions to the ozone standards. I commend Administrator Pruitt and his staff at the EPA for acknowledging this reality and acting today to delay existing standards.” ([Press Release](#), 06/06/17)

Arizona Senator Jeff Flake said the EPA is working with Arizonans to protect the environment, instead of the previous administration’s one-size-fits-all approach. “It’s great to see the EPA working with Arizonans for a change. Nowhere are the flaws of previous administration’s one-size-fits-all approach to regulating ozone more evident than in Arizona, a desert state where naturally-occurring ozone makes it impossible to meet the new federal mandate. While today’s move buys Arizona much-needed time, I remain committed to advancing a solution that will provide permanent relief from this egregious and unworkable rule.” ([Press Release](#), 06/06/17)

Texas Attorney General Ken Paxton praised Administrator Pruitt for pausing this costly and ineffective rule, which will help the economy in Texas. “I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I’m hopeful that the one-year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy.” ([Press Release](#), 06/06/17)

Recent News Coverage ...

U.S. extends deadline for states to meet ozone pollution standard. “The U.S. Environmental Protection Agency said on Tuesday it was extending the deadline by one year for states to declare which areas do not meet the federal standard for ground-level ozone, a pollutant linked to several serious health conditions.” ([Reuters](#), 06/06/17)

EPA’s Pruitt delays Obama-era smog rules for a year. “The Environmental Protection Agency announced Tuesday that it is giving states another year to meet strict rules for smog-forming ozone emissions set by the Obama administration, citing states’ confusion over regulatory requirements and the need for the EPA to review the regulations. ... Pruitt also announced that he is establishing the Ozone Cooperative Compliance Task

Force to develop the "additional flexibilities for states to comply with the ozone standard," the agency said. Congress gave EPA the authority to create the task force under the recently passed fiscal 2017 spending bill." ([The Washington Examiner](#), 06/06/17)

Trump Delays One Of The Most Expensive EPA Regulations Ever. "The Trump administration announced Tuesday evening it would delay the implementation of a smog rule that's been called one of the costliest clean air regulations ever." ([The Daily Caller](#), 06/07/17)

<!--[if !vml]--><image001.png><!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 4/30/2017 12:42:00 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Thank You & NASDA Follow-Up

I am out of the office Friday, April 28 . For urgent matters please call the NASDA office at (202) 296-9680.

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/6/2017 12:42:10 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Call with NASDa

Tate & Ken -- thank you both again for your outreach and follow-up on this request.

Here are some proposed dates for consideration through the end of this month. If at all possible, we try to schedule our member-wide calls later in the day to accommodate pacific time zones:

- May 10, 12, 16, 18, 19, 24, 25

If these dates don't work on your end, please put forward some alternatives, or we can look to June, if necessary.

Also, do you if this call will be with the Administrator, Office of Policy, or other senior leadership within EPA? Please don't hesitate to call at any time if you would like to talk through any of this -- many thanks!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, May 04, 2017 3:25 PM
To: Wagner, Kenneth
Cc: Dudley Hoskins
Subject: Call with NASDa

Ken-

Dudley isn't sure about a call for tomorrow (I know you know how tough scheduling time for state officials can be ☺). He's going to pitch some days and times very soon and likes the idea.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Sent: 6/30/2017 3:14:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Pesticides on tobacco

Hi, again! Just wanted to follow up from our call this morning. If you could provide me with a list of pesticides approved for tobacco crops it would be much appreciated.

Have a great 4th!



Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jun 30, 2017 at 8:39 AM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Good morning!

This is very helpful. Thank you! I just tried to call, but I think you might be on the other line. Could you give me a call when you have a chance?

Thanks,
Cassie Shirk

On Jun 30, 2017 8:20 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA regulates the use of pesticides on tobacco.

Because tobacco is not a food, we do not set tolerances (also known as maximum residue limits) for pesticide residues on tobacco; EPA's authority to set tolerances is provided by the Federal Food, Drug, and Cosmetic Act (FFDCA).

A nonfood use pesticide is a product that is permitted solely for use in pesticide applications to nonfood use sites. Examples of nonfood use sites include highway rights-of way, forestry, sewage lines, and ornamental plants.

Also, Dennis Howard leads the Pesticide Regulation Section at the Maryland Department of Agriculture and would be an additional resource.

On Jun 29, 2017, at 4:20 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

Also, could you please tell me what a "non food use products is?"

On Jun 29, 2017 4:08 PM, "Cassie Shirk -GOV-" <cassie.shirk@maryland.gov> wrote:

I just realized I addressed the email using you last name. Sorry!!

On Jun 29, 2017 4:04 PM, "Cassie Shirk -GOV-" <cassie.shirk@maryland.gov> wrote:
Hi, Bennett:

Thanks for taking my call earlier. Please let me know if the EPA regulates pesticide use on tobacco.

Thanks,
Cassie Shirk

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 4/29/2017 9:17:48 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Thank You & NASDA Follow-Up

Ken – wanted to supplement my below email by thanking you for all your direct outreach to the states.

Per our conversation after last week’s meeting, I wanted to share that a number of our members will be in DC during the week of the 15th for various trade meetings. I don’t know what their availability looks like right now, but I wanted to pass that along for your consideration in case you have time/interest and would like me to try to connect you with any of them while they are in town.

Just let me know and hope you all are having a great weekend – many thanks. - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

From: Dudley Hoskins
Sent: Saturday, April 29, 2017 5:02 PM
To: 'Bennett, Tate'
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea; Nathan Bowen; Britt Aasmundstad
Subject: Thank You & NASDA Follow-Up

Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.

NASDA will be submitting formal comments to the “Evaluation of Existing Regulations” docket by the May 15th deadline, but in the interim, I wanted to share the attached “NASDA Priorities” document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).

Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.

Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley

NASDA 2017 REGIONAL MEETINGS:

SASDA Annual Meeting
June 4-7
Nashville, TN
[Event Registration](#)

NEASDA Annual Meeting

June 12-15

Cooperstown, NY

([Hotel](#) | [Event Registration](#))

May 12: Deadline to book your hotel and receive the early-bird registration rate

Theresa.Sweeney@agriculture.ny.gov

MASDA Annual Meeting

June 19-22

Cleveland, OH

([Hotel](#) | [Event Registration](#))

May 22: Deadline to book your hotel and receive the early-bird registration rate

mark.bruce@agri.ohio.gov

WASDA Annual Meeting

July 23-28

Sun Valley, ID

([Hotel](#) | [Event Registration](#))

June 15: Deadline to book your hotel and receive the early-bird registration rate

laura.johnson@agri.idaho.gov

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Wednesday, April 26, 2017 4:40 PM

To: Bennett, Tate

Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea

Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Andrew D. Moore [admoore@agaviation.org]
Sent: 5/2/2017 7:54:48 PM
To: Dudley Hoskins [Dudley@nasda.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Andrew Bray [abray@pestworld.org]; Christian Rice [crice@agaviation.org]
Subject: RE: Introduction & DRAFT NASDA Statement on C&T

Hi StuDudley. Hi Tate, nice meeting you.

We weren't planning on sending out an NAAA press release but we were planning on including a request for a C & T extension in our comments to the administration's executive order inquiring about suggestions to mitigate/eliminate unnecessary, duplicative and burdensome regs (Executive Order (EO) 13777).

We'll let PPC Chairman Ethan Matthews know about inviting Tate and other members of her team to the next PPC meeting. It would be good to have them.

Thanks.
--Andrew--

Andrew D. Moore
Executive Director
National Agricultural Aviation Association
1440 Duke Street
Alexandria, VA 22314

Ex. 6 phn
202-546-5726-fax
admoore@agaviation.org
www.agaviation.org
Join Us on Facebook: www.facebook.com/NationalAgriculturalAviationAssociation



From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 02, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; Andrew D. Moore <admoore@agaviation.org>
Cc: Tate Bennett <bennett.tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 4/29/2017 9:02:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: Thank You & NASDA Follow-Up
Attachments: NASDA Priorities Trump Administration_04 27 2017.pdf; PPC_C&T.Letter_04.27.17.pdf

Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.

NASDA will be submitting formal comments to the “Evaluation of Existing Regulations” docket by the May 15th deadline, but in the interim, I wanted to share the attached “NASDA Priorities” document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).

Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.

Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley

NASDA 2017 REGIONAL MEETINGS:

SASDA Annual Meeting

June 4-7
Nashville, TN
[Event Registration](#)

NEASDA Annual Meeting

June 12-15
Cooperstown, NY
([Hotel](#) | [Event Registration](#))
May 12: Deadline to book your hotel and receive the early-bird registration rate
Theresa.Sweeney@agriculture.ny.gov

MASDA Annual Meeting

June 19-22
Cleveland, OH

(Hotel | Event Registration)

May 22: Deadline to book your hotel and receive the early-bird registration rate

mark.bruce@agri.ohio.gov

WASDA Annual Meeting

July 23-28

Sun Valley, ID

(Hotel | Event Registration)

June 15: Deadline to book your hotel and receive the early-bird registration rate

laura.johnson@agri.idaho.gov

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]

Sent: Wednesday, April 26, 2017 4:40 PM

To: Bennett, Tate

Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea

Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency



NASDA Priorities for the Trump Administration

April 27, 2017

Cooperative Federalism: NASDA encourages the Administration to continue its strong commitment to Cooperative Federalism—a robust partnership and role for states in federal policymaking.

- Consult NASDA and other state agency associations *early* in the regulatory processes and recognize the unique role of states as co-regulators and not simply stakeholders
- Increase flexibility for state program delivery, especially as alternatives to undue regulatory burdens on the regulated community
- Enhance resources for states, eliminating unfunded mandates, and ensuring that economic analyses more realistically account for economic costs to states
- Establish robust, regular dialogue between senior administration officials at key agencies (USDA, EPA, FDA, DOI, etc.) and NASDA members
- Advance regulatory reform to ensure the states' unique roles are respected and institutionalized

International Trade: New and existing bilateral and multilateral trade agreements, such as NAFTA and a much-needed Asia-Pacific trade agreement, are critically important for U.S. agriculture.

- The administration should conduct robust consultations with NASDA and other agriculture organizations on the future of NAFTA and other international trade priorities
- The administration should ensure we keep—and build upon—the gains agriculture has made under NAFTA as it works to modernize this vital agreement
- The administration should address Canada's revised milk pricing policy by urging Prime Minister Trudeau to ensure the Class 7 program be halted and ultra-filter milk imports from the U.S. be restored, and by making opening Canadian dairy market access a key priority in NAFTA discussions

Food Safety: Proper implementation of the Food Safety Modernization Act (FSMA) is critical. This requires FDA to cooperate with state and local regulatory agencies. It also requires long-term investments by the federal government into financial resources for states. FDA must get the rules right and address the following concerns:

- FDA should rewrite 21 CFR Section 112 Subpart E, Agriculture Water, in the Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption
- FDA should require all produce packing houses to adhere to the same standards, whether currently regulated under the Human Food rule (21 CFR 117) or the Produce Safety rule (21 CFR 112)
- FDA should exempt grade "A" milk and milk products covered by the PMO from 21 CFR 117
- FDA should establish a "dispute resolution" process between FDA and state food safety programs to assure agreement on best practices and methods to achieve compliance

Farm Bill: Agricultural producers, the rural economy, and communities of every size rely on a robust, forward looking, and fully funded Farm Bill.

- NASDA urges the administration to support crafting, in a timely manner, a new Farm Bill that is adequately funded and that provides farmers and ranchers important tools and new opportunities

Agricultural Workforce: American agriculture faces a critical shortage of labor that harms annual harvests, animal agriculture production and processing facilities. Farmers and ranchers need a framework that provides for a legal, reliable workforce that supports the industry and treats workers with respect

- Engage with NASDA and Agriculture to develop a long-term, viable solution to the agriculture labor shortage to keep producers competitive and maintain food safety

Addressing Other Regulatory Challenges:

Waters of the US:

- **We applaud the administration's efforts to begin rolling back and replacing the WOTUS rule**
- The agencies must continue to engage NASDA and other state/local government associations in **meaningful consultations** throughout the process. This process will help the Agency and Corps ensure the model of cooperative federalism envisioned by the Clean Water Act (CWA)
- Any new rule must codify definitions that are **legally defensible and identify clearly discernable characteristics** of WOTUS, based on statutory language and policy considerations. NASDA is ready to work with the agency to outline where state authorities protect clean water both within and outside the reach of the CWA's jurisdiction

Agricultural Worker Protection Standard (WPS) (40 CFR 170)

- NASDA requests EPA **immediately suspend all WPS** revised provisions (as published on November 2, 2015) and initiate a rulemaking to withdraw this misguided rule

Certification and Training of Pesticide Applicators (C&T) (40 CFR 171)

- Due to a number of logistical and resource challenges, NASDA requests EPA issue an **additional extension to the effective date** until EPA has:
 - Delivered adequate enforcement guidance, educational materials, and training resources to the states with adequate advanced timing;
 - Provided states the resources necessary to effectively implement the rule changes and assist the regulated community with compliance activities; and
 - Consulted with states and the regulated community to revisit and revise, at a minimum, the mandatory minimum age standard (§171.103(a)(1); 171.201(b); and 171.105(g)); and any other provisions that result in undue burdens without corresponding regulatory benefits

USDA-AMS: Organic Livestock and Poultry Practices (82 FR 7042)

- NASDA requests USDA **immediately and indefinitely suspend** the National Organic Programs' (NOP) Organic Livestock and Poultry Practices final rule (published on 01/19/17)
- NASDA requests USDA-AMS consult with APHIS-VS, FDA-CVM, state departments of agriculture, state animal health officials, and the regulated community to ensure any future NOP rulemaking is based on sound science and a current economic analysis based on sound methodology



PPC

PESTICIDE POLICY COALITION
A Coalition Working for Sound Pest Management Policies

April 27, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

The Pesticide Policy Coalition (“PPC” or the “Coalition”) appreciated the opportunity to comment on the Environmental Protection Agency’s (EPA’s) final rule *Pesticides: Certification of Pesticide Applicators* [EPA-HQ-OPP-2011-0183], which amends 40 CFR Part 171. As the Agency undertakes a review of existing burdensome and unnecessary policies, rules and regulations the PPC would like to: (1) highlight our general support for the *Pesticides: Certification of Pesticides Applicators* final rule; (2) request EPA take corrective action to rectify one specific provision related to a mandatory minimum age standard; and (3) request EPA issue an additional extension to the effective date until such time as our final requested revisions can be promulgated. To be clear, the Coalition endorses and supports procedures and regulations that ensure the proper certification and training of pesticide applicators.

About PPC

PPC is an organization that represents food, agriculture, forestry, pest management and related organizations that support transparent, fair and science-based regulation of pest management. PPC members include: nationwide and regional farm, commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators and distributors; pest- and vector-control operators and applicators; research organizations; state regulatory agencies; and other interested parties. PPC serves as a forum for the review, discussion, development and advocacy of pest management policies and issues important to its members.

As you are well aware, the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) delegates the authority to individual states to regulate, certify and train applicators using restricted use pesticides (RUPs). For approximately 40 years states implemented pesticide certification and training plans set forth in 40 CFR 171 and pesticide applicators have worked with state regulators to create certification and training standards in each state to ensure applicator competency. Approximately 15 years ago EPA began the process of modernizing the

national pesticide applicator competency standards resulting in a proposed *Pesticides: Certification of Pesticides Applicators* rule in August 2015.

PPC General Support for Final Certification Rule

The PPC greatly appreciated the significant improvements EPA made to the final Certification of Pesticide Applicators rule (40 CFR 171) published on January 4, 2017. As a Coalition, we had significant concerns with the proposed rule, which was flawed in many ways, but most specifically the rule proposed a new rigid set of standards that would have forced states to re-write their entire pesticide certification and training regulations; regulations that have been working for the past 40 years. The PPC and our individual members engaged the Agency with our concerns resulting in a very different and much improved *Pesticides: Certification of Pesticides Applicators* final rule. Due to the significant improvements EPA made to the final rule, the PPC requests the Agency not revoke this final rulemaking in its entirety, but instead make minor changes to facilitate promulgation of a perfected final rule.

PPC Request for Revision to Specific Provision

As the Agency examines the *Pesticides: Certification of Pesticides Applicators* rule, the Coalition requests EPA revise and amend the new mandatory minimum age standard for commercial RUP applicators at 18 years (provisions § 171.103(a)(1) and 171.105(g)). Prior to this rulemaking, individuals under the age of 18 were able to apply RUPs if they met certification and training requirements promulgated within their respective state. The age requirement would require numerous states to undertake the lengthy and costly process of amending state statutes through the state legislature and/or undertake a state regulatory public comment and rule change. The age requirement, like many other aspects of pesticide applicator certification and training standards should be a determination made by individual states and not a federally mandated requirement that will force states to amend their statutory authorities. We request that the Agency amend this narrow portion of the final rule, and the Coalition stands ready to assist EPA in addressing this specific revision.

PPC Request for Extension to the Effective Date

The Coalition greatly appreciated EPA issuing a “Delay of Effective Dates for Five Final Regulations” (FRL-9960-28-OP) published on March 20, 2017 to extend the effective date of the Certification of Pesticide Applicators rule to May 22, 2017. Due to a number of logistical and resource challenges states are facing across a range of pesticide-related program areas, the PPC requests EPA issue an additional extension to the effective date until the Agency has: (1) finalized and delivered adequate enforcement guidance, educational materials, and training resources to the states and the regulated community with adequate advanced timing; and (2) provided the states the tools and financial resources necessary to effectively implement the rule changes and assist the regulated community with compliance activities.

Conclusion

In conclusion, we can all agree requiring reasonable certification and training to ensure safe pesticide applications by competent pesticide applicators is necessary. As a Coalition, we

welcome and encourage opportunities to engage in a thoughtful dialogue with the Agency and our state regulator partners and we believe that is what was accomplished during the rule making process for the *Pesticides: Certification of Pesticides Applicators* rule. The rule is scheduled to go into effect on May 22, 2017; and we support moving forward with the implementation of the final rule (with revisions to the mandatory minimum age requirement) and with adequate resources allocated to support a successful implementation among the state regulatory agencies and the regulated community. The Coalition stands ready to work with Agency to protect human health and the environment while ensuring a predictable, transparent, and science-based regulatory framework is implemented.

Respectfully Submitted,



Ethan Mathews
Chair



Beau Greenwood
Vice Chair

Message

From: Adam Piper [apiper@ruleoflawdefensefund.org]
Sent: 6/6/2017 5:44:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: FW: Ozone letter
Attachments: AG Ozone Rule Comments.pdf

Tate -

FYI – attached is the original 2015 comment letter on the matter in case you need it.

-Adam

From: Greg Cairns [mailto:gcairns@republicanags.com]
Sent: Tuesday, June 6, 2017 1:32 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: Ozone letter

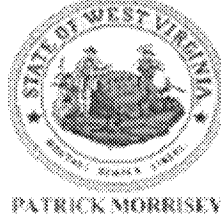
See attached. NE, OK, WV, AL, AR, Ga, KS, KY, LA, MT, ND, OH, SC, and WI.

OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA



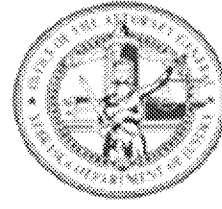
E. SCOTT FRUITT
ATTORNEY GENERAL

OFFICE OF ATTORNEY GENERAL
STATE OF WEST VIRGINIA



PATRICK MORRISEY
ATTORNEY GENERAL

OFFICE OF ATTORNEY GENERAL
STATE OF NEBRASKA



DOUG PETERSON
ATTORNEY GENERAL

March 17, 2015

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

Re: Comments of the States of Nebraska, Oklahoma, West Virginia, Alabama, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Montana, North Dakota, Ohio, South Carolina, and Wisconsin Concerning The Proposed Revision Of The Primary And Secondary National Ambient Air Quality Standard For Ozone (EPA-HQ-OAR-2008-0699)

Administrator McCarthy,

As the chief legal officers of our States, we write to express concern with the proposed rule issued by the United States Environmental Protection Agency ("EPA") which seeks to set the National Ambient Air Quality Standard for Ozone at a level which is unachievable. 79 Fed. Reg. 75234 (December 17, 2014) ("Proposed Rule").

EPA is conducting a review of its primary health-based and secondary welfare-based National Ambient Air Quality Standards ("NAAQS") for ground-level ozone ("O₃"). Presently, the 8-hour O₃ NAAQS is 0.075 parts per million ("ppm") based on a 3-year average of the annual fourth-highest daily maximum 8-hour average O₃ concentration. *See* 40 C.F.R. § 50.15. The Proposed Rule proposes to reduce both the primary and secondary O₃ NAAQS to somewhere between 0.065-0.070 ppm and seeks additional comment on 0.060 ppm. 79 Fed. Reg. at 75234.

As explained below, numerous aspects of the Proposed Rule render it unlawful and unachievable. EPA should withdraw the Proposed Rule and revisit the O₃ NAAQS to determine a level which bears a rational connection to the underlying science, accounts for the benefits to be achieved by other recently-promulgated regulations, and does not force states to regulate reductions in background levels.

Background

Section 109(b) of the Clean Air Act (“CAA”) directs the Administrator to promulgate NAAQS to limit the level of listed air pollutants, including O₃, in the ambient air. Primary NAAQS are limited to that required to protect the “public health” allowing for an “adequate of margin of safety” while secondary NAAQS are limited to a level which will protect the “public welfare” from “any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air.” 42 U.S.C. § 7409(b). Once the NAAQS are established, the States are responsible for implementation and enforcement. *See* 42 U.S.C. § 110(a)(1).

The “requisite” level for primary NAAQS is that which is “not lower or higher than necessary – to protect the public health with an adequate margin of safety....” *Whitman v. American Trucking Ass’ns*, 531 U.S. 457, 475-76 (2001). NAAQS are not required to be set at background levels, or eliminate all risk. *See Lead Indus. Ass’n v. EPA*, 647 F.2d 1130, 1156 n.51 (D.C. Cir. 1980).

NAAQS levels for any particular listed pollutant are based on “air quality criteria” prescribed to “accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air.” *Id.* at § 7408(a)(2). The air quality criteria and NAAQS are to be reviewed every five years and revised “as may be appropriate in accordance with” §§ 108 and 109(b). *Id.* at § 109(d)(1). In conducting the five-year NAAQS review process, the Clean Air Scientific Advisory Committee (“CASAC”) advises EPA of any adverse public health, welfare, social, economic, or energy effects which may result from various attainment strategies, noting where additional knowledge and research are necessary, analyzing the impacts of natural and anthropogenic contributions of air pollutants, and making recommendations for any revisions. *Id.* at § 109(d)(2). While the Supreme Court has held that EPA may not consider implementation costs when setting NAAQS, an explanation is to be set forth in any proposed NAAQS revisions to the extent EPA’s findings “differ[] in any important respect from any of [CASAC’s] recommendations.” *Whitman*, 531 U.S. at 486; 42 U.S.C. § 307(d)(3).

EPA originally promulgated NAAQS for O₃ in 1971. 36 Fed. Reg. 8186 (April 30, 1971). A second round of O₃ NAAQS were promulgated in 1979. 44 Fed. Reg. 8202 (February 8, 1979). The second round was eventually replaced in 1997 when EPA set the O₃ NAAQS at 0.08 ppm. 62 Fed. Reg. 38856 (July 18, 1997). The 1997 version of the O₃ NAAQS was challenged in, and upheld by, the D.C. Circuit in *American Trucking*. 175 F.3d 1027, 1033 (D.C. Cir. 1999), *rev’d sub nom Whitman v. American Trucking Ass’ns*, 531 U.S. 457 (2001); *Am Trucking Ass’ns v. EPA*, 283 F.3d 355 (D.C. Cir. 2002).

EPA lowered the level of both the primary and secondary O₃ NAAQS to 0.075 ppm in 2008. 73 Fed. Reg. 16436 (March 27, 2008). In September 2008, EPA began the current effort to further lower the primary and secondary O₃ NAAQS. 73 Fed. Reg. 56581 (September 29, 2008).

The Proposed Rule Will Cause Substantial Harm to the States

If EPA finalizes the proposed rule and revises the ozone NAAQS, many of the States will be forced to expend substantial public resources to comply. The States play a central role in the regulation of NAAQS, and with the promulgation of new NAAQS comes new challenges for the States. The Clean Air Act imposes on the States the duty to develop and submit state implementation plans (“SIPs”) within three years following the promulgation of a primary or secondary NAAQS. *See* 42 U.S.C. § 110(a)(1). The SIP governs how the State will implement, maintain, and enforce the new NAAQS in each air quality control region within its borders. *Id.*

The Proposed Rule revises the ozone NAAQS downward before the current 2008 standards have been fully implemented and assessed by the States. On March 6, 2015, EPA published a final rule for implementation of the 2008 O₃ NAAQS. 80 Fed. Reg. 12,264. This means the States are only now receiving the implementation tools needed to effectively and properly implement the 2008 NAAQS revision. Nonetheless, EPA proposes to move the marker further out, making attainment and maintenance all the more difficult to achieve.

In addition, as numerous stakeholders have more fully explained, the Proposed Rule will have a dramatic negative effect on the economic growth in the States, saddling increasingly heavy compliance costs on job creators—particularly in the manufacturing and industrial sectors. Thus, if promulgated, the Proposed Rule will hamper the creation and preservation of good-paying jobs in the States and quicken the movement of such jobs overseas. As a result, the States will be left to deal with increasing unemployment and more Americans leaving the workforce altogether. The increasing pressure on the already-strained social safety net, combined in many States with a decrease in tax revenue from the depression in economic activity, makes this Proposed Rule a disaster for the States and their citizens.

The Proposed Rule is Illegal

The lower standards in the Proposed Rule are not supported by the scientific evidence, and thus the Proposed Rule is arbitrary and capricious. Under the APA, “the agency must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made. . . .” *Motor Vehicle Mfr’s Ass’n of the United States, Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983). Specifically, a rule is arbitrary and capricious where the agency “offered an explanation for its decision that runs counter to the evidence before the agency.” *Id.*

As noted, the Clean Air Act requires EPA to set primary NAAQS at a level “requisite to protect the public health” with “an adequate margin of safety,” and secondary standards at a level “requisite to protect the public welfare from any known or anticipated adverse effects. . . .” 42 U.S.C. § 7409(b). EPA has not demonstrated that lower levels in the Proposed Rule are “requisite to protect the public health,” given the already stringent requirements the agency set in

2008. *Id.* EPA itself has acknowledged that there are no human clinical studies demonstrating a “combination of statistically significant increases in respiratory symptoms and decrements of lung function” at levels below 0.072 ppm, and the agency observed that the best evidence regarding ozone’s effects in healthy subjects is based on ozone exposures at 0.080 ppm and above. 79 Fed. Reg. at 75,304.

Accordingly, a decision by EPA to set lower standards would not be based upon a “rational connection between the facts found and the choice made.” *Kisser v. Cisneros*, 14 F.3d 615, 619 (D.C. Cir. 1994) (quoting *Bowman Transp. v. Arkansas-Best Freight Sys.*, 419 U.S. 281, 285 (1974)); see also *A.L. Pharma, Inc. v. Shalala*, 62 F.3d 1484, 1491 (D.C. Cir. 1995) (“an agency must cogently explain why it has exercised its discretion in a given manner,” and that explanation must be “sufficient to enable us to conclude that the agency’s action was the product of reasoned decisionmaking” (quoting *State Farm*, 463 U.S. at 48, 52 (alterations omitted))). To the contrary, that decision would “run[] counter to the evidence before the agency.” *State Farm*, 463 U.S. at 43.

The standards in the Proposed Rule are not achievable because they fail to adequately consider background concentrations. When drafting the NAAQS provisions of the CAA, Congress noted that the standards should not be set at a level which would be unachievable. See H.R. Rep. No. 294, 95th Cong., 1st Sess. 127 (1977). While Congress could have permitted EPA to set NAAQS at a level low enough that all risk to health and welfare would be eliminated, Congress rejected this approach because such a “no-risk philosophy ignores all economic and social consequences and is impractical.” *Id.* Instead, Congress directed that NAAQS are to be set only at the “requisite” level, which the Supreme Court has interpreted as “not lower or higher than necessary – to protect the public health with an adequate margin of safety. . . .” *Whitman v. Am. Trucking Ass’ns*, 531 U.S. 457, 475-76 (2001).

In the 2008 rulemaking that resulted in the downward adjustment of the O₃ NAAQS from 0.08 ppm to 0.075 ppm, EPA explained that “a 0.07 standard would be closer to peak background levels that infrequently occur in some areas due to nonanthropogenic sources of O₃ precursors, and thus more likely to be inappropriately targeted in some areas on such sources.” 62 Fed. Reg. at 38,868. In that same rulemaking, the CASAC argued that the standard should not set below 0.08 ppm. See *Whitman v. Am. Trucking Ass’ns*, 175 F.3d 1027, 1035 (D.C. Cir. 1999), *rev’d sub nom Whitman*, 531 U.S. 457. The D.C. Circuit recognized that it “may well be a sound reading of the statute” to say that “given the national character of the NAAQS, it is inappropriate to set a standard below a level that can be achieved throughout the country without action affirmatively extracting chemicals from nature.” 175 F.3d at 1036.

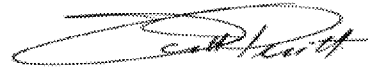
In the present rulemaking, however, EPA proposes a range from 0.065 through 0.070 ppm. 79 Fed. Reg. 75234. These proposals are too close to background levels to make any such reductions achievable. For example, the State of Nebraska reports peak background levels of up to 0.068 ppm. Any further reduction to the current O₃ NAAQS level of 0.075 would essentially require Nebraska to eliminate all risk presented by anthropogenic emissions, if not affirmatively extract naturally occurring precursors. Such a requirement is contrary to reasoned decision-making and is thus arbitrary and capricious. *State Farm*, 463 U.S. at 43, 52.

The Proposed Rule is also unlawful because it fails to adequately consider the multiple other programs undertaken by EPA to address the problem that this proposal intends to address. The Supreme Court has long said that a rule is arbitrary and capricious where the agency that promulgated it “entirely failed to consider an important aspect of the problem.” *State Farm*, 463 U.S. at 43. Here—before forcing the States and the job creating industries to expend significant resources in additional pollution control technology—EPA should have examined the air quality impact of several existing or impending regulatory programs. Among these, EPA failed to adequately consider the Mercury and Air Toxics Standards, the Regional Haze Program, the Cross-State Air Pollution Rule, and the Motor Vehicle Emission and Fuel Standards, among others. Although these other programs may also suffer from a variety legal and other problems, EPA was still required to assess the impact of these programs on the ozone problem targeted by the Proposed Rule. By failing to do so, EPA “entirely failed to consider an important aspect of the problem.” *State Farm*, 463 U.S. at 43. Moreover, EPA acknowledged its “Overview” of the proposed rule, that its own “projections show the vast majority of U.S. counties with monitors would meet the proposed standards by 2025 just with the rules and programs now in place or underway.” The proposed ozone standard can hardly be considered “requisite”, i.e. not more or less than necessary, if the same result will occur regardless of its promulgation.

Respectfully,



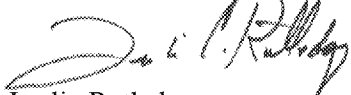
Douglas Peterson
Nebraska Attorney General



Scott Pruitt
Oklahoma Attorney General



Patrick Morrisey
West Virginia Attorney General



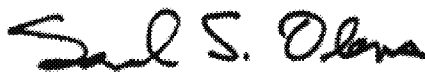
Leslie Rutledge
Arkansas Attorney General



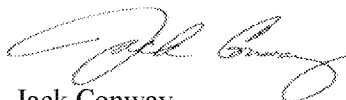
Luther Strange
Alabama Attorney General



Derek Schmidt
Kansas Attorney General



Sam Olens
Georgia Attorney General



Jack Conway
Kentucky Attorney General



James “Buddy” Caldwell
Louisiana Attorney General



Tim Fox
Montana Attorney General



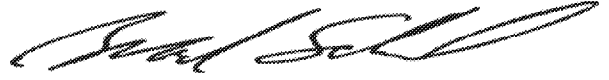
Wayne Stenehjem
North Dakota Attorney General



Mike DeWine
Ohio Attorney General



Alan Wilson
South Carolina Attorney General



Brad D. Schimel
Wisconsin Attorney General

From: Washington Ag Communicators [fpurcell@croplifeamerica.org]
Sent: 6/8/2017 2:32:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RSVP today! Washington Ag Communicators Networking Reception

[View in browser](#)



YOU'RE INVITED TO A
**PROFESSIONAL
MEET & GREET**
HOSTED BY THE
WASHINGTON AG COMMUNICATORS

DATE: JUNE 14
TIME: 5:30PM - 7:30PM
VENUE: CAPITOL VISITOR CENTER
ROOM SVC 209-08

LIGHT BITES AND BEVERAGES PROVIDED
MUST RSVP TO ATTEND

All communications staffers are invited to join D.C. agriculture communicators for an evening of networking, food and drink! Leave the

policy at the office and come to find out where to find resources when constituents reach out to you with agriculture related questions. Event is invite only.

Please respond by clicking **Yes** or **No**. We look forward to your response!

Your hosts:

CropLife America
National Milk Producers Federation
The Fertilizer Institute
National Corn Growers Association
Farm Credit Council
International Dairy Foods Association
American Frozen Food Institute
White House Writers Group
BIO
Ducks Unlimited
United Egg Producers
American Seed Trade Association
Food Marketing Institute
American Farm Bureau Federation
Agriculture Retailers Association
Crop Insurance and Reinsurance Bureau (CIRB)
National Association of Wheat Growers
USA Rice
American Soybean Association
Farm Journal Foundation
Look East Communications
National Cotton Council

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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 6/2/2017 3:47:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Andrew_Vlasaty@ag.senate.gov
Subject: RE: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Thank you Tate!!!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 02, 2017 11:37 AM
To: Andrew_Vlasaty@ag.senate.gov; Dudley Hoskins
Subject: Fwd: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Begin forwarded message:

From: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Date: June 2, 2017 at 11:15:40 AM EDT
Subject: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Today EPA published a delay of the effective date for the Certification of Pesticide Applicators final rule. This action delays the effective date from June 5, 2017, to May 22, 2018 (FR notice attached). Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 4/4/2017 10:15:33 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Thanks

Tommy, I second Tate – thank you so much for your time. Just wanted to ask a couple more follow up questions about press logistics. Can you send a photo of what the locker room looks like? Also, what information do you need from press in order to gain access to the facility?

Feel free to give me a call if it's easier to chat. My cell is Ex. 6

Many thanks,
Amy

From: Bennett, Tate
Sent: Tuesday, April 4, 2017 5:26 PM
To: Johnson, Tommy <TommyJohnson@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

Message

From: Andrew Bray [abray@pestworld.org]
Sent: 5/2/2017 4:24:07 PM
To: Dudley Hoskins [Dudley@nasda.org]; admoore@agaviation.org
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Introduction & DRAFT NASDA Statement on C&T

Dudley,

Thank you for providing the press release and the introduction to Tate. We generally don't do a lot of press releases but we do send out alerts to our members and trade publications, which we would certainly do when extended.

As for PPC I'll certainly forward Tate's information to Ethan, Beau and Tom as a recommended speaker.

Thanks,

Andrew

Andrew Bray

Vice President of Public Policy
National Pest Management Association
10460 North Street Fairfax, VA 22030
(703) 352-6762 Main Office
Ex. 6 Direct
abray@pestworld.org



From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 02, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; admoore@agaviation.org
Cc: Tate Bennett <bennett.tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Sent: 5/5/2017 5:53:02 PM
To: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
CC: Johnson, Julia B. EOP/WHO [Ex. 6]; Tiffany Waddell -GOV- [tiffany.waddell@maryland.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Call with EPA Administrator Pruitt

Thanks, Doug!



Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Fri, May 5, 2017 at 1:47 PM, Hoelscher, Douglas L. EOP/WHO [Ex. 6] wrote:

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate -- can you please take coordination from here?

*Julia -- please log.

Thanks,

Doug

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Friday, May 5, 2017 1:46 PM
To: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
Cc: Johnson, Julia B. EOP/WHO [Ex. 6]; Tiffany Waddell -GOV-

<tiffany.waddell@maryland.gov>

Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel



Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

Message

From: Smith, Zachery [ZacherySmith@cnxlp.com]
Sent: 4/11/2017 9:50:47 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Team Harvey Mine meet Lincoln

Thanks Lincoln. Here's some general facts on the complex, operations, and employees. Employees will obviously be in attendance, as well as numerous contractors/suppliers from the region.

Don't hesitate to reach out with any questions.

Thanks,

Zach

Ex. 6

Facts on operations and background info:

- CNX Coal Resources operates the mining complex.

-Over 1,500 direct employees and hundreds of other contract workers at the 3 mines (Bailey, Harvey, Enlow Fork) in Greene and Washington Counties.

-In Greene County, we're the 3rd largest employer in the county and our contractors are 4th largest...

-Workforce lives largely in Southwest PA, as well as Northern West Virginia, Eastern Ohio.

- The complex is larger than the island of Manhattan. It is the largest producing underground coal mining operations in North America.

-24.7 MM tons production in 2016 (capacity of 28MM tons)
-almost half of all coal production in PA

-Thermal & high-volatility metallurgical coal shipped domestically for electric generation, and a portion overseas through our Baltimore Export Terminal.

-The Bailey Complex has been in operation for 32 years

-Invested over \$2 billion dollars in the complex since 2006, so we are built to be a low cost producer, well positioned with dual rail access and proximity to markets, built to compete in the future.

<http://www.cnxlp.com/operations>

From: Ferguson, Lincoln [mailto:ferguson.lincoln@epa.gov]
Sent: Tuesday, April 11, 2017 4:08 PM
To: Johnson, Tommy; Smith, Zachery
Cc: Bennett, Tate
Subject: RE: Team Harvey Mine meet Lincoln

Thanks for the introduction, Tate!

Looking forward to seeing you all on Thursday. As I prepare the Administrator's remarks I want to ensure he is able to engage with the miners about what is important to them. If you have stats available, that would be extremely helpful...these can be the number of people employed...amount of coal that is mined each year...information that will help the Administrator become familiar with Harvey mine.

Thanks in advance,
Lincoln

Lincoln Ferguson
Office of Public Affairs

Ex. 6

U.S. EPA

From: Bennett, Tate
Sent: Tuesday, April 11, 2017 4:00 PM
To: Johnson, Tommy <TommyJohnson@consolenergy.com>; Smith, Zachery <ZacherySmith@cnxlp.com>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Team Harvey Mine meet Lincoln

He is the speechwriter for Admin. Pruitt and has some site specific questions r.e. level employment, etc. at Harvey mine. Lincoln, Tommy and Zach are your guys on this!

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/2/2017 3:27:30 PM
To: Andrew Bray [abray@pestworld.org]; admoore@agaviation.org
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Introduction & DRAFT NASDA Statement on C&T
Attachments: CTRule_05012017.pdf; ATT00001.htm; CTRule_05012017.docx; ATT00002.htm

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
May XX, 2017

NASDA Commends EPA for Extending Timeline on Certification of Pesticide Applicators

Following the U.S. Environmental Protection Agency's (EPA) announcement today of their 18-month extension of implementation of the Certification of Pesticide Applicators rule changes, NASDA CEO Dr. Barbara P. Glenn issued the following statement:

"We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities."

NASDA's comments on EPA's proposed rule can be found [here](#). NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. NASDA grows and enhances agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. Learn more about NASDA at www.nasda.org.

###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

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Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/2/2017 3:19:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: For Review: DRAFT NASDA Statement on C&T
Attachments: CTRule_05012017.pdf; ATT00001.htm; CTRule_05012017.docx; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

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Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

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Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

FOR IMMEDIATE RELEASE
May XX, 2017

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###



National Association of State Departments of Agriculture
4350 North Fairfax Drive
#910
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/10/2018 2:12:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: can you give me a call whenever you have a chance?

Thanks!

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North
Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Andrew Walmsley [andreww@fb.org]
Sent: 6/15/2018 10:15:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

Great! Hope you have a wonderful weekend!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone:
Cell:
andreww@fb.org

On Jun 15, 2018 3:12 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
FYI. Steve was great!

From: Block, Molly
Sent: Friday, June 15, 2018 3:08 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

Talks WOTUS, Water Infrastructure, and Superfund Program

Omaha, NE (June 14, 2018) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Omaha's Missouri River Wastewater Treatment Plant and met with state and local leaders to see first-hand how Omaha is working to overcome water infrastructure challenges. He also announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site and met with farmers to announce the Agency's next step on the "Waters of the United States" (WOTUS) rule.

"Coming to Nebraska and hearing directly from the voices that have been forgotten for so long is critical to how we make decisions at the Agency," said EPA Administrator Scott Pruitt. **"From making progress with respect to Superfund sites to directly engaging stakeholders on the Renewable Fuel Standard, we are working**

tirelessly to provide the regulatory clarity that President Trump promised and the American people deserve.”

Administrator Pruitt attended a roundtable with the Mayor of Omaha Jean Stothert, Nebraska Department of Environmental Quality (NDEQ) Director Jim Macy, city council members, and other local and state officials, including EPA Region 7 Administrator Jim Gulliford. The discussion was largely focused on the Water Infrastructure Finance and Innovation Act (WIFIA) and the upcoming loan approval that the City of Omaha will be receiving from EPA. Administrator Pruitt had the opportunity to tour the Missouri River Wastewater Treatment Plant prior to his discussion.

In addition to the water discussions, Administrator Pruitt announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site. The city, working with EPA and NDEQ, has reduced childhood blood lead levels from 25% of those tested in 1998 to less than 1% of those tested in 2017. To date, EPA has cleaned up more than 13,000 properties. The city recently signed an agreement with EPA to manage the cleanup of the remaining 900 properties.

“We work cooperatively with the EPA on many important projects. Today, I shared our plans for the Omaha Riverfront Revitalization project, which includes Lewis and Clark Landing, a former Superfund site,” said Mayor of Omaha Jean Stothert. **“The work we are doing can be shared with other cities to redevelop these sites for new public use.”**

“This is the first time I’ve been able to pick up the phone and call EPA staff directly and elevate issues that need resolving. We thank Administrator Pruitt and his team for the cooperation as we work to achieve positive environmental outcomes for Nebraska,” said NDEQ Director Jim Macy.

Administrator Pruitt also visited Green Plains Inc. and spoke with 150 employees about the importance of cooperative federalism, especially regarding the Renewable Fuel Standard (RFS). He met with Todd Becker, Chief Executive Officer (CEO), and other members of Green Plains’ leadership team, where they had a constructive dialogue to discuss potential solutions and a path forward.

“We appreciate Administrator Pruitt taking the time to visit and learn more about the challenges facing the ethanol industry and the broader agriculture community. We will continue to work toward solutions that allow for greater ethanol market access in line with the President’s commitment to rural America,” said Green Plains Inc. CEO Todd Becker.

Finally, Administrator Pruitt joined Governor Pete Ricketts (R-NE) and members of the Common Sense Nebraska Coalition to announce an update on WOTUS, RFS, and other issues that EPA can help to provide regulatory certainty for farmers and ranchers across Nebraska and the country. In their effort to provide certainty to farmers and

landowners, tomorrow EPA and the U.S. Army Corps of Engineers will be announcing the next step on the WOTUS rulemaking.

“Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back the job-killing WOTUS regulation,” said Governor Ricketts. **“Today’s announcement is the next step toward returning common sense to federal oversight of intra-state waterways. Removing this threat to our state’s top job creators gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.”**

Background on WIFIA Loan:

The City of Omaha applied for a \$55 million loan from the Water Infrastructure Finance and Innovation Act to help fund a \$113 million project to relieve water quality concerns in the Papillion Creek and Missouri River. The project will halt the discharge of up to 1.2 billion gallons of combined sewer water flowing into the Little Papillion Creek each year. Omaha has undertaken more than 60 projects to address combined sewer overflows during the past decade. This project will also remove floatables and other solids from combined sewer overflows. It will be located just south of UNO’s Baxter Arena.

The Saddle Creek project is only one of over 60 projects that the City has undertaken to address Combined Sewer Overflows associated with combined sewers throughout the City over the past decade. This includes ongoing upgrades at Omaha’s largest wastewater treatment plant along the Missouri River, sewer separations throughout the City, and improvements to parks to reduce the volume of water that reaches sewers.

Background on Omaha Lead Superfund Site:

EPA Region 7 completed the EPA-lead portion of the remedial action on December 29, 2015. The City of Omaha and the Douglas County Health Department will be performing the remaining field work. As of December 29, 2015, EPA collected soil samples from 42,047 properties. Based on the soil sampling results, 14,019 properties were eligible for soil remediation. The EPA remediated lead contaminated soil at 13,090 properties (93 percent) of the properties that were eligible for remediation.

EPA completed Cooperative Agreements with the City of Omaha and the Douglas County Health Department that provide funds to allow these local government agencies to continue efforts to obtain access to the remaining properties and conduct sampling and remediation activities at those properties where they obtain access. In accordance with EPA’s closeout procedures for National Priorities List sites, the current partial will partially delete 101 properties from this site.

.....



Green Plains CEO Todd Becker introduces EPA Administrator Scott Pruitt to employees.

Administrator Pruitt addresses Green Plains employees in Omaha.



Administrator Pruitt holds a dialogue with Green Plains' leadership team.

Visit The EPA's
Newroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)



Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 5/2/2017 2:09:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Thank You & NASDA Follow-Up

I am out of the office this week on work travel, so my response may be delayed. I will return to the office Monday, May 8th. Please contact nathan@nasda.org or call 202-296-9680 if you need anything.

Thank you!

Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 5/9/2017 7:49:03 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: NASDA Witness (Gary Black): Testimony

Dudley:

That is fantastic...thanks for sharing

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

On May 9, 2017, at 11:48 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

Wanted to share our member's written testimony for Sen Ag Comm hearing on Pesticides (PRIA) this Thur.

Sent from my iPhone

Begin forwarded message:

<Senate_Ag_Pesticides_Testimony_Black_05_08_17.FINAL.pdf>

Message

From: Nathan Bowen [Nathan@nasda.org]
Sent: 6/14/2018 6:35:08 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE:

Hi Tate, just tried giving you a ring. In case you hate listening to voicemails as much as I do, thought I'd just ping you here.

I'm at Ex. 6 I'll be in and out of meetings between 3 and 4:30, but can talk before or after that time (or sneak a call to you in between meetings).

Nathan Bowen
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 14, 2018 1:59 PM
To: Nathan Bowen <Nathan@nasda.org>
Subject:

Do you mind giving me a shout when you are free? 202-329-3948

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 3/31/2017 9:00:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: April 12th...

I am free rest of tonight.

Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I can call at 2:45...

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 1:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: April 12th...

Before 200. Or after 400.

Let me know. Use cell phone

Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

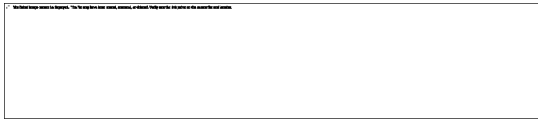
From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6



:: www.consolenergy.com ::

From: Mullins, Jerry [<mailto:jmullins@nma.org>]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Phone: (202) 463-2600
Direct: (202) 463-2622
jmullins@nma.org

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"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."

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use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."



From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/10/2017 10:04:19 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Briden, Parker [parker.briden@governor.mo.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, Eli]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: Pesticide Applicator Announcement

Got it -- thanks!

Sent from my iPhone

On May 10, 2017, at 5:47 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi all – Below is the draft release we are planning to send tomorrow morning. Please let me know if you have any edits or questions about the announcement. We will copy you on the final release once it goes out and you are welcome to repurpose this for your press lists.

Thank you,
Amy – 202-564-4464

EPA Extends Timeline for Pesticide Applicators Rule

WASHINGTON – U.S. Environmental Protection Agency Administrator Scott Pruitt today announced an 18-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule. EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule. The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

“In order to achieve both environmental protection and economic prosperity, we must give the regulated community, which includes farmers and ranchers, adequate time to come into compliance with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule’s intended benefits,” **said Administrator Pruitt.**

Last month, Administrator Pruitt met with Missouri Governor Eric Greitens to discuss the C&T rule, among other issues.

"Administrator Pruitt proved today that the old way of doing business at the EPA is over and done with. We presented them with a problem, and they took quick action to begin fixing it. Missouri farmers have waited a long time for common sense government, and now it's on its way. I'm grateful for this new leadership, and look forward to continuing to work with this

administration to curb regulations that are killing jobs and hurting our farmers. It's time for government to get out of the way and let our farmers farm," **said Governor Greitens.**

"We greatly appreciate EPA extending the effective date of this rule. While we are supportive of the improved final rule released in January, States are facing a range of on-going logistical, resource, and capacity challenges. These challenges are amplified as they also implement other recent EPA requirements, such as the Worker Protection Standard. Extending the certification timeline will help alleviate some of those challenges by allowing states to work with our EPA partners to ensure adequate training resources and compliance assistance activities," **said Dr. Barbara P. Glenn, CEO of the National Association of State Departments of Agriculture.**

Administrator Pruitt recently launched his *Back-to-Basics agenda* for returning EPA to its core mission: protecting the environment by engaging with state, local, and tribal partners to create sensible regulations that enhance economic growth. Today's action is the latest evidence of Administrator Pruitt's commitment to cooperative federalism and getting the EPA back to basics.

###

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/15/2017 5:41:36 PM
To: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Nathan Bowen [Nathan@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Yes, that works great!

Will look forward to seeing you all Thur. morning.

Please let me know if you have any questions or would like to touch base on any points before hand (my cell:

Ex. 6

Ex. 6

Many thanks!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

From: Nitsch, Chad [mailto:Nitsch.Chad@epa.gov]
Sent: Monday, May 15, 2017 1:01 PM
To: Dudley Hoskins
Cc: Nathan Bowen; Wagner, Kenneth; Bennett, Tate; Cheatham-Strickland, Latonia
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Dudley,

Ken and Tate are both available to meet at EPA. Does 9-10 still work on Thursday?

Thank you,

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Friday, May 12, 2017 4:00 PM
To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

I should be free. Not sure of Ken's calendar off the top of the head.

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]

Sent: Friday, May 12, 2017 3:57 PM

To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Nathan Bowen <Nathan@nasda.org>

Subject: Potential Meeting Coordination: NASDA Executive Comm Members

Ken & Tate – hope all is well on your ends.

I wanted to send a quick note to gauge your interest/availability to meet with a few of our Executive Committee members who will be in town next Thursday (18th)?

It looks like the only time we have available will be between 9:00 – 10:00 AM, but I wanted to send this note to check in on potential coordination, schedules permitting.

NASDA Members in town next week:

- President : Commissioner Michael Strain, Louisiana Department of Agriculture & Forestry;
- Vice President : Commissioner Steven Reviczky, Connecticut Department of Agriculture;
- Second Vice President : Secretary/Director Jeff Witte, New Mexico Department of Agriculture; and
- Secretary-Treasurer: Secretary Jamie Clover Adams, Michigan Department of Agriculture.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) [Ex. 6](tel:2022969680) • www.nasda.org

Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 4/26/2017 8:55:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]
Subject: Re: Thanks! [WARNING: SPF validation failed]

Thanks so much Tate.

Will have some additional follow-ups shortly. Can't thank you all enough for your collective time and leadership across so many issue areas.

More soon & many thanks. - dudley

Sent from my iPhone

On Apr 26, 2017, at 4:40 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Nitsch, Chad [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1D117EB89FF410FB6CCD21643B34447-CNITSCH]
Sent: 5/18/2017 12:49:10 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: Re: NASDA Agenda & Additional Reference Materials (Meeting Thur @ 9:00 AM)

Thanks for the heads up!

Chad Nitsch
State and Regional Partnerships | Environmental Protection Agency
202-564-4714

On May 18, 2017, at 8:48 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

My apologies but some of our group is still at USDA and running a few minutes late. Will send another note as soon as we have a better sense of arrival time.

Sent from my iPhone

On May 17, 2017, at 10:48 AM, Nitsch, Chad <Nitsch.Chad@epa.gov> wrote:

Thanks for the agenda and background materials Dudley. I'll print hard copies for Ken, Tate, and Jack.

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]
Sent: Wednesday, May 17, 2017 10:15 AM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Cheatham-Strickland, Latonia <Cheatham-Strickland.Latonia@epa.gov>
Subject: NASDA Agenda & Additional Reference Materials (Meeting Thur @ 9:00 AM)

Please see the attached "draft" agenda we are asking our Exec Comm members to work off of for tomorrow's meeting.

Also attaching:

1. <!--[if !supportLists]--><!--[endif]-->NASDA EPA Reg Reform comments (submitted to the docket this past Monday) – includes additional context on Certification of Pesticide Applicators rule and Worker Protection Standard;

2. <!--[if !supportLists]--><!--[endif]-->NASDA member testimony (Senate Ag Hearing on Pesticides & PRIA); and
3. <!--[if !supportLists]--><!--[endif]-->Full list of NASDA attendees.

Please let me know if you have any questions or would like to touch base at any time. My cell Ex. 6

Many thanks again for your time, partnership, and leadership across the board – looking forward to seeing you all tomorrow morning. - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**

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www.nasda.org

From: Nitsch, Chad [<mailto:Nitsch.Chad@epa.gov>]

Sent: Monday, May 15, 2017 1:01 PM

To: Dudley Hoskins

Cc: Nathan Bowen; Wagner, Kenneth; Bennett, Tate; Cheatham-Strickland, Latonia

Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

Dudley,

Ken and Tate are both available to meet at EPA. Does 9-10 still work on Thursday?

Thank you,

Chad Nitsch
State and Regional Partnerships | Office of the Administrator
Environmental Protection Agency
202-564-4714

From: Bennett, Tate

Sent: Friday, May 12, 2017 4:00 PM

To: Dudley Hoskins <Dudley@nasda.org>; Wagner, Kenneth <wagner.kenneth@epa.gov>

Cc: Nathan Bowen <Nathan@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>

Subject: RE: Potential Meeting Coordination: NASDA Executive Comm Members

I should be free. Not sure of Ken's calendar off the top of the head.

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]

Sent: Friday, May 12, 2017 3:57 PM

To: Wagner, Kenneth <wagner.kenneth@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Nathan Bowen <Nathan@nasda.org>

Subject: Potential Meeting Coordination: NASDA Executive Comm Members

Ken & Tate – hope all is well on your ends.

I wanted to send a quick note to gauge your interest/availability to meet with a few of our Executive Committee members who will be in town next Thursday (18th)?

It looks like the only time we have available will be between 9:00 – 10:00 AM, but I wanted to send this note to check in on potential coordination, schedules permitting.

NASDA Members in town next week:

- President : Commissioner Michael Strain, Louisiana Department of Agriculture & Forestry;
- Vice President : Commissioner Steven Reviczky, Connecticut Department of Agriculture;
- Second Vice President : Secretary/Director Jeff Witte, New Mexico Department of Agriculture; and
- Secretary-Treasurer: Secretary Jamie Clover Adams, Michigan Department of Agriculture.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**

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www.nasda.org

Message

From: Britt Aasmundstad [britt@nasda.org]
Sent: 6/14/2018 5:58:19 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Automatic reply: Give me a shout when you can

Hello,

I am out of the office for personal and work travel. My response may be delayed. Please contact nathan@nasda.org if you need anything. Thank you!

Britt

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/9/2018 7:41:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Per your request

thx

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, August 9, 2018 3:41 PM
To: Paul Schlegel <pauls@fb.org>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Per your request

Working on a formal desk statement.

“EPA is reviewing the decision. The Columbia Center’s data underlying the Court’s assumptions remains inaccessible and has hindered the Agency’s ongoing process to fully evaluate the pesticide using the best available, transparent science.” – EPA Spokesperson Michael Abboud

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/13/2018 6:36:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NBCC's 26th Annual Conference

June 13, 2018

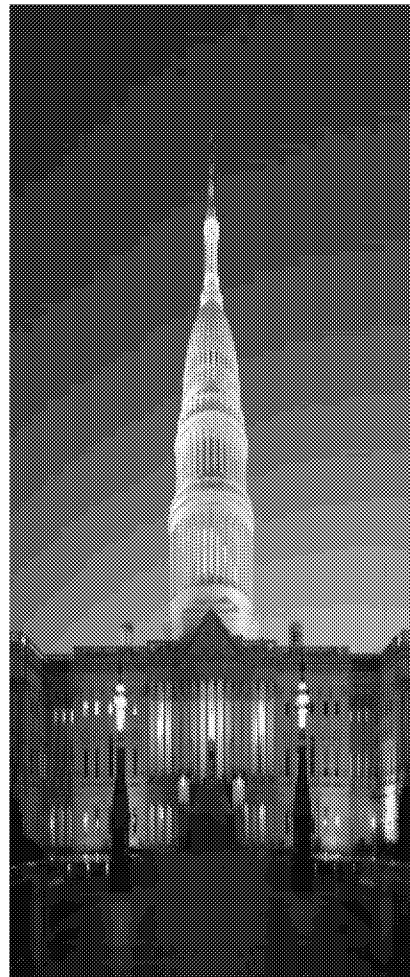
NBCC | National
Black
Chamber of Commerce®

***A More Dynamic Economy: HOW TO TRANSFORM OUR ANALOGUE
ECONOMY WITH 21ST CENTURY SOLUTIONS***

***IT IS TIME TO REGISTER FOR THE 26TH ANNUAL
CONFERENCE – JULY 19 – 21, 2018***

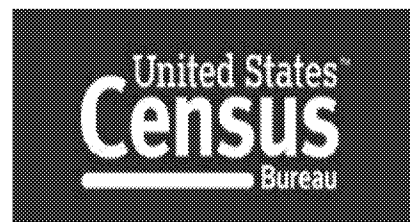
****JOIN OVER 250 OF OUR FAVORITE FRIENDS COMING FROM
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****IT WILL BE HELD IN WASHINGTON,
DC ON CAPITOL HILL (US SENATE
HART BUILDING & THE 20 F STREET
CONFERENCE CENTER)***

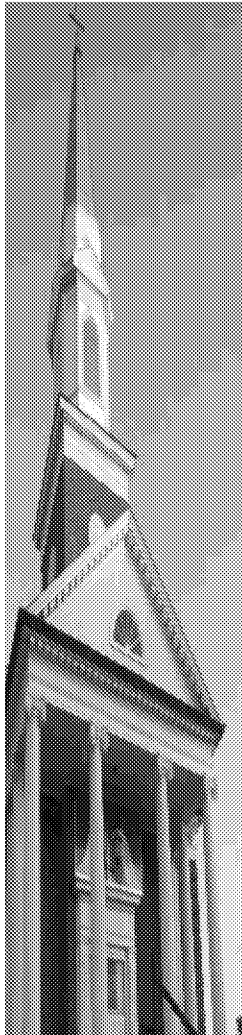


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WRITING A DYNAMITE BUSINESS
PLAN***



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BOARD MEMBERS***



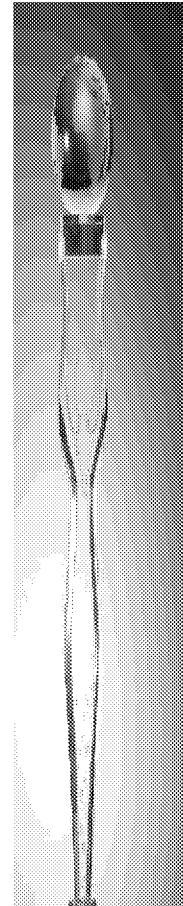
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MITCHELL AWARD, CHAMBER OF THE YEAR, NBCC
MEMBER (BUSINESS) OF THE YEAR?***



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REFERRALS.***



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

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National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe \[bennett.tate@epa.gov\]\(mailto:bennett.tate@epa.gov\)](mailto:bennett.tate@epa.gov)

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Dudley Hoskins [Dudley@nasda.org]
Sent: 5/9/2017 5:47:51 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Fwd: NASDA Witness (Gary Black): Testimony
Attachments: Senate Ag_Pesticides_Testimony_Black_05_08_17.FINAL.pdf; ATT00001.htm

Wanted to share our member's written testimony for Sen Ag Comm hearing on Pesticides (PRIA) this Thur.

Sent from my iPhone

Begin forwarded message:

**Testimony of
The Honorable Gary W. Black, Commissioner of Agriculture, State of Georgia
On behalf of the National Association of State Departments of Agriculture**

**As submitted to the U.S. Senate Committee on Agriculture, Nutrition, and
Forestry Public Hearing on Pesticide Registration under the Federal Insecticide,
Fungicide, and Rodenticide Act: Providing Stakeholders with Certainty through
the Pesticide Registration Improvement Act.**

**May 11, 2017
328A Russell Senate Office Building**

Chairman Roberts, Ranking Member Stabenow, and distinguished members of the Committee, thank you for the invitation to testify today on behalf of the National Association of State Departments of Agriculture (NASDA) and the Georgia Department of Agriculture on the pesticide registration process. I appreciate the opportunity to share a state agency perspective on this important topic. My name is Gary Black, and I proudly serve as Georgia's Commissioner of Agriculture and NASDA member as an ambassador, advocate, regulator, and educator.

NASDA

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in all fifty states and four territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the introduction and spread of plant and animal diseases, and fostering the economic vitality of our rural communities. Environmental protection and conservation are also among our chief responsibilities.

In forty-three states and Puerto Rico, the state department of agriculture is the state lead agency responsible for administering and enforcing the labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)¹. Georgia is one of those forty-three state agencies with FIFRA responsibilities and serves as a co-regulatory partner with the U.S. Environmental Protection Agency (EPA) on the delivery and enforcement of pesticide programs and activities.

¹ 7 U.S.C. §136, *et. seq.*

Georgia Agriculture

I am proud of the fact that Georgia has a rich history in production agriculture. Some would even say that it is in our name. For you see the name “Georgia”, the feminine version of George, truly means “a farmer”, or “worker of the land”. In fact, the first crop of soybeans in North America was harvested on Skidaway Island in 1765. Today we are better known as world leaders in the production of poultry, peanuts, pecans, cotton, forest products and our famous sweet Vidalia onions. Our agricultural economy continues to thrive representing a \$75 billion annual economic impact to our state’s economy and serves as our largest industrial sector.

The diversity of our agricultural production is equally reflected within our agency’s Plant Industries Division. The Georgia Department of Agriculture routinely register approximately 15,000 pesticide products annually and issues license to over 30,000 certified pesticide applicators. Through our cooperative agreement with EPA we make every effort to provide unmatched education and regulatory oversight to our agricultural producers and pest management professionals. The regulatory burden over the last decade has put considerable stress on our agency, our land grant university system and partnering stakeholders who are charged with pesticide registration and enforcement.

Relationship between EPA and the Agriculture Community

It is no secret that we have experienced a number of significant challenges between the agriculture community and the EPA over the recent years. I want to start by acknowledging the tremendous efforts by newly appointed EPA Administrator Scott Pruitt to improve this relationship. From his meeting directly with several of my colleagues in NASDA; to offering public remarks at the national meetings of various agriculture producer organizations; and countless other efforts all within his first few weeks at the helm, Administrator Pruitt has demonstrated genuine respect and appreciation for the hard-working women and men who feed and clothe us. While we are still working with EPA to address several remaining regulatory challenges and process improvements, we see these efforts as a badly needed reboot of our relationship with EPA, and we applaud the Administrator’s efforts in delivering a transparent, predictable, and science-based regulatory approach to protecting human health and the environment while allowing for the production of the world’s safest, most abundant, and most

affordable food supply. The FIFRA registration process and the Registration Improvement Act (PRIA) are cornerstones to this essential regulatory foundation.

Cooperative Federalism

Among NASDA's highest priorities is the pursuit to codify and institutionalize the concept of cooperative federalism. That is, the recognition that governance of this great nation is a shared responsibility of federal and state partners. This is particularly true with regard to the regulation of pesticides. Through the administration of FIFRA, EPA undertakes extensive review of more than 125 different health, safety and efficacy studies, and ultimately, EPA makes a decision to register a pesticide for distribution, sale and use if it determines that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment."

While some may believe this is the end of the process, it is in fact only the beginning. Specifically, the pesticide must also be registered in any state where it is to be used. In most cases, it is the responsibility of my colleagues in the state Departments of Agriculture to review and register these products for use in the state.

Nobody will be surprised to learn that there are high costs associated with bringing crop protection products to the market. We are concerned that regulatory costs and burdens are unnecessarily exacerbated when, as we have witnessed in the past few years, there is not a robust level of communication, cooperation, and coordination between EPA and its co-regulatory partners at the state level. NASDA members, myself included, have been continually frustrated by the seeming lack of regard for our concerns and contributions to this process.

We were particularly encouraged by Administrator Pruitt's comments during his confirmation hearing reaffirming the role of states through Cooperative Federalism, and subsequently, we have been extremely pleased with the direct action and outreach EPA has undertaken to execute this new directive.

As I've suggested, many issues of concern of the state co-regulators with EPA's regulatory proposals can and should be addressed at the beginning of the process. Communication, cooperation and coordination shouldn't be a goal, they should be a given. We feel there are opportunities to strengthen this regulatory partnership between EPA and the state departments of agriculture, and we would

welcome the opportunity to explore these possibilities with the Committee going forward.

FIFRA Process Integrity

FIFRA established a unique, effective, and comprehensive regulatory structure to provide pesticide-related environmental and public health protection in which state lead agencies have primacy in the enforcement of pesticide matters. FIFRA created requirements for pesticide registration, labeling, and use that are the end result of an extensive pre-market approval process. This registration process requires products to meet strict safety guidelines and includes rigorous examination of environmental fate data and health exposure assessments.

It is essential for state departments of agriculture and the producers we serve to have a robust, transparent, and scientifically-sound FIFRA registration and reregistration process to deliver new technologies and critical crop protection tools in a timely and predictable manner. In order to achieve this end, NASDA requests Congress ensure there is a fully funded, fully resourced, and fully staffed Office of Pesticide Programs to conduct the rigorous and timely scientific review necessary for these essential crop protection tools.

NASDA supports the original intent of Congress that FIFRA be the primary federal statute under which pesticide registration and use is regulated. As regulatory partners with EPA, state departments of agriculture play an essential role in delivering, implementing, and enforcing various FIFRA-related programs.

Pesticide registration and use should not be regulated under other federal statutes that were neither designed for, nor intended to be the governing statutes for pesticide distribution, sale and use (e.g. the Clean Water Act, the Endangered Species Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, etc.). Pesticide uses that have been reviewed and registered under FIFRA should not be subject to additional requirements (including costly and duplicative permit requirements) under other federal statutes.

In situations where conflicting or duplicative requirements of other environmental statutes overlap with FIFRA, deference should be granted to the FIFRA registration process in a manner that is science-based, transparent, and

allows stakeholders the opportunity to comment upon and fully analyze the ramifications of the proposed action. EPA must recognize that state lead agencies are not only important stakeholders, but are also co-regulators under FIFRA and must, therefore, be intimately involved in this process.

Pesticide Registration Improvement Act

The Pesticide Registration Improvement Act (PRIA) is once again nearing time for reauthorization. The current law (PRIA 3) expires on September 30 of this year. PRIA provides a stable and predictable funding source for the EPA Office of Pesticide Programs and establishes a functional and timely process for pesticide and inert ingredient review so that registrants are able to efficiently plan for product approval and market availability. Equally important, PRIA provides additional resources to the states to conduct pesticide education, training, and worker protection activities.

As you know, PRIA has attracted wide, bipartisan support due to its unique success of delivering good government through stakeholder collaboration. NASDA is a member of the PRIA Coalition, which includes organizations representing the registrant community, chemical and biotechnology industries, farmworker advocates, and environmental non-governmental organizations. NASDA supported legislation (H.R. 1029) introduced in the House by Representative Davis of Illinois that attracted widespread bipartisan support, and in fact was agreed to by unanimous voice vote in the House of Representatives on March 20.

Legislation passed in the House would reauthorize existing provisions for seven years, as opposed to the five year extensions in previous iterations of PRIA. The legislation provides two increases of 5% each on registration fees over the seven years. The legislation also provides a \$500,000 set aside for EPA to meet deadlines for efficacy guidelines for pesticides to combat bed bugs (which have shut down schools, hotels, dorms, and movie theaters), and crawling and flying insects, which will inform industry what efficacy tests are required. The bill increases maintenance fees to \$31 million annually from 2017-2023 and provides increased funding for grant programs, promoting Good Laboratory Practices, and farm worker protection education. This latest iteration of PRIA also sets the appropriations trigger level at 2012 budget levels of \$128 million ensuring that the industry fee supplements appropriations. Under FIFRA Section 33(c)(3)(B),

the EPA is authorized to use 1/17 of the amount of the Pesticide Registration Fund (but not less than \$1 million) to enhance current scientific and regulatory activities related to worker protection and \$500,000 in each fiscal year, 2013 through 2017, for funding of the Pesticide Safety Education Program (PSEP). State agencies strongly support the allocation of these funds to support the critical mission related to worker protection.

NASDA supports this legislation and asks that this Committee and the Senate to act swiftly to pass this important legislation and send this to the President for his signature.

Support for OPMP

The U.S. Department of Agriculture's (USDA) Office of Pest Management Policy (OPMP) was created as part of the 1998 Agricultural Research, Extension, and Education Reform Act in order to provide leadership in coordinating interagency activities with the EPA, the Federal Drug Administration (FDA), and other Federal and State agencies to coordinate agricultural policies within the Department related to pesticides. The law further requires OPMP to consult with and provide services to producer groups and interested parties.

The Congress believed creating OPMP was necessary to focus and coordinate the many pest management and pesticide-related activities carried out within the Department. From the legislative history, it is apparent Congress felt strongly this was a necessary step for USDA to effectively carryout its statutory responsibilities with respect to pesticide issues and pest management research.

The law creating this office established that the Director of this office would work with EPA, State Departments of Agriculture producers, producers, and other appropriate groups to develop effective, efficient mechanisms for gathering data necessary for making regulatory decisions. To achieve the many objectives the law envisioned in creating this office, it was expected the office would be created within and staffed by an official within the Office of the Secretary.

Congress was particularly concerned the Director of the OPMP be someone the Secretary had trust and confidence in to ensure that the department would be an effective and forceful advocate within the administration on issues within the

purview of this office. As such, the law requires the Director of the OPMP report directly to the Secretary or Deputy Secretary of Agriculture.

We ask that members of this Committee use your considerable influence to ensure OPMP is vested with the authority and political leverage intended by the statute under which it was created. OPMP is an essential resource and indispensable partner to state departments of agriculture in its delivery of expertise on pesticide regulatory programs.

Conclusion

State departments of agriculture play a critical role in carrying out the regulatory programs impacting our agricultural producers. We serve as both enforcement agents and ambassadors to our agricultural producers, and at a minimum, we have a responsibility and an obligation to fulfill the spirit and intent of the statutes, programs, and Executive Orders controlling and directing that regulatory development process.

It is essential for our federal partners to utilize the expertise of the states and the producers in those states to inform, develop, and implement a scientifically sound, consistent, and transparent regulatory framework to ensure our producers are able to continue to produce the food, fiber, and fuel our country and much of the world depends upon.

Before I conclude my remarks, I want to offer a solution and point out a constant theme all of my colleagues as Secretaries, Directors and Commissioner of state departments of agriculture discuss throughout the country and that is the need to “Educate before you Regulate.”

I appreciate the opportunity to testify before you today, and I welcome any questions you may have.

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 6/15/2018 4:03:58 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE:

Free until 3pm.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 15, 2018 12:03 PM
To: Aline DeLucia
Subject:

Do you have time for a call later today?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 4/3/2017 5:11:39 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: April 12th...

Just sent you address

Sent from my iPhone

On Apr 3, 2017, at 12:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey! Checking with our scheduler. We are talking your Claysville location, correct?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 6:23 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

Yes. Free all night. Use mobile Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 5:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Sorry Tommy! I have not sat down all afternoon! Can't keep up! Can I give you a call this evening?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 5:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

I am free rest of tonight. Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I can call at 2:45...

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 1:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: April 12th...

Before 200. Or after 400.

Let me know. Use cell phone Ex. 6

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [<mailto:TommyJohnson@consolenergy.com>]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6

:: www.consolenergy.com ::

From: Mullins, Jerry [<mailto:jmullins@nma.org>]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001

Ex. 6

jmullins@nma.org

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Message

From: Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]
Sent: 4/5/2017 6:08:56 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Smith, Zachery [ZacherySmith@cnxlp.com]; Aiello, Brian [BrianAiello@consolenergy.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]
Subject: RE: Thanks

Tommy,

Thank you so much for this info. I will be traveling in on the morning of the 11th with two members of the Administrator's security team. They will need to mirror the Administrator's steps for Wednesday to get comfortable with what he will be doing. May we please arrange to do that in the early afternoon on Tuesday, April 11?

Thank you,
Millan

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Thanks

Adding Zach Smith and Brian Aiello to this communication. They will be helping plan and stage this visit.

Below is a proposed framework to further discuss. Let us know when we can revisit this talk to put a finer point on the plan.

Harvey Mine- Patterson Creek Portal

1100am- Arrival at portal
11:15am-1200pm- Private roundtable discussion and lunch
1200-12:30-Safety training and overview
12:30-12:45- Gear up
100pm-300pm- Underground
- Harvey- 25 minute man trip each way gives us about an hour underground at the longwall
300pm-330pm- Press conference and employee event at the portal

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6



From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, April 04, 2017 5:26 PM
To: Johnson, Tommy
Cc: Graham, Amy; Lyons, Troy; Hupp, Millan
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

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Message

From: Smith, Zachery [ZacherySmith@cnxlp.com]
Sent: 4/5/2017 4:40:42 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Smith, Zachery [ZacherySmith@cnxlp.com]; Aiello, Brian [BrianAiello@consolenergy.com]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: Re: Thanks
Attachments: removed.txt

Address for Harvey Mine- Patterson Creek Portal is : 685 Patterson Creek Road
Sycamore, PA 15364

Sent from my iPhone

On Apr 5, 2017, at 12:31 PM, Johnson, Tommy <TommyJohnson@consolenergy.com> wrote:

Tim Murphy is the member that has the mines. Recommend we invite: Keith Rothfus, Bill Shuster and Mike Kelly. Probably should extend courtesy to Senator Toomey staff.

Zach will send the address for the Harvey Mine Portal asap.

Zach – please check with Barletta about advancing our safety video to make the safety training go faster.

Also, provide Tate and team with the punch list of specs we need for guests to go underground. Shoe size, etc. Bring in HR accordingly to manage the moving parts here.

From: Lyons, Troy [mailto:lyons.troy@epa.gov]
Sent: Wednesday, April 05, 2017 10:49 AM
To: Johnson, Tommy; Bennett, Tate; Smith, Zachery; Aiello, Brian
Cc: Graham, Amy
Subject: RE: Thanks

Tommy—who in the delegation represents the mine and/or surrounding areas?

We are going to start drafting an official letter of invite and reaching out to folks given that it is a week away

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Sent: Wednesday, April 5, 2017 10:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
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<hupp.millan@epa.gov>

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- <!--[if !supportLists]--><!--[endif]-->Harvey- 25 minute man trip each way gives us about an hour underground at the longwall

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***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]

Attachment type: [image/jpeg]

Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 4/3/2017 5:11:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: PA Operations

Greene county runway: 3500 ft. -- 35 minutes

Washington county runway: 5000 ft. -- 25 minutes -- 1 mile from interstate 70

The complex has three coal mines: bailey, below fork and Harvey. They share one preparation plant.

Call it 1 hour to the bailey preparation plant from pgh international airport. It's about 30 minutes from Greene county airport. We also have a helipad there if administration wants to drop in. Very doable.

Backdrop is perfect: it's the place where there largest underground coal mine brings raw coal to surface to be "prepped" for the customer. The prep plant cleans those tons to be placed in rail cars that will be sent to. Visual is great. Lots of technology and young professionals pulling levers and working on computers to make sure the coal that's been mined underground meets customer specifications. This coal services the entire eastern sea board for electricity. These tons are placed at Coal fired utilities along the eastern sea board. I would have coal miners from the three coal mines, employees from the two rail roads (CSX/ NORfolk southern) present, as well as, the building trades from the utilities there (boilermakers and IBEW).

332 Enon Church Road
West Finley, PA 15377

Access Coordinates: 39058'25"N 80025'19"W

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Message

From: Johnson, Tommy [TommyJohnson@consolenergy.com]
Sent: 4/5/2017 4:31:45 PM
To: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Smith, Zachery [ZacherySmith@cnxlp.com]; Aiello, Brian [BrianAiello@consolenergy.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
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Cc: Graham, Amy; Lyons, Troy; Hupp, Millan

Subject: Thanks

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Elizabeth Tate Bennett

Sr. Advisor to the Administrator

Office of Congressional and Intergovernmental Affairs

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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 5/31/2018 12:45:56 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: 3 PM deadline: KQED Question on worker protectino std.

Yes, thanks

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, May 31, 2018 8:45 AM
To: Paul Schlegel <pauls@fb.org>
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

I hear Nancy was able to reach you?

On May 30, 2018, at 7:54 PM, Paul Schlegel <pauls@fb.org> wrote:

Ex. 6

Sent from my iPhone

On May 30, 2018, at 6:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

No. Is there a good number to reach you tomorrow?

On May 30, 2018, at 1:58 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate – see below. Have you guys suspended the rule?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: The DOJ news alerts email notification list2
[mailto:PRESSLIST2@DOJ.CA.GOV] **On Behalf Of** California Attorney
General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV

Subject: Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

<~WRD011.jpg>

NEWS RELEASE

May 30, 2018

FOR IMMEDIATE RELEASE

(916) 210-6000

agpressooffice@doj.ca.gov

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<~V

Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

SACRAMENTO – Joining the Attorneys General of New York and Maryland, California Attorney General Xavier Becerra today filed a lawsuit against the U.S. Environmental Protection Agency (EPA) over its decision to suspend critical safeguards for agricultural workers. The Agricultural Worker Protection Standard (WPS) is a regulation first implemented by the EPA in 1992 to reduce the number of illnesses and injuries to agricultural workers nationwide from exposure to pesticides.

In 2015, after determining that many incidents of pesticide exposure might have been prevented if farmworkers had better training, the EPA strengthened the WPS and required employers to provide agricultural workers and their families with new training. This new training resulted from more than 15 years of stakeholder meetings and the consideration of over 2,400 public comments. However, despite the availability of updated training materials, the Trump Administration's EPA suspended the new training requirements without following the normal public notice and comment procedures. The lawsuit being brought by the Attorneys General is based on the fact that the EPA's suspension is arbitrary and capricious, in violation of the Administrative Procedure Act.

"EPA Administrator Scott Pruitt is not above the law. He does not get to do away with protections simply because he does not like them," said **Attorney General Becerra**. "It's because of the people who grow our fresh fruits and vegetables — many of whom are immigrants — that families across America depend on fresh fruits and vegetables. Agricultural workers deserve to know that we have their backs. We will continue to hold the EPA accountable. That's why, with today's lawsuit, my Office has sued EPA Administrator Pruitt a total of 11 times."

Among other things, the training requirements that Administrator Pruitt wants to discard would allow agricultural workers to:

- Learn how to minimize family member exposure to pesticides from contaminated clothing or footwear;
- Access information about the hazards posed by particular pesticides; and

- Ensure they are aware of guidelines for emergency medical care.

Though California has its own strict agricultural worker safety training requirements, many California's agricultural workers cross state lines for seasonal agricultural work. Without federal safeguards at issue, these workers will not receive the information necessary to protect themselves and their families from pesticide exposure.

A copy of the complaint is attached to the electronic version of this release at [oag.ca.g](http://oag.ca.gov)

###

You may view the full account of this posting, including possible attachments, in the News & Alerts section of our website at: <https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-epa-suspending-critical-safeguards>

<~WRD011.jpg>

You may view all News & Alerts on our website at: <http://oag.ca.gov/news>

Please visit the remainder of the Attorney General's site at: <http://oag.ca.gov/>

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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/12/2018 6:34:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: talk?

You around?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 5/30/2018 11:54:25 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

Ex. 6

Sent from my iPhone

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Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6

(o)
(c)
pauls@fb.org

From: The DOJ news alerts email notification list2 [<mailto:PRESSLIST2@DOJ.CA.GOV>]
On Behalf Of California Attorney General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV
Subject: Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

<~WRD011.jpg>

NEWS RELEASE
May 30, 2018
FOR IMMEDIATE RELEASE
(916) 210-6000
agpressooffice@doj.ca.gov

<~WRD011.jpg>

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Print

Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

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(EPA) over its decision to suspend critical safeguards for agricultural workers. The Agricultural Worker Protection Standard (WPS) is a regulation first implemented by the EPA in 1992 to reduce the number of illnesses and injuries to agricultural workers nationwide from exposures to pesticides.

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"EPA Administrator Scott Pruitt is not above the law. He does not get to do away with protections simply because he does not like them." **said Attorney General Becerra.** "It's because of agricultural workers — many of whom are immigrants — that families across America can enjoy fresh fruits and vegetables. Agricultural workers deserve to know that we have their backs. We will continue to hold the EPA accountable. That's why, with today's lawsuit, my Office has sued EPA Administrator Pruitt a total of 11 times."

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- Ensure they are aware of guidelines for emergency medical care.

Though California has its own strict agricultural worker safety training requirements, many of California's agricultural workers cross state lines for seasonal agricultural work. Without the federal safeguards at issue, these workers will not receive the information necessary to better protect themselves and their families from pesticide exposure.

A copy of the complaint is attached to the electronic version of this release at oag.ca.gov/news

###

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<~WRD011.jpg>

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Please visit the remainder of the Attorney General's site at: <http://oag.ca.gov/>

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Message

From: Aline DeLucia [aline@nasda.org]
Sent: 5/30/2018 11:20:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

Thanks!

Sent from my iPhone

On May 30, 2018, at 6:53 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

FYI. I'll give you a shout tomorrow.

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: May 30, 2018 at 6:52:40 PM EDT
To: Paul Schlegel <pauls@fb.org>
Subject: **Re: 3 PM deadline: KQED Question on worker protectino std.**

No. Is there a good number to reach you tomorrow?

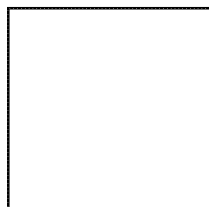
On May 30, 2018, at 1:58 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate – see below. Have you guys suspended the rule?

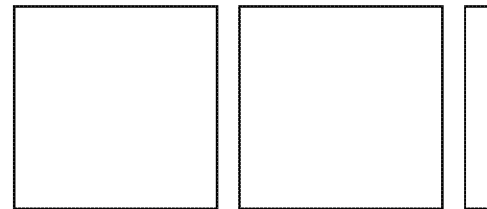
Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: The DOJ news alerts email notification list2
[<mailto:PRESSLIST2@DOJ.CA.GOV>] **On Behalf Of** California Attorney
General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV
Subject: Attorney General Becerra Sues EPA for Suspending Critical
Safeguards for Agricultural Workers



NEWS RELEASE
May 30, 2018
FOR IMMEDIATE RELEASE
(916) 210-6000
agpressooffice@doj.ca.gov



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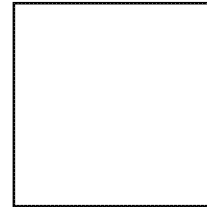
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You may view all News & Alerts on our website at: <http://oag.ca.gov/news>

Please visit the remainder of the Attorney General's site at: <http://oag.ca.gov/>

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Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 6/5/2018 5:45:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report June 5, 2018

June 5, 2018

NBCC

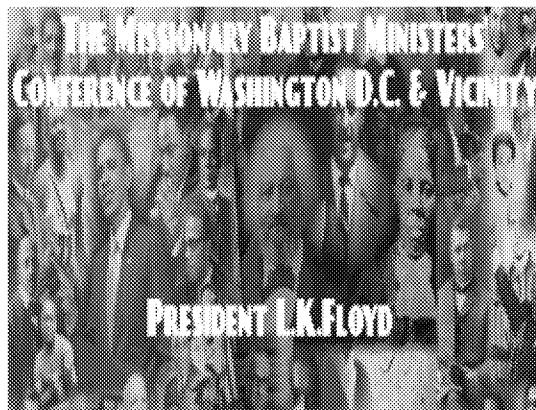
National
Black
Chamber of Commerce®

The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

Join Today

Black Church Partnership Program:

We have begun a partnership with the Missionary Baptist Church Ministers' Conference (DMV – DC, Maryland & Virginia) which comprises over 300 churches. All NBCC members are welcome to attend their upcoming Black Economic Symposium – June 18th. There is no charge for attendance and the NBCC will be speaking. Likewise, membership from their conference will be attending our upcoming 26th Annual Conference,



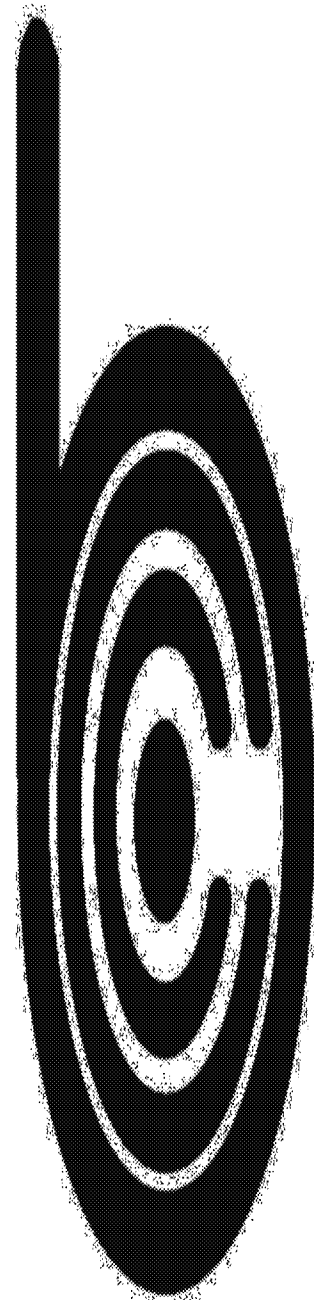
July 19th – 21st. The intent is to economically empower congregations by their process of recycling the congregation's dollars through guided Black business interaction.

Trouble in Pittsburgh:

The City of Pittsburgh has been duped into signing a Project Labor Agreement for all its construction projects of \$500,000+. It claims it will attain minority participation at 12% (the city is 24% Black) which will be impossible with the particulars of a PLA in place (they won't hit 4%). This Pennsylvania city needs to look at the other end of the state – Philadelphia and see the racist disasters of a construction PLA. Here is our take on the depressing matter.

What's Happening in Illinois?

It's ALL GOOD!!! Here is the first edition of the Illinois State Black Chamber of Commerce's newsletter. Congratulations to Larry Ivory and his impressive crew.



Growing Demand for LYFT:

Business is growing by leaps and bounds for our corporate partner LYFT. Here's a recent ad requesting more qualified drivers



Limited time offer: Get a
\$500 BONUS
after your first 100 rides!

Unlimited time offer. Terms apply.



A New Dynamic Economy:

The opportunities are limitless due to innovation, tax reform, 5G deployment and Opportunity Zones.

First things first: Make your hotel reservation at The Fairfield Inn and Suites in Chinatown is our host hotel. We've negotiated a price of \$169 plus tax per night. The address is 500 H St NW Washington, DC. This rate includes Internet and complimentary breakfast. To reserve a room call 1-888-236-2427 and use "NBC" for the code or you may book online at **Book your group rate for NBCC.**

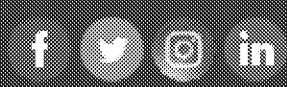
The early bird registration rate is awaiting you. Just go to <https://nvite.com/dynamiceconomy/f923> See you in Washington, DC.

[Click Here To Register](#)



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](mailto:bennett.tate@epa.gov)

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Don Parrish [donp@fb.org]
Sent: 4/30/2018 4:03:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Are you around?

I like to visit if you are.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 24, 2018 2:07 PM
To: Don Parrish <donp@fb.org>
Subject: FW: Tune in at 2 PM for a special announcement

From: Bennett, Tate
Sent: Tuesday, April 24, 2018 1:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Tune in at 2 PM for a special announcement

<https://www.epa.gov/home/live>

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/30/2018 3:26:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Opportunities With 3M



4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

1. Opportunities with 3M: Urgent! Time Sensitive! 3M Corporation is looking for minority businesses. To participate in this program, you must register by tomorrow - May 1, 2018. The Summit will take place here in Washington, DC on May 21, 2018. A list of capabilities can be found at the bottom of this email.



Ready to grow your business and partner with a Fortune 100 company?

Small and Diverse Supplier Networking Event

Monday, May 21, 2018
8:30AM to 1:00PM

3M Washington, D.C. Innovation Center
1425 K Street, NW
Suite 300
Washington, D.C. 20005

3M's Vice President of Strategic Sourcing will be hosting a networking event at our company's Washington, D.C. Innovation Center for small and diverse¹ suppliers who are interested in doing business with 3M.

At 3M we believe that innovation is strengthened by our relationships with diverse and small business suppliers. This is why 3M is committed to providing small and diverse suppliers equal access to business opportunities.

Join us at this event to learn more about 3M, our commitment to supplier diversity, and current opportunities for doing business with us as a supplier.



Attendance is limited to those receiving invitations to ensure that attendees will have time to have meaningful discussions with our Sourcing leaders about supplier opportunities with 3M.

For event details and to register your interest in attending, please visit: <http://www.3M.com/suppliernetworkingdc>

Please register by
May 1st

¹For 3M purposes, a diverse supplier is any supplier who qualifies for one or more of the following classifications: Minority-owned business, Women-owned business, Small Business (including Small Disadvantaged, HUBZones, Woman, and Veteran/Service Disabled Veteran).



For this event, 3M is looking for small and diverse¹ suppliers with these capabilities.

Category	Sub-Category / Capability	Service Area
Engineering Services	Professional engineering services (civil, structural, architectural, mechanical, electrical)	Local, Regional, National
Construction	General construction, electrical construction, mechanical construction, roofing	Local, Regional, National
Capital Equipment	Industrial manufacturing equipment	Local, Regional, National, Global
Converting Services	Foam converting, slitting, rewinding, lamination, die cutting (rotary/flatbed), coating services	Local, Regional, National
Facilities Services	Lawn care, janitorial service & supplies, security, waste hauling, vending services, MRO	Local, Regional, National
Molding	Injection molding, profile extrusion and blow molding	Regional, National
Packaging Services	Manual packing, semi-automated or automated packaging (flow wrapping, blister seal), compounding & mixing, filling (liquid or aerosol)	Regional, National
Packaging Components	Corrugated, folding cartons, thermoform, flexible packaging, labels	Regional, National
Professional Services	Marketing services, contingent labor (including MSP, Payroll, and Staffing), legal counsel	Regional, National

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Aline DeLucia [aline@nasda.org]
Sent: 5/4/2018 8:43:14 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Woodward, Cheryl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a0d6a3af92640248638ca24fe87a777-Woodward, Cheryl]
Subject: RE: Meeting with EPA Administrator Pruitt

Confirmed. Thank you!

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Friday, May 04, 2018 3:51 PM
To: Aline DeLucia
Cc: Bennett, Tate; Gordon, Stephen; Woodward, Cheryl
Subject: RE: Meeting with EPA Administrator Pruitt

Hi Aline,

Thanks for sending back. Does May 11 at 2:30PM still work for your group? If so, let's go ahead and confirm that time at EPA Headquarters. I've copied Cheryl Woodward on this message, who will follow up next week with arrival details.

We look forward to seeing you then!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell:

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, May 4, 2018 1:31 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Meeting with EPA Administrator Pruitt

Hayley,

Attached is the requested form.

Thank you in advance for your time and consideration,

Aline DeLucia | Associate Director, Public Policy | National Association of State Departments of Agriculture | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Thursday, May 03, 2018 4:15 PM

To: Aline DeLucia
Cc: Bennett, Tate; Gordon, Stephen
Subject: Meeting with EPA Administrator Pruitt

Hello Aline,

Tate Bennett sent me your contact information and I understand that NASDA leadership would be interested in meeting with Administrator Pruitt in the next few weeks. Would you want to complete the attached request form with more information and to provide dates/times that would work for your group? I will then find a time that works on the schedule.

Thank you and we look forward to hosting you!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell:

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 4/25/2018 4:44:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Wanted to flag this

Thanks Patrick!

From: Bennett, Tate
Sent: Wednesday, April 25, 2018 12:44 PM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Wanted to flag this

Thanks for the heads up!

On Apr 25, 2018, at 12:15 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

We're going on offense.

<http://www.freedomworks.org/content/freedomworks-releases-obama-era-wasteful-spending-memo-to-help-activists-fight-hypocrisy>

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation

Ex. 6

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 5/4/2018 5:30:59 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Meeting with EPA Administrator Pruitt
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hayley,

Attached is the requested form.

Thank you in advance for your time and consideration,

Aline DeLucia | Associate Director, Public Policy | National Association of State Departments of Agriculture | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
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To: Aline DeLucia
Cc: Bennett, Tate; Gordon, Stephen
Subject: Meeting with EPA Administrator Pruitt

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Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6



Meeting Request Form for Administrator Scott Pruitt

Today's Date: May 4, 2018

Meeting Date: May 10th at 10am or 11am; May 11th anytime from 9am to 3pm

Meeting Time: See above

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor: Barb Glenn, CEO, National Association of State Departments of Agriculture (NASDA)

Purpose of the Meeting: Representing the regulatory partners in the state level, NASDA leadership would like the opportunity to discuss developments in areas that impact our membership.

Background on the Meeting: NASDA members oversee a broad range of programs and mission areas that help promote and protect U.S. agriculture and foster the economic vitality of our rural communities. NASDA members are also regulatory partners with EPA. It is in the spirit of regulatory partnership and collaboration that we request an opportunity for NASDA leadership to meet with Administrator Pruitt.

Role of the Administrator:

Attendees:

- Barb Glenn, NASDA CEO
- Nathan Bowen, Public Policy Executive Director, NASDA
- Aline DeLucia, Public Policy Associate Director, NASDA

Point of Contact: Aline DeLucia

Delivery Report

From: postmaster@HollyFrontier.com [postmaster@HollyFrontier.com]
Sent: 6/4/2018 2:43:39 PM
To: blake.barfield@hollyfrontier.com
Subject: Undeliverable: 500 Days...
Attachments: 500 Days...

Your message

To: Bennett, Tate
Subject: 500 Days...
Sent: 6/4/2018 2:43:30 PM

Delivery has failed to these recipients or groups:

blake.barfield@hollyfrontier.com

The email address you entered couldn't be found. Please check the recipient's email address and try to resend the message. If the problem continues, please contact your email admin.

Diagnostic information for administrators:

Generating server: USTXRICEXCH03.corp.local

blake.barfield@hollyfrontier.com

Remote Server returned '550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address lookup'

Original message headers:

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Received: from mail-dm2gcc01on0114.outbound.protection.outlook.com (HELO GCC01-DM2-obe.outbound.protection.outlook.com) ([23.103.201.114]) by mail.hollyfrontier.com with ESMTP/TLS/AES256-SHA256; 04 Jun 2018 20:43:34 +0600
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15.20.820.11; Mon, 4 Jun 2018 14:43:30 +0000
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([fe80::8511:7ae8:9df4:f268%5]) with mapi id 15.20.0820.015; Mon, 4 Jun 2018
14:43:30 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: 500 Days...
Thread-Topic: 500 Days...
Thread-Index: AdP8DBpCSFL6Cbt5T2KXcD4vVgVFOw==
Date: Mon, 4 Jun 2018 14:43:30 +0000
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Content-Language: en-US
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X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
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z-originating-ip: [161.80.87.199]
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 (UTC)
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Return-Path: prvs=6869177e1=Bennett.Tate@epa.gov

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/4/2018 2:43:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: 500 Days...
Attachments: Promises Made and Kept.pdf

Good morning. As we approach the 500th day of the Trump Administration, I thought you might be interested in the attached document. Let me know if you have any questions. -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov



Notable Policy Achievements

1. Withdraw From The Paris Climate Accords
2. Ensure Clean Air & Water
3. Reduce Burdensome Government Regulations
4. Repeal The So Called “Clean Power Plan”
5. Repeal The Waters of The United States Rule
6. Promote Energy Dominance
7. Promote Science Transparency
8. End Sue & Settle
9. Promote the Auto Industry

Withdraw From The Paris Climate Accords



Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Accord. Donald Trump “railed against ‘draconian climate rules’ and said he would ‘cancel’ the Paris climate agreement. ([NBC News](#), 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate

Accords, Pledging To Put American Jobs First. “President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S.” ([PBS](#), 6/1/2018).

Ensure Clean Air and Water

Promise Made

President-Elect Trump Stressed “Clean Air And ‘Crystal Clear Water’ Were Vitaly Important.” ([The New York Times](#), 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics’ Claims That Top-Down Government Regulations Are Needed. “The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent.” ([E&E News](#), 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt’s Commitment To Superfund Communities In Montana. “You committed to working with Superfund communities in Montana to increase transparency and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda.” ([Senator Jon Tester](#), 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. “Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a “sound, solid” solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents.” ([St. Louis Dispatch](#), 3/13/2018)

The Trump Administration’s EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. “Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston.” ([The Associated Press](#), 4/11/2018)

Reduce Burdensome Government

Promise made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. “I will formulate a rule which says for every one new regulation, two old regulations must be eliminated.” ([President-Elect Donald Trump](#), 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalize 22 Deregulatory Actions, Which Could Save Americans more Than \$1 Billion In Regulatory Costs. ([EPA Releases Administrator Pruitt’s year On Accomplishments Report](#), 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. ([EPA Releases Annual Regulatory Plan](#), 12/14/2017)

In October 2017, EPA Relunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. “EPA’s Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,’ according to the EPA.” ([Washington Examiner](#), 9/27/2017)

Repeal The So Called “Clean Power Plan”

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. “During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech.” ([The Washington Examiner](#), 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called “Clean Power Plan.” “The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama’s signature policy to curb greenhouse gas emissions from power plants.” ([The New York Times](#), 10/9/2017)

Repeal The Water of The United States Rule

Promise Made

Then-Candidate Donald Trump Promised To Repeal The “Waters Of The United States” Rule On The Campaign Trail. “During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech.” ([The Washington Examiner](#), 9/15/2016)



Promise Kept

In June 2017, President Trump’s EPA Proposed To Repeal The Obama Administration’s Overreaching “Waters Of The United States” Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. “The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration’s controversial regulation that extended the reach of the federal government over small waterways.” ([The Hill](#), 6/27/2018)

Promote Energy Dominance

Promise Made

Then-Candidate Donald Trump Pledged “Energy Revolution.” “A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country.” ([The Hill](#), 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. “Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt’s leadership, is implementing President Trump’s Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth – while protecting human health and the environment.” ([EPA Releases Energy Independence Report](#), 10/25/2017)

Promote Science Transparency

Promise Made

Then-Candidate Donald Trump Promised That “Policy Decisions Will Be Public And Very, Very Transparent.” ([Speech in Bismarck, ND, 5/26/2016](#))

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. “Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA’s proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy.” ([Washington Post, 5/10/2018](#))

End Sue & Settle

Promise Made

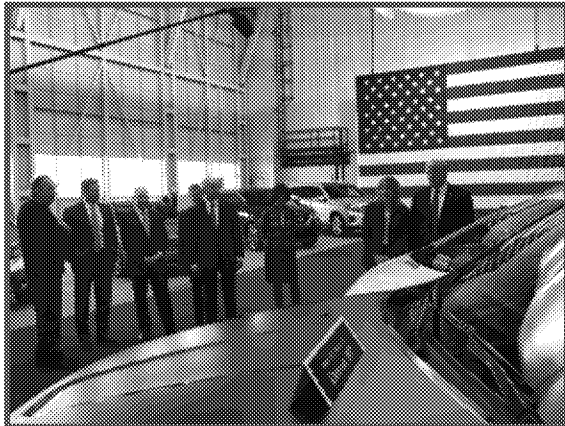
Then-Candidate Donald Trump Promised That “In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now.” ([Speech in Bismarck, ND, 5/26/2016](#))

Promise Kept

In October 2017, EPA Put An End To The Use Of “Sue & Settle.” “... Pruitt declared ‘the days of regulation through litigation are over.’ He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that ‘exceed the authority of the courts’ and requiring that any proposed settlement be published for a 30-day public comment period.” ([National Review, 10/21/2017](#))

Promise Made

Then-Candidate Donald Trump Promised, “We Are Going To Bring Back The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before.” ([Rally in Grand Rapids, MI, 11/8/2016](#))



Promise Kept

In April 2018, Administrator Pruitt Determined that Obama-Era Standards for Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. “Obama

administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. ‘Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the

marketplace,’ Pruitt told The Daily Signal in an interview.” ([Daily Signal, 4/3/2018](#))



Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 5/21/2018 6:54:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report May 21, 2018

May 21, 2018



The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

Join Today

We Want Your Input!

Praise for Governor Rauner of Illinois:

There is no elected official in our nation who is showing the commitment of Governor Bruce Rauner, Governor, State of Illinois. His recent Executive Order should be used as an example for all mayors, county executives and governors throughout our nation. We, the federation of the National Black Chamber of Commerce, should show our appreciation and recognize his wisdom. We are preparing a thank you letter and, hereby, ask for all NBCC chapters and other business associations to join in.



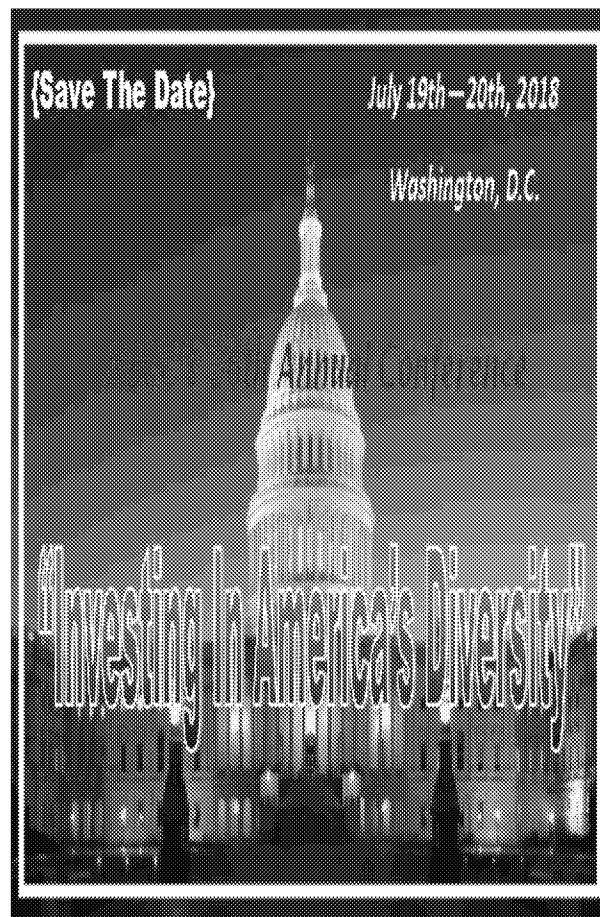
Time to put CAFÉ to Rest:

According to the National Auto Dealers Association, the existing mandates under the CAFÉ program would cause the price of an average vehicle to increase by \$3,000 in 2025. The Heritage Foundation concluded that repealing the mandate would save 2025 car buyers at least \$7,200 per vehicle. What started as a mandate in the mid – 1970’s to reduce foreign imports of oil was changed by the previous Administration to an environmental mandate. Its foundational assumption – that oil is becoming scarce and needs to be rationed by the government action - has proved false. The entire mandate is a relic of the narrative of scarcity. The surge in American energy production has rendered it moot. We are preparing a coalition letter signed by participating NBCC members and other advocacy and business organizations to request the end to this mandate. Here is a draft of the letter. Please consider signing on with us.

A New Dynamic Economy:

Our 26th Annual Conference convenes July 19-20th in Washington, DC. The goal of the conference is to highlight “A New Dynamic Economy” through Opportunity Zones, Infrastructure Development, 5G Deployment, Smart Cities, Capital Access, Procurement Levels at Federal Agencies, International Trade including Matchmakers and Trade Missions, Section 3 of the HUD Act. Your suggestions and input are requested as we finalize our plans.

The above items are time sensitive we need your responses by close of business Wednesday May 23.



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe bennett.tate@epa.gov](mailto:bennett.tate@epa.gov)

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/26/2018 6:03:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report April 26, 2018

April 26, 2018



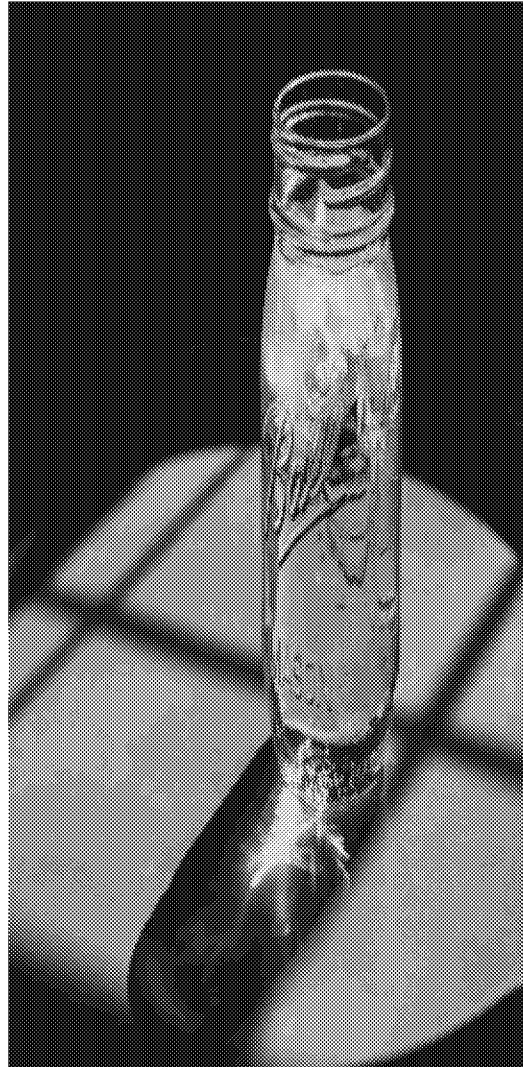
The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

Join Today

**Grants are Available for Drinking
Water Research:**

The Environmental Protection Agency
has recently awarded \$4 million
in research grants...

[Read More](#)



Tribute to the Great Barbara Bush:

Conway Jones, Publisher of the Post News Group gave a worthy acknowledgement...

[Learn More](#)



FCC steps up for Supplier Diversity:

Are you interested in doing business with the Telecoms? Mark your calendar for June 4th ...

[Learn More](#)



**EPA Administrator announces
Brownfield Grants:**

Administrator Pruitt has announced that there are \$54.3 million dollars available for remediation of brownfield sites...

[Learn More](#)



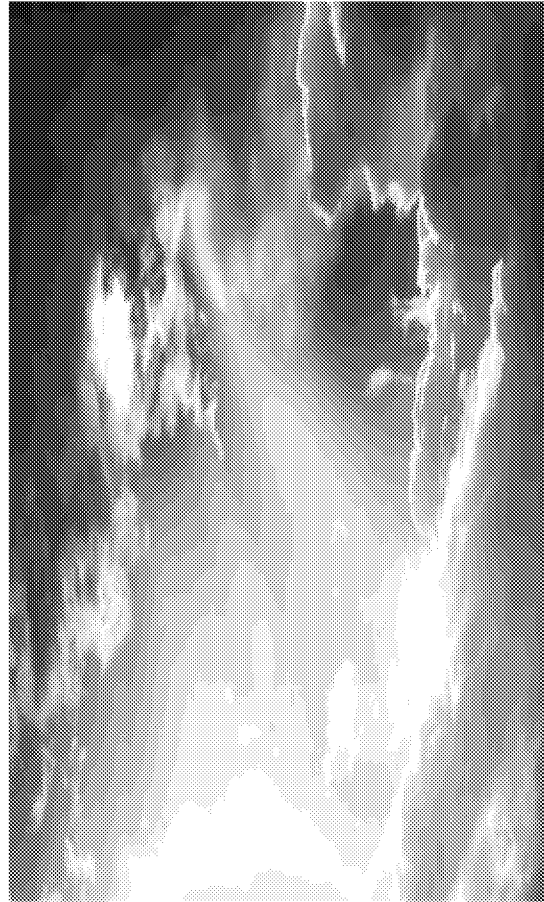
Our Annual Conference:

Join us in the nation's capital for our annual conference July 19-20, 2018. Save the date! Alternative capital, Bitcoin, Federal Procurement for various agencies, Infrastructure (including 5G), International Trade, various speakers including President Trump Cabinet members and leading industry experts. Sponsorships are available, please contact [Kay DeBow](#). While you're in Washington, DC you may want to visit the National African American Museum of History and Culture which was built with 65% minority participation thanks to NBCC members SR Smoot and H.J. Russell.



**More News About the Passing of
Eric Vickers:**

The official memorial will be held April 28, 2018, between 1 – 3PM, at the Brittany Woods Middle School, 8125 Groby Rd., University City (St. Louis), MO 63130. ["In Memory of Eric Vickers"](#) by Franklin Lee, ["Obituary of Eric Vickers"](#), ["Missing Eric Vickers"](#) by Harry C. Alford.



[Donate Here](#)

{Save The Date}

July 19th—20th, 2018

Washington, D.C.



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

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[Update Profile](#) | [About our service provider](#)

Sent by halford@nationalbcc.org in collaboration with



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Message

From: Smith, Loren (OST) [Loren.Smith@dot.gov]
Sent: 5/23/2018 6:19:19 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
CC: Jon DeBow [jdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: NBCC CAFE Letter

Has the letter been posted to the website? Happy to discuss, and thanks very much, again.

Loren Smith
USDOT

Ex. 6

On May 23, 2018, at 1:51 PM, Tanner, Lee <Tanner.Lee@epa.gov> wrote:

Thank you!

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Ex. 6

From: Smith, Loren (OST) [<mailto:Loren.Smith@dot.gov>]
Sent: Wednesday, May 23, 2018 12:38 PM
To: Jon DeBow <jdebow@nationalbcc.org>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>; Harry Alford <halford@nationalbcc.org>
Subject: Re: NBCC CAFE Letter

Thank you Jon! Happy to discuss further if you like.

Harry, it was a pleasure to speak with you yesterday; thank you very much for your time.

•••

Loren A. Smith, Jr.
Senior Advisor – Office of the Under Secretary for Policy
U.S. Department of Transportation
W82-326 |

Ex. 6

On May 23, 2018, at 12:28 PM, Jon DeBow <jdebow@nationalbcc.org> wrote:

Good Afternoon,

I have attached the CAFÉ Letter to the Honorable Chao and Honorable Pruitt.

Thank you,

Jon DeBow
Communications Manager
National Black Chamber of Commerce
4400 Jenifer St NW #331

Ex. 6

Washington, DC 20015

www.nationalbcc.org

<image001.png>

<image004.jpg>

<NBCC CAFE Letter Chao Pruitt.docx>

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 4/27/2018 11:05:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Call this weekend

Sure. I will give you a call later today.

Sent from my iPhone

> On Apr 27, 2018, at 5:45 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>

> Hey Aline! Sorry to bother on a weekend, but do you have 5 min to hop on this phone in the next 48 hrs or so? Ex. 6 Thank you!

>

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 4/17/2018 2:19:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Do you have a second?

Yeap. Ex. 6 thanks

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 17, 2018 10:19 AM
To: Aline DeLucia
Subject: Re: Do you have a second?

Is now an ok time?

On Apr 17, 2018, at 10:04 AM, Aline DeLucia <aline@nasda.org> wrote:

Hey Tate,

Hope all is well. I am guessing you are approaching our due date, right? Do you have a time to catch up?
Thanks!

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 6/11/2018 8:57:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Most updated chart
Attachments: Dicamba Chart_2.23.18.xlsx

Tate – This is the most updated chart that I have on Dicamba. Let me know if you have any questions.

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

2018 Dicamba State Requirements

[Date]
[Time]

	States	Training Reciprocity	Training	Recordkeeping	Application Windows	Max Wind Speed
1	Alabama		State : Alabama Cooperative System (ACES)	Required		10 MPH
2	Arizona		Registrants*	Required		10 MPH
3	Arkansas		State		4/16 - 9/15	10 MPH
4	Colorado		Registrants	Required		10 MPH
5	Delaware		Registrants	Required		10 MPH
6	Florida		Registrants	Required		10 MPH
7	Georgia	NO	State: University of GA. & GA Dept. of Agriculture	Required		10 MPH
8	Illinois	NO	Registrants: IL Chem & Fert Assn leading but using registrants	Required		10 MPH
9	Indiana		State	Required		10 MPH
10	Iowa	Yes - MN	Registrants: but must register w/ state & have Extension agent present.	Required		10 MPH
11	Kansas	Yes	Registrants: w/K-State Research and Extension	Required		10 MPH
12	Kentucky		Registrants: but must register w/ state & have Extension agent present.	Required		10 MPH

2018 Dicamba State Requirements

[Date]
[Time]

13	Louisiana		Registrants	Required		10 MPH
14	Maryland		Registrants	Required		10MPH
15	Michigan	Yes - MN	Registrants	Required		
16	Minnesota	Yes - ND, SD, IA, WI, MI	Registrants	Required	20-Jun	
17	Mississippi		State	Required		10 MPH
18	Missouri	NO	State	Required	June 1 for 10 boothill counties. July 15 for rest of state.	10 MPH
19	Nebraska	NO	Registrants	Required		10 MPH
20	New Jersey		Registrants	Required		10 MPH
21	New York		Registrants	Required		10 MPH
22	New Mexico		Registrants	Required		10 MPH
23	North Carolina	Yes to GA, SC	State: Extension Service	Keep 3 years, not 2. Final in 72 hours.		10 MPH
24	North Dakota	Yes- MN	Registrants	Final in 24 hours	June 30 & 85°	10 MPH
25	Ohio		Registrants	Required		10 MPH
26	Oklahoma	Yes -TX & KS	Registrants: w/ ODAFF and Extension	Required	No applications between May 1 and Oct. 15 in Greer, Harmon, Kiowa, Jackson, and Tillman	10 MPH
27	Pennsylvania		Registrants	Required		10 MPH
28	South Carolina		Registrants	Required		10 MPH
29	South Dakota	Yes- MN	Registrants	Required		10 MPH

2018 Dicamba State Requirements

[Date]
[Time]

30	Tennessee		State: w/ provision to ask registrants for help	Required	June 15 unless w/ hooded sprayer	10 MPH
31	Texas	Yes to OK	Registrants: TX is lead but have registrants using TX program.	Required		10 MPH
32	Virginia	NO	Registrants	Required		10 MPH
33	West Virginia		Registrants	Required		10 MPH
34	Wisconsin	Yes - MN	Registrants	Required		10 MPH

*Registrants: Registrants are providing training

2018 Dicamba State Requirements

[Date]
[Time]

Buffer Zone	Cutoff Temp		Other
			24(C) labeling
400 ft.			(1) Training Requirement (2) Tank mixes may not increase driftable fines by >10% of product alone (3) No > 10% of total mix's droplets smaller than 200 microns (4) VMD of spray droplets > 400 microns
If wind speed is 0-3 MPH, then 1/8 Mile downwind, 1/8 mile crosswind, 20 feet upwind. If wind speed is 3-6 MPH, then 1/4 mile downwind, 1/8 mile crosswind, and 5 feet upwind. If wind speed is 6-10 MPH, buffer zone is 1/2 mile downwind, 1/4 mile crosswind, and 5 feet upwind.			(1) Applicators should minimize production of droplets < 200 microns (2) Flat fan nozzles or their equivalent shall be used (3) Application pressures shall not exceed 35 lbs/in ²
			(1) 24(C) Special Local Needs Labels, (2) State Record Keeping Requirements; and (3) Sign Posting
			(1) Additional dicamba-specific training; and (2) 25(c) Special Needs Local Registration

2018 Dicamba State Requirements

[Date]
[Time]

			<ul style="list-style-type: none"> (1) Application of restricted herbicides requires waiver from Dept. of Ag; (2) Shall not be applied by commercial applicators between March 1 – June 1 between the Miss. River and HWY 61 in the parishes of St. James and St. John the Baptist; (3) Special permit requirements for Sabine River Authority; and (4) No application in the parish of Plaquemines.
		85	(1) State classified as Restricted Use Pesticide;
10 MPH			
			<ul style="list-style-type: none"> (1) 24(c) labeling requires; (2) Training Requirement; (3) Record Keeping Requirement (3 years); (4) Notice of Application Form; and (5) Application time: 7:30AM – 5:30PM.
Vary by county			
			<ul style="list-style-type: none"> (1) 24(c) labeling; (1) 24(c) labeling; (2) mandatory training through Extension Service. (1) 24(c) labeling; (2) mandatory training through Extension Service.
		85	<ul style="list-style-type: none"> (1) Maximum aerial application speed: 12 MPH; (2) Applications must be made with minimum 15 gallons solution/acre; (3) No applications with nozzles 80 degree or less.
			<ul style="list-style-type: none"> (1) Notification of intent to apply; and (2) Report of application after application date.

2018 Dicamba State Requirements

[Date]
[Time]

			(1) Prohibition of older formulations; (2) Application time: 9AM – 4PM; and (3) Application over the top of cotton after first bloom prohibited.

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 5/23/2018 4:44:58 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: NBCC CAFÉ Letter



4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

May 23, 2018

The Honorable Elaine
Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: CAFÉ Standards

Dear Secretary Chao and Administrator Pruitt:

We write you today to express our strong support for your reconsideration of the Corporate Average Fuel Economy (CAFE) and

automobile greenhouse gas emission standards for Model Years 2022-2025.

The National Black Chamber of Commerce and its 140 affiliated chapters (worldwide) are dedicated to the economic empowerment of African American communities across the United States. The NBCC is a nonprofit, nonpartisan, nonsectarian organization that reaches 100,000 Black-owned businesses. As leaders in our communities, we believe in the power of consumer choice - and in empowering individuals to make their own decisions.

The existing model-year 2022-25 mandates for automobiles were forced through during the waning days of the previous administration, without respect for prescribed regulatory timelines and in complete disregard of the safety and economic interests of American families. If allowed to stand, these mandates will place choices about what kinds of vehicles Americans may or may



not drive squarely in the hands of politicians and unelected bureaucrats - leaving families nationwide to shoulder the costs of the higher-priced vehicles that automakers are forced to sell.

The National Automobile Dealers Association estimates that the fuel economy mandates, if left untouched, "will increase the average price of a new vehicle by about \$3,000 in 2025 and shut nearly 7 million Americans out of the new car market." Various economic studies find that these regulations will likely cost American families tens of billions of dollars each year.

As is so often the case with ill-conceived government mandates, these consequences will fall hardest on those who can least afford it: the economically disadvantaged and those who live in our nation's underserved communities. One academic study finds that as the automobile mandates progress, the economic impacts "become

sharply regressive, with low-income households suffering welfare losses (as a fraction of income) more than three times as large as those of the high-income group."^[1]

American families and small business owners understand their own transportation needs far better than bureaucrats in Washington, D.C. or Sacramento, California. They deserve automobile regulations that promote - not impede - consumer choice and economic growth. We applaud your recent decision to reconsider the existing unachievable, unrealistic, and economically destructive federal fuel economy mandates. Thank you for your leadership on this very important issue.

Sincerely,

Harry C. Alford

Harry C. Alford
President/CEO

Courtney Reynolds

Courtney Reynolds
Chair

On behalf of our US federation:

African American Chamber of Commerce NCF
African American Chamber of Commerce of New Jersey
African American Chamber of Commerce of W.P.
Alabama Black Chamber of Commerce
Alabama State Black Chamber of Commerce
Augusta Black Chamber of Commerce
Bethels Place Black Chamber of Commerce
Biloxi-Gulfport Black Chamber of Commerce
Birmingham Black Chamber of Commerce
Black Chamber of Commerce of Western NY
Capital District Black Chamber of Commerce (NY)

[1] Jacobsen, Mark R. "Evaluating U.S. Fuel Economy Standards in a Model with Producer and Household Heterogeneity" (March 2012), p. 34.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 6/6/2018 9:22:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: talk

Can you call me on my cell when you have a second? **Ex. 6**

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Don Parrish [donp@fb.org]
Sent: 5/29/2018 5:35:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Illinois Farm Bureau requests a meeting Weds. June 27 with Administrator Pruitt

Sounds good. Enjoy your time: Ex. 6

Don

Sent from my iPhone

On May 29, 2018, at 11:38 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Let's catch up soon. I'm back June 4.

Begin forwarded message:

From: "Nielsen, Adam" <ANielsen@ilfb.org>
Date: May 29, 2018 at 12:36:49 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Ford, Hayley" <ford.hayley@epa.gov>, "Hupp, Millan" <hupp.millan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: RE: Illinois Farm Bureau requests a meeting Weds. June 27 with Administrator Pruitt

Congratulations Tate and thank you! Adam

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, May 29, 2018 11:25 AM
To: Nielsen, Adam <ANielsen@ilfb.org>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Re: Illinois Farm Bureau requests a meeting Weds. June 27 with Administrator Pruitt

Hi Adam! Good to hear from you! I'm Ex. 6 but am roping in the rest of our scheduling team to see if we can accommodate your request. Talk soon!
Tate

On May 29, 2018, at 12:02 PM, Nielsen, Adam <ANielsen@ilfb.org> wrote:

Hi Tate,
Illinois Farm Bureau president Richard Guebert and our Board of Directors (group of 25) will be in town Wednesday, June 27 and they would like to meet with Administrator Pruitt that morning, if he's available to discuss WOTUS and the Renewable Fuel Standard.

Are you the correct person I should be reaching out to?

Thanks for your help!

Adam

Adam Nielsen

Director of National Legislation & Policy Development

Illinois Farm Bureau

1701 Towanda Ave.

Bloomington, IL 61701

Ex. 6 - mobile

anielsen@ifb.org



Message

From: Don Parrish [donp@fb.org]
Sent: 8/8/2018 2:14:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Meeting next week

Sounds good. Be safe.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:37 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Just when convenient. I'll be driving all afternoon.

On Aug 8, 2018, at 9:30 AM, Don Parrish <donp@fb.org> wrote:

That works – any specific time?

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:27 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Just for a call with me?

On Aug 8, 2018, at 9:14 AM, Don Parrish <donp@fb.org> wrote:

Sounds good – send me the details.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:02 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Friday afternoon?

On Aug 8, 2018, at 8:58 AM, Don Parrish <donp@fb.org> wrote:

Sure – When are you thinking? I have a couple of meetings on Thursday and one on Friday morning.

drp

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, August 7, 2018 4:55 PM
To: Scott Yager <syager@beef.org>; Don Parrish <donp@fb.org>
Subject: Meeting next week

Do you all have time to touch base before the 16th? I believe you should receive a confirmation e-mail soon. Want to see what issues you think will be covered so that we can have the Acting Admin ready. 202-329-3948

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental
Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 5/14/2018 6:44:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report May 14, 2018

May 14, 2018

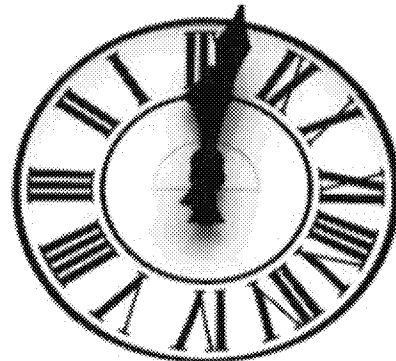


The National Black Chamber of Commerce is dedicated to economically empowering and sustaining African-American communities through entrepreneurship and capitalistic activity within the US and via interaction with the African Diaspora. View our website at www.nationalbcc.org

[Join Today](#)

Need More Time to File?

Attention all nonprofits. The deadline for filing your form 990 Tax , May 15, 2018. However, you can prolong that deadline for six additional months. Kindly Google IRS Form 8868, fill it out and mail it by tomorrow. No excuses!



[Read More](#)

Loving Costa Rica

The National Office certainly enjoyed Costa Rica last week. We joined in on the celebration of the election of Epsy Campbell as Vice President of the nation. She becomes the first Afro-Descendant to become a Vice President within the Americas. Despite the American continents to comprise an African descendant population of more than 30%, this is still a breakthrough. First Obama and now Campbell, the times are changing indeed. Enjoy the photos that we took during this historical journey.

[See Here](#)



A Great Partnership in New Jersey

The Economic Development Authority of the state of New Jersey recently approved a partnership between them and the African American Chamber of Commerce of New Jersey providing to New Jersey minority and/or woman owned construction companies. We applaud NBCC Board Member John Harmon for providing such productive leadership to the Garden State.

[See Here](#)

SBA Associate Administrator will debut at Energy Expo.

The 17th Annual Energy Expo which will be held in Houston, TX during May 24, 2018 will have Robb Wong added to the speakers list. This will be Mr. Wong's first public appearance since joining the SBA.



[Learn More](#)

Diversity Springs up at the US Department of Education.

The U.S. Department of Education Office of Small and Disadvantaged Business Utilization (OSDBU) will host the Service Disabled Veteran Owned Small Business (SDVOSB) Conference Thursday, May 24, 2018. Registration cut-off is Wednesday, May 16.

Get Ready for the New Farm Bill!

With or without any Democrats we are going to have a new farm bill that will include long over-due job training and placement components within it. With the intent of lessening poverty and welfare, the NBCC is in 100% support of this progressive movement. Let's employ all the people!!!

The Business Case for Racial Equity.

We don't use the terms "Diversity", "Equal Opportunity", etc. as a chic way of talking. We mean serious business and a greater America. Please follow our strategy for growth.

Where's the Beef???

The House Small Business Committee is serious about enforcing the "Small Business Regulatory Enforcement Fairness Act". Our federal agencies are sitting on their "butts". It is time to get busy!

Mark Your Calendar.

Save the date for our annual conference July 19-20, 2018 in Washington, DC!
Details to be released shortly!

[Donate Here](#)

{Save The Date}

July 19th—20th, 2018

Washington, D.C.



| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org |

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

[Unsubscribe \[bennett.tate@epa.gov\]\(mailto:bennett.tate@epa.gov\)](mailto:unsubscribe_bennett.tate@epa.gov)

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Message

From: Sarah Anderson [sanderson@freedomworks.org]
Sent: 4/2/2018 4:58:59 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Mike Thompson [mthompson@crccpublicrelations.com]
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

Will do! And Patrick is out of town unfortunately, but I can attend -- just let me know the details. Thanks!

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

[400 North Capitol St NW #765](#)
[Washington, DC 20001](#)

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 12:49 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Thanks! Please share. Also, do you or Patrick have any interest in attending our event tomorrow?

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Monday, April 2, 2018 11:40 AM
To: Mike Thompson <mthompson@crccpublicrelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

Ex. 6

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 11:04 AM, Mike Thompson <mthompson@crcpublicrelations.com> wrote:

FYI

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate ([\(202\) 329-3948](tel:2023293948))

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.
- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.
- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.
- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.
- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**
- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

You received this message because you are subscribed to the Google Groups "EPA Comms" group.

To unsubscribe from this group and stop receiving emails from it, send an email to epa-comms+unsubscribe@googlegroups.com

To post to this group, send email to epa-comms@googlegroups.com.

To view this discussion on the web visit <https://groups.google.com/d/msgid/epa-comms/DM5PR0201MB36071E87D33812044F23A1CBC2A60%40DM5PR0201MB3607.namprd02.prod.outlook.com>.

For more options, visit <https://groups.google.com/d/optout>.

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 4:29:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Introductions

That is so cool! Go home team!

Sent from my iPhone

> On Apr 7, 2018, at 8:39 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>
> Sure enough I'm at the hospital for game day. Looks like we should have held off!

>
>> On Apr 7, 2018, at 7:54 AM, Don Parrish <donp@fb.org> wrote:

>>
>> Sure.

>>
>> Sent from my iPhone

>>
>>> On Apr 6, 2018, at 8:33 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>>>
>>> Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Nicole Rolf [nicoler@mfbf.org]
Sent: 4/10/2018 4:36:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Don Parrish [donp@fb.org]
Subject: RE: Introductions

Oh my goodness, congratulations!!! **Ex. 6** and we'll talk later. :)

Congrats again!
Nicole

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 10, 2018 7:20 AM
To: Nicole Rolf
Cc: Don Parrish
Subject: Re: Introductions

Thanks! I'll touch base after **Ex. 6**

> On Apr 9, 2018, at 6:40 PM, Nicole Rolf <nicoler@mfbf.org> wrote:
>
> Hello Tate! Thanks for the introduction, Don. :)
>
> Tate, I'm happy to visit any time. My contact information is below.
>
> Have a good week,
>
> Nicole Griffin Rolf
> Montana Farm Bureau Federation
> Director of National Affairs
> Eastern Montana Regional Manager
> nicoler@mfbf.org
> **Ex. 6** (office)
> (cell)
>
>
>

> -----Original Message-----
> From: Don Parrish [mailto:donp@fb.org]
> Sent: Saturday, April 7, 2018 6:09 AM
> To: Bennett, Tate
> Cc: Nicole Rolf
> Subject: RE: Introductions
>
> Nicole
>
> I would like to introduce you to Tate Bennett - She works for Administrator Pruitt and is a great contact at EPA.
>
> Don R Parrish
> American Farm Bureau Federation(r)
> **Ex. 6**
> donp@fb.org
>

> -----Original Message-----
> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Friday, April 06, 2018 8:33 PM
> To: Don Parrish
> Subject: Introductions
>
> Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/8/2018 12:47:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: WPS draft language
Attachments: WPS Senate.docx

This is what I gave House folks. Base text is Senate bill; italicized portion is what we could accept
Call me if Q's

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

1 **SEC. 8. AGRICULTURAL WORKER PROTECTION STANDARD;**
2 **CERTIFICATION OF PESTICIDE APPLICATORS**

3 (a) IN GENERAL. —Except as provided in subsection (b), during the period
4 beginning on the date of enactment of this Act and ending not earlier than
5 October 1, 2021, the Administrator of the Environmental Protection Agency
6 (referred to in this section as the “Administrator”)—

7 (1) shall carry out—

8 (A) the final rule of the Administrator entitled “Pesticides;
9 Agricultural worker Protection Standard Revisions” (80 Fed.
10 Reg. 67496 (November 2, 2015)); and

11 (B) the final rule of the Administrator entitled “Pesticides;
12 Certification of Pesticide Applicators” (82 Fed. Reg. 952
13 (January 4, 2017)); and

14 (2) shall not revise or develop revisions to the rules described in
15 subparagraphs (A) and (B) of paragraph (1).

16 (b) EXCEPTIONS.—Prior to October 1, 2021, the Administrator may propose,
17 and after a notice and public comment period of not less than 90 days,
18 promulgate—

19 (1) revisions to the final rule described in subsection (a)(1)(A)
20 addressing application exclusion zones under part 170 of title 40,
21 Code of Federal Regulations, consistent with the Federal Insecticide,
22 Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); *and*

23 (2) *revisions to such rule related to the use by workers of designated*
24 *representatives if such revisions—*

25 (A) *do not restrict the right of a worker to use anyone as a*
26 *designated representative;*

27 (B) *provide guidance to employers on how to respond to requests*
28 *that do not appear to be authentic or bona fide requests from*
29 *workers; and*

30 (C) *limit or proscribe the use by a designated representative of*
31 *records when such use is not related to providing the records*
32 *to the worker who requested the records on the worker's*
33 *behalf.*

34 (c) GAO REPORT.—The Comptroller General of the United States shall—

35 (1) conduct a study *that—*

36 (A) *evaluates on the use of designated representative provisions*
37 *in states that have such provisions, including the effect of that*
38 *use provision on the availability to workers of pesticide*
39 *application and hazard information;*

40 (B) *compares and worker health and safety in states that have*
41 *had such provisions with health and safety of workers in*
42 *states that have not had such provisions; and*

43 (2) not later than October 1, 2021, *shall make publicly available a report*
44 *describing the study under paragraph (1), including any*
45 *recommendations to prevent the misuse of pesticide application and*
46 *hazard information, if that misuse is identified the use or release by*
47 *designated representatives of pesticide application and hazard*
48 *information to parties other than to the worker on whose behalf the*
49 *designation and release was requested.*

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:15:14 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Introductions

Tate

Steve is the EXE Director of the West Virginia FB.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Sarah Anderson [sanderson@freedomworks.org]
Sent: 4/2/2018 3:39:54 PM
To: Mike Thompson [mthompson@crcpublicrelations.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

[400 North Capitol St NW #765](#)
[Washington, DC 20001](#)

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 11:04 AM, Mike Thompson <mthompson@crcpublicrelations.com> wrote:

FYI

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate ([\(202\) 329-3948](tel:(202)329-3948))

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.
- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.
- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.
- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.
- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**
- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

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For more options, visit <https://groups.google.com/d/optout>.

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:14:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: West Virginia Steve Butler [steveb@wvfarm.org]
Subject: RE: Introductions

Steve

I would like to introduce you to Tate Bennett, she works for Administrator Pruitt and is a great EPA contact.

Don R Parrish
American Farm Bureau Federation(r)
Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 3/22/2018 6:04:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Wyoming

Thanks -- no kidding on that being a quick trip.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, March 22, 2018 10:15 AM
To: Barfield, Blake
Subject: Re: Wyoming

Hey Blake- He's only going to be there on the ground 2 hours that day on the other side of the state. VERY quick trip. Will let you know when he can come back.

On Mar 22, 2018, at 10:49 AM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Hey Tate:

Hope you're well

I was visiting with a Wyoming colleague who heard on the radio Administrator Pruitt is heading to Wyoming next week with Chairman Barrasso.

Wanted to see if you guys had an itinerary and/or plans to be in Cheyenne?

Happy to help anyway we can (have a facility in Cheyenne).

Thanks
Blake

—
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
(214) 954-6506
blake.barfield@hollyfrontier.com

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contained in this message should be construed as a digital or electronic signature or a commitment to a binding agreement.

Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 4/2/2018 8:04:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: ICYMI: EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

Great news here

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 3:04 PM
To: Bennett, Tate
Cc: Gordon, Stephen; Letendre, Daisy
Subject: ICYMI: EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

WASHINGTON (April 2, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt is announcing the completion of the Midterm Evaluation (MTE) process for the greenhouse gas (GHG) emissions standards for cars and light trucks for model years 2022-2025, and his final determination that, in light of recent data, the current standards are not appropriate and should be revised. Administrator Pruitt is also announcing the start of a joint process with the National Highway Traffic Safety Administration (NHTSA) to develop a notice and comment rulemaking to set more appropriate GHG emissions standards and Corporate Average Fuel Economy (CAFE) standards.

“The Obama Administration’s determination was wrong,” **said EPA Administrator Scott Pruitt.** “Obama’s EPA cut the Midterm Evaluation process short with politically charged expediency, made assumptions about the standards that didn’t comport with reality, and set the standards too high.”

Under the Clean Air Act (CAA), EPA sets national standards for vehicle tailpipe emissions of certain pollutants. Through a CAA waiver granted by EPA, California can impose stricter standards for vehicle emissions of certain pollutants than federal requirements. The California waiver is still being reexamined by EPA under Administrator Pruitt’s leadership.

“Cooperative federalism doesn’t mean that one state can dictate standards for the rest of the country. EPA will set a national standard for greenhouse gas emissions that allows auto manufacturers to make cars that people both want and can afford – while still expanding environmental and safety benefits of newer cars. It is in America’s best interest to have a national standard, and we look forward to partnering with all states, including California, as we work to finalize that standard,” **said Administrator Pruitt.**

Additional Background

As part of the 2012 rulemaking establishing the model year 2017-2025 light-duty vehicle GHG standards, EPA made a regulatory commitment to conduct a MTE of the standards for MY 2022-2025 no later than April 1, 2018. This evaluation would determine whether the standards remain appropriate or should be made more, or less stringent.

In November 2016, the Obama Administration short-circuited the MTE process and rushed out their final determination on January 12, 2017, just days before leaving office. Since then, the auto industry and other stakeholders sought a reinstatement of the original MTE timeline, so that the Agency could review the latest information.

EPA and the U.S. Department of Transportation announced a reestablishment of the MTE process in March 2017. And, in August 2017, EPA reopened the regulatory docket and asked for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, and assessing advanced fuels technologies. EPA also held a public hearing on this topic.

For more information: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas>

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Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:11:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: Introductions

Tate

Both Nicole and Bob are the national affairs coordinator.

Don R Parrish
American Farm Bureau Federation(r)

Ex. 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

Message

From: Don Parrish [donp@fb.org]
Sent: 4/7/2018 12:10:37 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Indiana Bob White [BWhite@infarmbureau.org]
Subject: RE: Introductions

Bob

I would like to introduce you to Tate Bennett. She works for Administrator Pruitt and is a great contact at EPA.

Don R Parrish
American Farm Bureau Federation(r)
Ex 6
donp@fb.org

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, April 06, 2018 8:33 PM
To: Don Parrish
Subject: Introductions

Thoughts on connecting me with Montana, Indiana (the new McKinney or their fed person?) and WV?

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/9/2018 7:17:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report April 9, 2018



4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

1. Buffalo Chapter honors our Vets: We congratulate our affiliate chapter in Buffalo, New York for supporting the effort to erect the new African American Veterans Monument.

2. Columbian Entrepreneurs head to Tampa Summit: Here is the list of our entrepreneurs from our Columbian chapter who will be visiting Southeast Regional Conference in Tampa this week. They are looking for potential matchmaking business partners from within the NBCC. Come and meet them!

3. It's Lobby Day in Illinois: Congratulations to our Illinois State Black Chamber of Commerce who will be having their annual event in Springfield, IL. The Governor, key members of the Illinois legislature and administrators of major state agencies will come out and host this mega entourage of Black business owners.



4. SNAP Fraud is Real: Food stamps costs accounts for nearly 80% of the entire budget of the U.S. Department of Agriculture. The issue of fraud is growing and ever serious. Here's an example of a city whose concerns are big - advertising about it on a DC transit bus.

5. Costa Rica elects First Black Vice President: We send kudos to our chapter in Costa Rica for organizing and supporting the successful campaign of Epsy Campbell Barr. At our last conference in Cali, Columbia Ms. Campbell Barr greatly impressed the participants with her platform. The people of Costa Rica evidently felt the same. Congratulations Epsy!

6. The Life and Times of Black American Entrepreneurs: Here are two parts of the three -part series of articles I have published in newspapers via the NNPA (Black Press). [Here](#) and [Here](#).

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 5/3/2018 8:14:45 PM
To: Aline DeLucia [aline@nasda.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Meeting with EPA Administrator Pruitt
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hello Aline,

Tate Bennett sent me your contact information and I understand that NASDA leadership would be interested in meeting with Administrator Pruitt in the next few weeks. Would you want to complete the attached request form with more information and to provide dates/times that would work for your group? I will then find a time that works on the schedule.

Thank you and we look forward to hosting you!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6



Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Sarah Anderson [sanderson@freedomworks.org]
Sent: 4/2/2018 7:26:41 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: EMBARGOED UNTIL NOON- MTE Announcement

Tate,

FreedomWorks' statement is here: <http://www.freedomworks.org/content/freedomworks-applauds-epa's-plan-revise-greenhouse-gas-emission-standards>

Thanks,
Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org
(202) 942-7601 (office)
Ex. 6 (cell)

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Am 02.04.2018 um 12:58 schrieb Sarah Anderson <sanderson@freedomworks.org>:

Will do! And Patrick is out of town unfortunately, but I can attend -- just let me know the details.
Thanks!

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org
(202) 942-7601 (office)
Ex. 6 (cell)

400 North Capitol St NW #765
Washington, DC 20001

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On Mon, Apr 2, 2018 at 12:49 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Thanks! Please share. Also, do you or Patrick have any interest in attending our event tomorrow?

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Monday, April 2, 2018 11:40 AM
To: Mike Thompson <mthompson@crcpublicrelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson

Policy Analyst

FreedomWorks

sanderson@freedomworks.org

(202) 942-7601 (office)

Ex. 6 (cell)

[400 North Capitol St NW #765](#)
[Washington, DC 20001](#)

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FYI

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Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate **Ex. 6**

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
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- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

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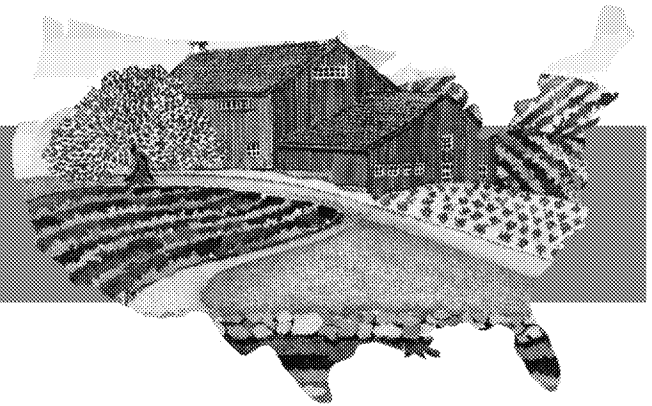
For more options, visit <https://groups.google.com/d/optout>.

From: Barb Glenn [carly@nasda.org]
Sent: 8/6/2018 4:25:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: 2018 NASDA Annual Meeting Early Bird Rates Ending August 10!

Exploring Our Nation's Roots

2018 NASDA ANNUAL MEETING

Hartford, Connecticut | September 9-12



REGISTER TODAY

We invite you to attend the 2018 Annual Meeting of the National Association of State Departments of Agriculture. Not only will the chief agricultural officials from across the U.S. gather to have critical policy discussions on emerging food and agriculture issues, but attendees will be immersed in the culture of Connecticut's rich heritage and diverse agriculture industry.

Make plans to travel to Hartford, CT, September 9 -12. You won't want to miss it!

// We look forward to sharing Connecticut's rich and diverse agricultural economy with other state departments of agriculture, partners and federal employees. **//**

— Steve Reviczky, NASDA President &
Connecticut Commissioner of Agriculture

Join leading agriculture policymakers to hear from amazing keynote speakers, gain insight on emerging legislative and regulatory issues, expand your networking opportunities, and more.

Early Bird Registration Fees are:

NASDA Members, State Staff, Affiliates & Federal Employees: \$675 (\$75 savings)

NASDA Partners, Local Partners & Industry Partners \$775 (\$75 savings)

Spouses & Guests \$450 (\$50 savings)

One-Day Registration: \$275 (\$25 savings)

[Click here for the event agenda](#)

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4350 N. Fairfax Drive, Suite 910, Arlington, VA 22203

No. I am not attending.

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Message

From: Don Parrish [donp@fb.org]
Sent: 4/10/2018 1:51:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: How is everyone?

I can't believe you are on email...

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 3/26/2018 5:13:23 PM
To: Charles DeBow [cdebow@nationalbcc.org]
CC: Kay DeBow [kdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Checking-in MOU meeting

Hi Charles,

Can we set a quick meeting to discuss a MOU with EPA this week?

Regards,

Lee

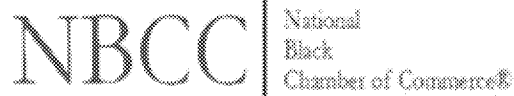
Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Tel: 202.564.4988
Cell: Ex. 6

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 3/30/2018 5:32:41 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report March 30, 2018



4400 Jenifer St. NW Suite 331 | Washington, DC 20015
Office: 202-466-6888 | Fax: 202-466-4918
www.nationalbcc.org | info@nationalbcc.org

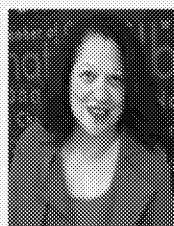
-
1. We are Partnering with ELAM: Mission Statement - "To assist ELAM students in their journey to becoming committed physicians so that they may practice in communities and for persons that need them most." These "warriors" are graduates from the Cuba School of Medicine. They return to the United States to complete their MD requirements and then serve our underserved communities. The ELAM Graduate Support Foundation, Inc. is leading the way in populating doctors and emulating the best healthcare delivery system in the world. Please read our MOU.
 2. KUDOS for John Harmon: NBCC Board Member John Harmon has been formally recognized for his precious work and activism in the State of New Jersey. Keep it up John!
 3. We support the Latest FCC Order: The future of Telecom is very bright!
 4. Pray for our Brothers and Sisters in Brazil: It is so terrible when a government turns its police into a vicious "army" Brazil is the second largest Black population in the world.
 5. Is China Good or Bad for Mother Africa: Here is my take on it.
 6. See you in Tampa! Register For The Conference Here



Southeastern Regional Black Chamber of Commerce Conference

April 12 – 14, 2018

Port of Tampa, Berth 208. Tampa, Florida



Kay DeBow
Co-Founder, National
Black Chamber of Commerce



Harry C. Alford
President/CEO, National
Black Chamber of Commerce



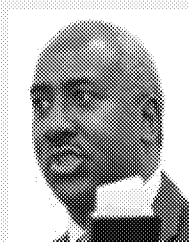
John Harmon
Founder/President, African
American Chamber of Commerce of New Jersey



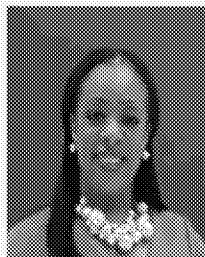
Courtney Reynolds
Incoming NBCC Chair, Greater
Southwest Louisiana BCC



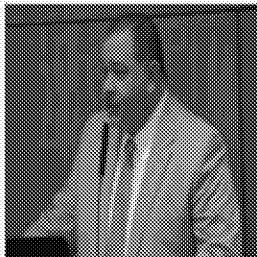
Larry Ivory
President, Illinois Black
Chamber of Commerce



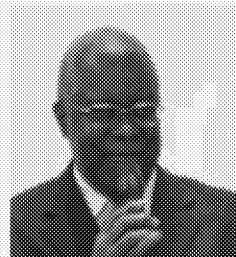
J.R. Jones
Outgoing NBCC Chair, Mississippi
State Black Chamber of Commerce



Tamiata Clatt
President, Manasota
Black Chamber of Commerce



Charles DeBow III
Vice-President of Special Projects,
National Black Chamber of Commerce



Gene Franklin
President, Florida State
Black Chamber of Commerce

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4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Sent: 3/22/2018 2:48:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Wyoming

Hey Tate:

Hope you're well

I was visiting with a Wyoming colleague who heard on the radio Administrator Pruitt is heading to Wyoming next week with Chairman Barrasso.

Wanted to see if you guys had an itinerary and/or plans to be in Cheyenne?

Happy to help anyway we can (have a facility in Cheyenne).

Thanks

Blake

--

Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
(214) 954-6506
blake.barfield@hollyfrontier.com

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Message

From: Aline DeLucia [aline@nasda.org]
Sent: 4/2/2018 1:06:28 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Catch up

Tate,

I have availability for coffee this Wed. – anytime from 10am-3pm. I am also available from 1pm to 3pm on Thursday. Let me know if any of these dates/times work for you. Thanks!

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Steven Rowe [steven.rowe@newtrient.com]
Sent: 3/21/2018 2:33:24 PM
To: Sawyers, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=49214552a00b4ab7b168ec0edba1d1ac-Sawyers, Andrew]; Frace, Sheila [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba25b075cb55480595d789b5e0765367-sfrace]; Goodin, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3eac342f280a4b9db4079c81f66d1913-JGoodin]; Connors, Sandra [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc4f8f38be74de797ba9f894a0bc7b5-SCONNORS]; Lape, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8d208a4970394d869eb5419e1ac8d589-Jlape03]; Zobrist, Marcus [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=844deb75a43b4d319c6adcaf8a5b2e4b-mzobrist]; Wall, Tom [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=128011ac603c4d1a82301ada1bdfd733-Twall]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Farris, Erika D. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d37183fb40d3482187e8f179b5b85386-EFarris]; Bruce Knight [bknight@stratconserve.com]; Ziobro, Joseph [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=43c5dc68527b46d08f0787a63a54b5bc-Ziobro, Jos]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Kevin O. Swanson [koswanson@michaelbeststrategies.com]; Denise Bode [denisebode@me.com]
Subject: Newtrient and an Update on Our Collective Efforts Supporting Environmental Market Mechanisms

Dear all:

I am sending a quick update and note of thanks to you as leaders within the EPA who have helped foster key meetings and what is becoming a healthy conversation regarding new market approaches to pollution prevention by non-point sources. For those who were not in attendance, an excellent meeting was held on March 5th that clearly displayed the Agency's depth of knowledge and excitement about the possibilities of a truly coordinated effort to engage agriculture in a new and meaningful way. Thank you for facilitating and hosting that meeting, Andrew.

This discussion started with the Administrator's office many months ago and we are grateful for the continued and consistent support that we have experienced from each of you along the way. Your collective buy-in and willingness to work with Newtrient to achieve our shared objectives of delivering measurable environmental benefits through market driven approaches is very encouraging and exciting.

I'm confident this collaborative effort will ultimately lead to unleashing the pollution prevention power of the agricultural sector. Technological innovation now allows for that exciting outcome when combined with a viable income stream to offset upfront capital costs and ongoing operating costs. Newtrient's ultimate goal is to set up a mechanism for enabling this outcome and its environmental, economic and social benefits.

As recommended in the March 5th meeting, I am working with Joseph Ziobro to form a working group to keep this discussion active and convert it to action within the EPA framework and in states where Newtrient is already involved (initially Vermont and Wisconsin). Your continued support for this working group is vital to its success. We will keep you posted along the way.

Thank you,

Steve



Steven P. Rowe

President & CEO

C: ([REDACTED]) **Ex. 6**

steven.rowe@newtrient.com

Newtrient.com

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 3/23/2018 5:48:11 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: [SPAM-Sender] Conference In Tampa April 12 - 14, 2018

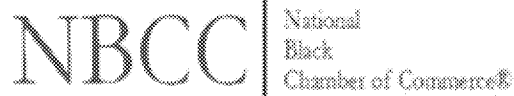
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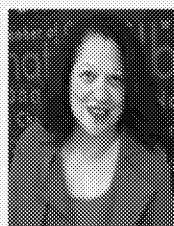
[Register For The Conference Here](#)



Southeastern Regional Black Chamber of Commerce Conference

April 12 – 14, 2018

Port of Tampa, Berth 208. Tampa, Florida



Kay DeBow
Co-Founder, National
Black Chamber of Commerce



Harry C. Alford
President/CEO, National
Black Chamber of Commerce



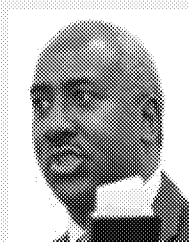
John Harmon
Founder/President, African
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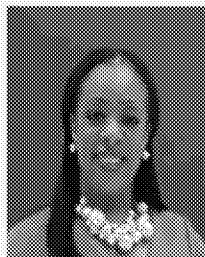
Courtney Reynolds
Incoming NBCC Chair, Greater
Southwest Louisiana BCC



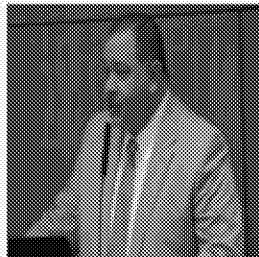
Larry Ivory
President, Illinois Black
Chamber of Commerce



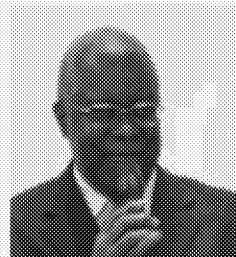
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President, Manasota
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Vice-President of Special Projects,
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President, Florida State
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From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 4/17/2018 6:41:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report April 17, 2018



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Office: 202-466-6888 | Fax: 202-466-4918
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-
- 1. Hail to our new Chair!** Last week we installed **Courtney Reynolds** of the Louisiana African American Chamber of Commerce as our Chair of the Board of Directors. At the same time, we applaud JR Jones of Mississippi, who was an excellent Chair during his tenure. We expect big things out of Courtney (Bio).
 - 2. The Dorothy Leavell Story:** NBCC Board Member recently celebrated her 50 years as Publisher of the two (Chicago and Gary) Crusader newspapers. This is the "stuff" movies are made of. Congratulations Dorothy!
 - 3. World Series for 5-G Deployment:** Right now, China leads the world in the deployment of 5-G (fifth generation internet). We, the United States, come in as a close 2nd with South Korea and Japan rounding out the top 4 nations. Certainly, the normal resolve and diligence of the Great USA will eventually overtake China and become the perennial leader. Our telecoms and the FCC will make it happen.
 - 4. The Transition of a NBCC Hero:** With a heavy heart we announce the passing of Eric Vickers (April 14, 2018). Eric was a true Black Business Development Warrior. A devoted student of the late Parren J. Mitchell, we would marvel at his courage, intelligence, and courtroom charisma. Parren gave him the nickname "Rambo" for

his aggressiveness. We learned a lot from Eric. He taught me to be brave and the importance of protecting your principles. A memorial celebrating and reflecting the life of Eric Vickers will be held in St. Louis on May 6, 2018 at the Omega Center, 3900 Goodfellow Blvd., St. Louis, MO 63120-1531, tel. 314-385-4100. I look forward to seeing all the gang there.



5. KUDOS from the Georgia State Legislature: Congratulations to Shelley "Butch" Anthony, owner of "This is It" bar-b-que restaurants and franchises. A proud Christian, philanthropist and entrepreneur Mr. Butch is rising like a shooting star. He is also a proud Board Member of the Georgia Greater Black Chamber of Commerce. The Georgia legislature recently recognized his accomplishments. His book has just been released!

6. Meet the "Top CEO of Western Pennsylvania": The African American Chamber of Commerce of Western Pennsylvania (Pittsburgh) is celebrating the recognition of one of its members. Congratulations are in store for Emma Alaquiva for winning this distinction.

7. Changes coming to Department of Agriculture: We have been recently working with the staff of Congressman Mike Conaway, Chair of the House Agriculture Committee. Standby for a big development soon.

8. Shake it Up! The NBCC is joining other industry leaders to encourage the restructure of the Consumer Financial Protection Bureau. This is overdue.

9. COX presents GSLBCC 18th Annual Banquet: It seems like yesterday when I visited the Greater Southwest Louisiana Black Chamber of Commerce's first initial event. But here we are looking

at the 18th year of serving the greater Lafayette, Louisiana business infrastructure. Congratulations!

10. Part III of my OP-ED: My account of the evolution of Black business policy on Capitol Hill.

National Black Chamber of Commerce,
4400 Jenifer St NW Suite 331, Washington, DC 20015

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Message

From: Paul Schlegel [pauls@fb.org]
Sent: 8/1/2018 7:47:40 PM
To: Tennessee Rhedona Rose [rrose@tbf.com]; Tennessee Stefan Maupin [smaupin@tbf.com]; Mississippi Andy Whittington [awhittington@msfb.org]; Mississippi Justin Ferguson [jferguson@msfb.org]; Arkansas Matt King [matt.king@arfb.com]; Arkansas John Bailey [john.bailey@arfb.com]; Georgia Farm Bureau Tripp Cofield [mtcofield@gfb.org]; Joe Cain (JCain@kyfb.com) [JCain@kyfb.com]; Nebraska Jordan Dux [jordand@nefb.org]; Kansas Ryan Flickner [flicknerr@kfb.org]; North Dakota Pete Hanebutt [pete@ndfb.org]; Illinois Adam Nielsen [anielsen@ilfb.org]; Missouri Leslie Holloway [lholloway@mofb.com]; Tuma, Spencer [Spencer.Tuma@mofb.com]; Scott VanderWal [svanderwal@fb.org]; Tennessee Kevin Hensley [khensley@tbf.com]; Tanksley, BJ [bj.tanksley@mofb.org]; Bohl, Eric [Eric.Bohl@mofb.com]; Kentucky Ed McQueen [Ed.McQueen@kyfb.com]; Blake Julie Hurst [Ex. 6]; Missouri Debbie Johnson [djohnson@mofb.com]; Missouri Blake Hurst [bhurst@mofb.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Correction - EPA Dicamba Conference Call is Aug 8, not Aug 3
Importance: High

All –

I want to clarify that the conference call with EPA that was originally scheduled for this Friday at 2 pm will take place on Wednesday, August 8 at 3 pm. There is no conference call with EPA this Friday.

Someone pointed out that when I updated the calendar invitation, I neglected to update the relevant information in the details. I apologize for the mistake. Correct information is below.

SUBJECT: Conference call with EPA on dicamba
DATE: Wednesday, August 8, 2018
TIME: 3 pm EDT
CALL-IN: [Ex. 6]
PASSCODE: [Ex. 6]

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

[Ex. 6] (o)
[Ex. 6] (c)
pauls@fb.org

Message

From: Patrick Hedger [phedger@freedomworks.org]
Sent: 4/2/2018 5:58:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re:

Just landed in Florida. Will give you a shout within an hour

Sent from my iPhone

On Apr 2, 2018, at 11:39 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Can you give me a shout Ex. 6

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/1/2018 7:10:57 PM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: EPA presence at NASDA national meeting

Thanks, Hema! We will put you down for 12pm on Monday – Sept. 10th. We can follow up on a couple of weeks to discuss details.

I would need to know by Aug. 14th on his participation.

Thank you!

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Wednesday, August 01, 2018 1:21 PM
To: Aline DeLucia
Cc: Nitsch, Chad; Bennett, Tate
Subject: RE: EPA presence at NASDA national meeting

Hello Aline,

I've confirmed -- Tate Bennett and I would be happy to speak at the lunch on Monday the 10th at the NASDA Annual Meeting, to provide general EPA updates. If you need, Tate's title is Associate Administrator of EPA's Office of Public Engagement and Environmental Education. My title in the Ag Advisor's Office is currently in flux, but I can provide to you soon.

Looks like Mike Goodis, Director of our Office of Pesticide Programs' Registration Division, is out of office until Aug. 9th. I'm trying to get confirmation on his availability for speaking to the pesticide committee before then, but let me know if you have a drop dead date by which you need to know?

Thank you, and more soon.
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041
c: Ex. 6

Message

From: Tanner, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=153D1B6B96FA4681A06C2868D5F8D691-LEE TANNER]
Sent: 4/5/2018 6:59:22 PM
To: Kay DeBow [kdebow@nationalbcc.org]
CC: Charles DeBow [cdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Re: Follow-up

Thank you.

Sent from my iPhone

On Apr 5, 2018, at 2:10 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

Lee, I'm working on this now.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

From: Tanner, Lee <Tanner.Lee@epa.gov>
Sent: Monday, April 02, 2018 12:46 PM
To: Charles DeBow <cdebow@nationalbcc.org>
Cc: Kay DeBow <kdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>
Subject: Follow-up

Hi Charles,

Please fill out the attached speaker request form.
I also have an update for you on our efforts; please let me know when you can take a call.

Regards,

Lee

From: Bennett, Tate
Sent: Thursday, March 1, 2018 3:09 PM
To: Tanner, Lee <Tanner.Lee@epa.gov>; Kay DeBow <kdebow@nationalbcc.org>

Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Ford, Hayley <ford.hayley@epa.gov>

Subject: RE: Lee!

Thank you all for taking the time to meet with the Admin! Do you mind filling out the attached request form when you have time, Kay?

Tate

From: Tanner, Lee

Sent: Thursday, March 1, 2018 3:06 PM

To: Kay DeBow <kdebow@nationalbcc.org>

Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Re: Lee!

You are welcome. I am glad to hear it went well.

Best,

Lee

Sent from my iPhone

On Mar 1, 2018, at 2:02 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

Dear Lee, thank you for setting up yesterday's meeting. It was a success! Secretary Pruitt agreed to speak at our conference in July. We will get back to you with details. Thank you so much.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

Message

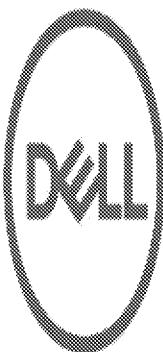
From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 8/1/2018 6:45:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: Progress Report August 1, 2018

August 1, 2018

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Mission: To exponentially increase the amount of Black business procurement at the federal government level which will lead to greater empowerment, demand for Capital Access, a sharp rise in employment opportunities, aka JOBS! In doing so, we prepare our constituents to earn a

greater market share in the global marketplace and improved communities from an economic perspective. "What is the status of Black business procurement?" Should be the number one topic of discussion amongst our leaders and bureaucrats throughout all levels of our national structure. Our chapters will receive technical assistance in preparing for this initiative.

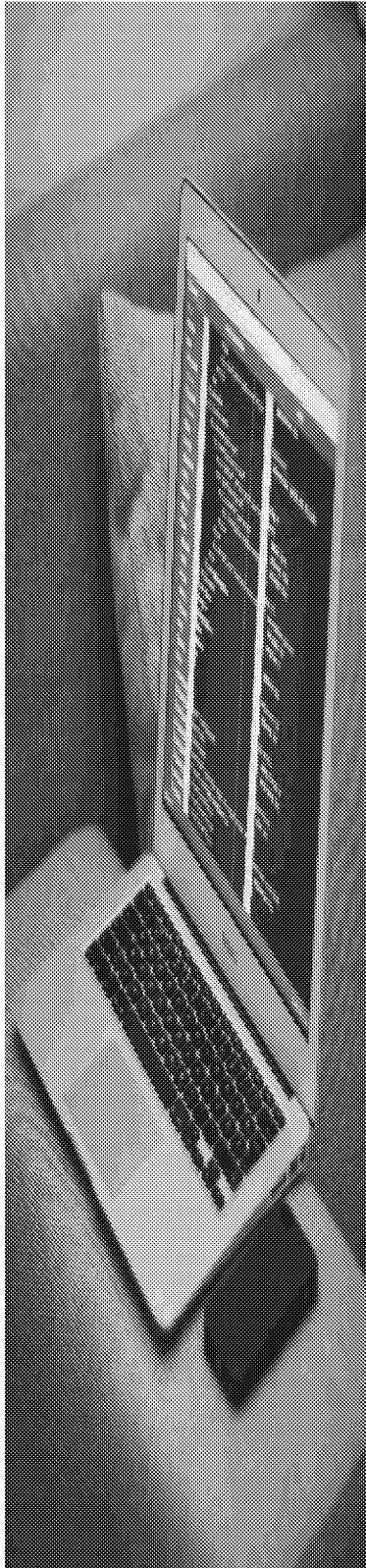
Quarterly Reviews on Each Government Agency: Beginning at the end of the next fiscal quarter, September 30, 2018, the NBCC will review the status of Black procurement with each federal agency. We will rank them and submit our findings to each top official of each agency and to the Chief of Staff of the White House. These quarterly reviews will continue through Fiscal Year 2020. They will be available to the public. The intent is to encourage procurement officers and their managers to focus on the need to improve the amount of volume they procure with certified Black firms, including those certified as 8a firms. The current status is disappointing so we must improve as soon as possible.

SBA Lending to Black

Firms: Consistent with the above we shall obtain the status of SBA lending to Black owned firms on a quarterly basis. We will develop a communication flow to the applicable banks encouraging them to become aggressive in this area. We will also review the CRA ratings (Community Reinvestment Act) of the major banks in the nation. Our chapters will do personal reviews with their applicable banks.



Exploitation of Model Programs: We will identify locally based model programs that deal with job training and placement. Where possible we will partner with them and assist them in growing their markets and increasing their success levels. Two of these programs were identified during our recent annual conference.



Monitor our Utility Companies: The General Services Administration has an excellent program of reviewing the status of Small and Disadvantaged Business Enterprise (DBE) procurement with local utility companies. The companies are required to submit bi-annual plans for doing business with the DBE's within their marketplace. The plan's results are reported and then updated every two years. We will begin reporting on this process and publicize the results. Our local chapters will be charged in dealing face to face with their applicable utility firms.

Review State Minority Business Programs: We will review the MBE programs for most states within our nation. They will be assigned rankings and reviews will be updated on an annual basis. This should provide technical support for our local chapters as they provide advocacy for their members. The first review will be due by the end of this calendar year.

The above should keep our “plate full”. We are going to make changes – GOOD CHANGES!

JOIN US TODAY!

| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org

STAY CONNECTED



National Black Chamber of Commerce | 4400 Jenifer St NW Suite 331, Washington, DC 20015

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Sent by halford@nationalbcc.org in collaboration with



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Message

From: Don Parrish [donp@fb.org]
Sent: 3/16/2018 2:01:21 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
CC: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: Re: Quick ?

I will check.

Don

Sent from my iPhone

On Mar 15, 2018, at 6:38 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Don! Does AFBF have a fly in next week? It's my impression there is not one master fly-in, but rather states come in individually. Just wanted to make sure we weren't missing anything! Let me know.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/1/2018 3:27:09 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: RE: EPA presence at NASDA national meeting

Winter Policy Conference -- early Feb. Let me check internally....I will get back to you. Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 01, 2018 11:20 AM
To: Aline DeLucia
Subject: RE: EPA presence at NASDA national meeting

Sorry- what is WPC? It would be nice if Hema or myself had an opportunity to update your membership on Wheeler's priorities at some point during the conference.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, August 1, 2018 11:13 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Britt Aasmundstad <britt@nasda.org>
Subject: RE: EPA presence at NASDA national meeting

Thanks for the update, Tate. We will no longer hold the EPA speaking slot. Let's see if we can work something out for WPC. Thanks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 01, 2018 10:53 AM
To: Aline DeLucia
Cc: Britt Aasmundstad
Subject: RE: EPA presence at NASDA national meeting

She cannot attend either.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, August 1, 2018 10:52 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Britt Aasmundstad <britt@nasda.org>
Subject: RE: EPA presence at NASDA national meeting

How about Anna?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 01, 2018 10:43 AM
To: Aline DeLucia
Subject: RE: EPA presence at NASDA national meeting

As of now he cannot make it. I'll let you know if that changes.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, August 1, 2018 9:20 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: EPA presence at NASDA national meeting

Hey Tate – Do you have any updates? I just got an out of the office reply from Chad. We are trying to finalize our agenda soon, so any feedback would be very helpful!

Thanks!

Aline

From: Aline DeLucia
Sent: Tuesday, July 31, 2018 1:48 PM
To: 'Nitsch, Chad'
Subject: FW: EPA presence at NASDA national meeting

Chad,

Just wanted to follow....any updates?

From: Aline DeLucia
Sent: Wednesday, July 25, 2018 7:45 PM
To: 'Nitsch, Chad'
Subject: RE: EPA presence at NASDA national meeting

Chad,

Thank you for the update. Yes and yes. No problem on waiting until Monday and Anna W. would be ok as well.

Thanks again!

Aline

From: Nitsch, Chad [<mailto:Nitsch.Chad@epa.gov>]
Sent: Wednesday, July 25, 2018 2:38 PM
To: Aline DeLucia
Subject: RE: EPA presence at NASDA national meeting

Looks like Dave is out until next Monday, so their scheduling office will be able to determine his presence at the NASDA conference then. I'm told his calendar is showing available, they just need to talk it through. Sorry for the continued delay, but can you wait for an answer by Monday? Also, as a backup would Anna Wilderman, the appointed Deputy Assistant Administrator for Water, be acceptable?

Thank you,

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Aline DeLucia [<mailto:aline@nasda.org>]
Sent: Tuesday, July 24, 2018 2:30 PM

To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: Re: EPA presence at NASDA national meeting

Sure. Thanks

Sent from my iPhone

On Jul 24, 2018, at 2:22 PM, Nitsch, Chad <Nitsch.Chad@epa.gov> wrote:

I'll have a confirmation for you by the end of the week. Does that work?

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Aline DeLucia [<mailto:aline@nasda.org>]
Sent: Monday, July 23, 2018 3:16 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: EPA presence at NASDA national meeting

Chad,

It looks like Monday, September 10th from 9:15AM-9:45AM (slot 1) and 9:45AM-10:15AM (slot 2) are available. We are waiting for USDA to confirm one of those spots – the other spot would be for EPA. This would be a plenary session, with someone from EPA on the podium talking to all our members. Giving everything that is going on with WOTUS, we would love to have David Ross as the EPA speaker. Would that work for you all?

If we could go ahead and lock that day and time that would be great! We are trying to finalize things between this week and next...

Thank you for all your help!

Aline

From: Nitsch, Chad [<mailto:Nitsch.Chad@epa.gov>]
Sent: Monday, July 23, 2018 8:08 AM
To: Aline DeLucia; Nathan Bowen; Britt Aasmundstad
Cc: Subramanian, Hema
Subject: RE: EPA presence at NASDA national meeting

Aline and crew,

For NASDA's national conference in Hartford, I suggest inviting David Ross (Assistant Administrator for the Office of Water), Nancy Beck (Deputy Assistant Administrator for the Office of Chemical Safety and Pollution Prevention), and Tate Bennett (Associate Administrator for Public Engagement and Environmental Education). Nancy may delegate as she might have a conflict, but at least we'll try to get someone from the pesticides office. You can send the invite to me, and I can get it to the right people.

We talked about an overview that EPA could message in the regional breakout sessions. As I said in my voicemail, I think it makes more sense for EPA's message to be conveyed amongst the larger group (once instead of four times), followed by Q&A. If there is anyway you can make this happen, we'd be very much appreciative. I also understand that there are time constraints for the overall conference and plenary sessions, so we'll make something work.

For the invite, please send one invite addressed to David, Nancy, and Tate. Please be specific on what you'd like each of them to discuss. Please also include:

- Draft agenda
- Time and dates you'd like EPA to participate
- Requested speech topics
- Who is the audience?
- Will there be press? If so, which organizations?
- Will the conference be recorded/webcasted/transcribed?

Thanks and let me know if you have any questions.

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Aline DeLucia [<mailto:aline@nasda.org>]
Sent: Friday, July 13, 2018 2:23 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Subject: RE: EPA presence at NASDA national meeting

Hey Chad,

This is great news! It seems like most of our plenary spots are already booked. Do you think they would be available to give an update at our regional brake outs? Basically they would give an update 4x, and members would ask questions. Let me know your thoughts. I would love to get a formal invite going!

Happy to chat over the phone if you would like. Thanks!

Aline

From: Nitsch, Chad [<mailto:Nitsch.Chad@epa.gov>]
Sent: Friday, July 13, 2018 1:32 PM
To: Nathan Bowen; Aline DeLucia; Britt Aasmundstad
Subject: EPA presence at NASDA national meeting

Hi Nathan,

We were wondering if EPA would be requested to talk to at NASDA's national conference in Hartford. Aline discussed a bit, and I've just learned that David Ross might be available, alone with Tate, and possibly Hema. I know folks have generally been happy with EPA's senior level

participation, and I want to keep that momentum going if we can. I'm preparing for a series of eight large meetings next week, so I'll be busy, drowning, at a undisclosed beach location with no cell service! I'll definitely follow up when I can!

Chad Nitsch
State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

Message

From: Aline DeLucia [aline@nasda.org]
Sent: 8/2/2018 6:34:01 PM
To: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Goodis, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=50ed0b92dc4945b7a808fe8dbc9224f0-Michael Goodis]
Subject: RE: RE: EPA presence at NASDA national meeting

Great! Thank you so much, Hema.

Mike -- I will follow up with on as relates to the committee agenda. Thanks!

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Thursday, August 02, 2018 2:15 PM
To: Aline DeLucia
Cc: Nitsch, Chad; Bennett, Tate; Goodis, Michael
Subject: RE: RE: EPA presence at NASDA national meeting

Aline, Mike confirmed that he will be able to address NASDA's pesticides committee on the 10th. I'm cc'ing him here, and we look forward to further coordination for the event.

Thank you,
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041
c: Ex. 6

From: Subramanian, Hema
Sent: Wednesday, August 01, 2018 1:21 PM
To: 'aline@nasda.org' <aline@nasda.org>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: EPA presence at NASDA national meeting

Hello Aline,

I've confirmed -- Tate Bennett and I would be happy to speak at the lunch on Monday the 10th at the NASDA Annual Meeting, to provide general EPA updates. If you need, Tate's title is Associate Administrator of EPA's Office of Public Engagement and Environmental Education. My title in the Ag Advisor's Office is currently in flux, but I can provide to you soon.

Looks like Mike Goodis, Director of our Office of Pesticide Programs' Registration Division, is out of office until Aug. 9th. I'm trying to get confirmation on his availability for speaking to the pesticide committee before then, but let me know if you have a drop dead date by which you need to know?

Thank you, and more soon.
---Hema.

Hema Subramanian
U.S. Environmental Protection Agency
Office of the Administrator
o: 202-564-5041
c: **Ex. 6**

Message

From: National Black Chamber of Commerce [halford@nationalbcc.org]
Sent: 8/10/2018 2:12:17 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: That "be your own boss" feeling.

August 10, 2018

NBCC | National Black
Chamber of Commerce®

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Take the next step by contacting us:
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| National Black Chamber of Commerce | Washington, DC | info@nationalbcc.org

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/7/2018 10:06:07 PM
To: Emily Stack [estack@freedomworks.org]; Patrick Hedger [phedger@freedomworks.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Daniel Savickas [dsavickas@freedomworks.org]; Sarah Anderson [sanderson@freedomworks.org]; Ken Cuccinelli [ktc21968@gmail.com]
Subject: RE: Thanks

Thanks! We will circle back soon.

From: Emily Stack [mailto:estack@freedomworks.org]
Sent: Tuesday, March 6, 2018 2:27 PM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Daniel Savickas <dsavickas@freedomworks.org>; Sarah Anderson <sanderson@freedomworks.org>; Ken Cuccinelli <ktc21968@gmail.com>
Subject: Re: Thanks

Good Afternoon Everyone,

As Patrick said we can be pretty flexible with dates on the Regulatory Livestream. As for our Weekly Educational Activist Livestream we do them every Tuesday at 5pm but can be flexible on the time for those. Our upcoming dates available are the 6th, 13th, and 20th. Let me know when everyone is available to come in and I will help move things along.

Best,
Emily

On Tue, Mar 6, 2018 at 1:47 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

No problem!

Certainly. Cc'd is Emily Stack, who manages our weekly townhall-style livestream as well as Dan Savickas and Sarah Anderson, who can help coordinate the regulatory-specific livestream in my absence. While I am gone, I believe Ken Cuccinelli would be a likely host. Ken is CC'd as well.

Thanks!

Sent from my iPhone

On Mar 6, 2018, at 12:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Patrick - we haven't forgotten you! Will get back to you on timing. Is there a good poc while you are out?

On Mar 2, 2018, at 9:48 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate, Liz,

It was an absolute pleasure getting to chat yesterday. Here's a press release related to yesterdays oil and gas announcements: <http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0>

As far as the livestreams we discussed, again we have one activist townhall-style livestream and my Regulatory focused weekly livestream. We're very flexible on time and date. Liz, I would love to have you on next week, either Thursday afternoon or sometime Friday as we discussed. But, again, we need guests every week and we're focusing on energy and environmental policy in March. Ken Cuccinelli would be available to conduct interviews as well. At the link below you should be able to see various examples and viewership numbers. Let me know what you both think!

<https://www.facebook.com/pg/FreedomWorks/videos/>

Looking forward to collaborating further!

Best,

Patrick

On Thu, Mar 1, 2018 at 3:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Patrick!

Thanks for being so flexible today! Feel free to pass along info for next week.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

[\(202\) 564-1460](tel:(202)564-1460)

Bennett.Tate@epa.gov

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

--
Emily Stack
Grassroots Coordinator
FreedomWorks

estack@freedomworks.org

(202) 783-3870 (office)

Ex. 6 (direct)

400 North Capitol Street N.W. Suite 765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/24/2018 6:15:15 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Ringel, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1654bdc951284a6d899a418a89fb0abf-Ringel, Aar]; Palich, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=330ad62e158d43af93fcbbece930d21a-Palich, Chr]; Frye, Tony (Robert) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=58c08abd1b4129a10456b78e6fc2e1-Frye, Rober]; Rodrick, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6515dbe46dae466da53c8a3aa3be8cc2-Rodrick, Ch]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Beach, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b124299bb6f46a39aa5d84519f25d5d-Beach, Chri]; Clowser, Jessica (Fischer) [Jessica_Clowser@fischer.senate.gov]; Gardner, Judd (Moran) [Judd_Gardner@moran.senate.gov]; Appleton, Brooke - OSEC, Washington DC [Brooke.Appleton@osec.usda.gov]; Tim Lust [tim@sorghumgrowers.com]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Jennifer Blackburn [jennifer@sorghumgrowers.com]; Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Andrew Walmsley [andrew@fb.org]
Subject: FYI Speaking lineup tonight

Importance: High

Looking forward to seeing everyone tonight!

Only those listed on this sheet are actually scheduled to speak, and in this order. Please keep 3-5 minutes max. Note- NOT everyone seated at the table will speak, so folks shouldn't automatically assume their neighbor seated next to them will give remarks. Just pay attention to this speaking order, and you will be good to go! Acting Admin Wheeler will call on folks to speak as we go around the table- putting him to work as the MC.

Feel free to reach out with any questions. My work cell is Ex. 6 Will see everyone before 5 PM.

Tate

**Sorghum Roundtable in Green Room
Speakers List Lineup**

1	Don Bloss	National Sorghum Producers Chairman, NE
2	Acting Administrator Andrew Wheeler	EPA
3	Sen. Jerry Moran	U.S. Senator Jerry Moran, KS
4	Sen. Deb Fischer	U.S. Senator Deb Fischer, NE
5	Rep. Roger Marshall	U.S. Rep. Roger Marshall, KS-1
6	Dan Atkisson	National Sorghum Producers Vice Chairman, KS
7	Bobby Nedbalek	National Sorghum Producers, TX
8	Kody Carson	National Sorghum Producers, TX
9	Tim Lust	National Sorghum Producers
10	Mandy Gunasekara	EPA, OAR
11	Bill Hohenstein	USDA
13	Zippy Duvall	American Farm Bureau Federation

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/2/2018 2:51:28 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: Thanks

Thanks for flagging this release, Patrick! I'll huddle with Liz on the interview and see what she thinks.

On Mar 2, 2018, at 9:48 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate, Liz,

It was an absolute pleasure getting to chat yesterday. Here's a press release related to yesterdays oil and gas announcements: <http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0>

As far as the livestreams we discussed, again we have one activist townhall-style livestream and my Regulatory focused weekly livestream. We're very flexible on time and date. Liz, I would love to have you on next week, either Thursday afternoon or sometime Friday as we discussed. But, again, we need guests every week and we're focusing on energy and environmental policy in March. Ken Cuccinelli would be available to conduct interviews as well. At the link below you should be able to see various examples and viewership numbers. Let me know what you both think!

<https://www.facebook.com/pg/FreedomWorks/videos/>

Looking forward to collaborating further!

Best,

Patrick

On Thu, Mar 1, 2018 at 3:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Patrick!

Thanks for being so flexible today! Feel free to pass along info for next week.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

--

Patrick Hedger

Director of Policy

FreedomWorks Foundation

office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/30/2018 3:28:55 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Julia Recko [juliad@fb.org]
CC: Don Parrish [donp@fb.org]
Subject: RE: Agriculture Education Grant Opportunities at EPA

Julia- can you disseminate this information to your members?

From: Tanner, Lee
Sent: Tuesday, January 30, 2018 10:28 AM
To: Julia Recko <juliad@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Agriculture Education Grant Opportunities at EPA
Importance: High

Julia,

In case you missed it, an announcement regarding EPA's 2018 Environmental Education (EE) Local Grant Program is below. Please refer to the Request for Proposals (RFP) for eligibility information and consider sharing the RFP with your stakeholders.

Full information on the EE Grants Program, including open RFPs, tips on applying, and answers to frequently asked questions, is available at: <https://www.epa.gov/education/environmental-education-ee-grants>.

You can submit specific questions regarding the EE Grant Program or RFP to ee grants@epa.gov.

We invite interested organizations to join the Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE Local Grant RFP. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's EE Local Grants Program at EPA.



**Register now for a webinar on the 2018 EE
Local Grants Program**

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.

Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.

[Register for January 31, 2018.](#)

[Register for February 21, 2018.](#)

The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please visit: <https://www.epa.gov/education/environmental-education-ee-grants>.

For questions regarding the EE Grants Program, please email eegrants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: <https://www.epa.gov/newsroom/email-subscriptions>.

Office of Public Engagement and Environmental Education
Office of the Administrator / U.S. Environmental Protection Agency

If you would rather not receive future communications from U.S. EPA, Office of Environmental Education, let us know by clicking [here](#).
U.S. EPA, Office of Environmental Education, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/31/2018 3:02:55 PM
To: nathan@nasda.org; Britt Aasmundstad [britt@nasda.org]
Subject: EMBARGOED WOTUS Step 0

FYI in the midst of everything today, this will be signed at 10:45 AM ☺

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, January 30, 2018 6:24 PM
To: Block, Molly <block.molly@epa.gov>
Subject: EPA and Army Finalize "Waters of the United States" Applicability Date - Preview

EPA and Army Finalize "Waters of the United States" Applicability Date

WASHINGTON (January 31, 2018) - Today, the U.S. Environmental Protection Agency (EPA) and U.S. Department of the Army (Army) have finalized a rule adding an applicability date to the 2015 Clean Water Rule (the 2015 Rule). This rule provides clarity and certainty about which definition of "waters of the United States" is applicable nationwide in response to judicial actions that could result in confusion. The new applicability date will be two years after today's action is published in the Federal Register, during which time both agencies will continue the process of reconsidering the 2015 Rule.

"Today's action completes the next step in our plan to provide certainty for our nation's farmers and ranchers," **said EPA Administrator Scott Pruitt**. "In this day and age, it is critical to provide our state, local and tribal partners with clarity regarding federal jurisdiction under the Clean Water Act. I look forward to continuing our meaningful engagement and dialogue as we work to reconsider the definition of the 'waters of the United States' so that Americans receive the clarity they deserve."

"We are committed to transparency as we execute the Clean Water Act Section 404 regulatory program. The Army and EPA proposed this rule to provide the regulated public clarity and predictability during the rule making process," **said Acting Assistant Secretary of the Army (Civil Works) Ryan Fisher**.

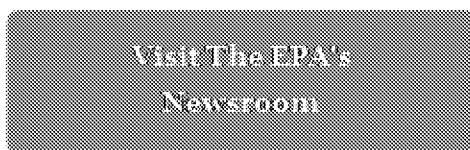
The 2015 Rule, which redefined the scope of where the Clean Water Act applies, had an effective date of August 28, 2015. The U.S. Court of Appeals for the Sixth Circuit's nationwide stay halted implementation of the 2015 Rule. But last week the Supreme Court determined that the U.S. Courts of Appeals do not have original jurisdiction to review these challenges and, therefore, the Sixth Circuit lacked authority to issue a stay. Given uncertainty about litigation in multiple district courts over the 2015 Rule, this action provides much needed certainty and clarity to the regulated community during the ongoing regulatory process.

Today's final rule is separate from the two-step process the agencies are currently taking to reconsider the 2015 Rule. The public comment period for the Step 1 rule proposing to rescind the 2015 Rule closed in September 2017, and those comments are currently under review by the agencies. EPA and the Army are also in the process of reviewing input from state, local, and tribal governments and other stakeholders as they work to develop a proposed Step 2 rule that would revise the definition of "waters of the United States."

Background

On February 28, 2017, President Trump issued Executive Order (EO) 13778, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." As EO 13778 stated, it is in the national interest to ensure that the nation's navigable waters are kept free from pollution, while simultaneously promoting economic growth, minimizing regulatory uncertainty, and respecting the roles of both Congress and States under the Constitution.

Additional information on this final rule: www.epa.gov/wotus-rule



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

[Unsubscribe](#)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 6:34:02 PM
To: Don Parrish [donp@fb.org]
Subject: Fwd: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Hope you all can make it

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: March 9, 2018 at 12:48:13 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Good morning!

You and two additional guests are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."

Key items to discuss include:

- <!--[if !supportLists]--><!--[endif]-->Restored Cooperative Federalism;
- <!--[if !supportLists]--><!--[endif]-->Restoring the Rule of Law;
- <!--[if !supportLists]--><!--[endif]-->WOTUS Repeal;
- <!--[if !supportLists]--><!--[endif]-->CPP Repeal;
- <!--[if !supportLists]--><!--[endif]-->Ending Sue-and-Settle
- <!--[if !supportLists]--><!--[endif]-->Independence on Science Advisory Boards;
- <!--[if !supportLists]--><!--[endif]-->CERCLA Hard Rock Mining;
- <!--[if !supportLists]--><!--[endif]-->And Other Items.

Date: Monday, March 12th

Time: 1:30 PM-2:30 PM

Location: The Heritage Foundation
214 Massachusetts Ave NE
Washington, DC 20002

Please RSVP as soon as possible to Stephen Gordon at Gordon.Stephen@epa.gov

Please note that this invitation is for you specifically and two guests. Please do not distribute externally due to limited space.

Thank you, and see you soon!

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/15/2018 7:29:52 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Chlorpyrifos

Received. Thank you, Paul.

On Aug 15, 2018, at 3:24 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate ---

In the wake of the 9th Circuit ruling on chlorpyrifos last week, we asked our state farm bureaus to assess the potential impact of the loss of this product for farmers. I'm setting out below a few of the responses we have already received. I expect we will be receiving more in coming days and weeks. To put it bluntly, most of our members who rely on this product are extremely concerned about the ramifications of the court decision:

- Florida is greatly concerned about the potential impact of its loss, particularly as it is one of the critical tools available to the citrus industry in combating citrus greening. That disease alone has devastated the Florida citrus industry and losing chlorpyrifos would greatly hamper their efforts to combat the disease.
- Michigan Farm Bureau has indicated that losing chlorpyrifos would be devastating to specialty crop growers in that state. Currently, the pesticide is used on approximately:
 - 32,000 acre of cherries
 - 32,000 acres of apples
 - 9,000 acres of peaches

It is primarily used as a trunk application for the protection against borers (normally one application per season). As of today, there are no affordable alternatives to the product.

- Maryland orchardists currently rely on chlorpyrifos as a defense against peach tree borer. Because of its ability to kills egg masses on woody surfaces, they are hopeful it can be a major player in controlling the Spotted Lanternfly that has invaded Southeast PA and could move into Northeast Maryland in the near future. If it does kill the over-wintering egg masses, it could be one of the only pesticides out there to control the pest outside of the growing season. Maryland Department of Agriculture indicates that only about 3,000 lbs. of the pesticide was used annually in the state -- a reduction attributed primarily to the expanded use of Bt corn.
- Texas producers employ chlorpyrifos as one tool to help combat insect infestations; by offering a different mode of action, it helps producers in protecting their crops. The main crops that it is used on in Texas are winter wheat and pecans due to its effectiveness of controlling certain insect populations. Other crops for which it is used include:
 - Corn -- not used as widely due to Bt traits in corn.
 - Cotton -- used in cotton, but use varies. Not the number one insecticide used, but used for resistance management.
 - Citrus -- use has declined in citrus, but still used.
 - Sorghum -- again, not the number one insecticide used, but is one more 'tool in the tool box'
 - Peanuts -- used to control corn rootworm on peanuts in Texas.
 - Pecans -- widely used in pecans.
 - Wheat -- Widely used in wheat during the winter months.

- California estimates that the loss of chlorpyrifos would lead to higher uses of pyrethroids and neonicotinoids, which are already under scrutiny. As dependence on those products goes up, so does the risk for resistance and damage from pests and diseases.

I am also attaching a couple of documents I hope will be helpful. One is comments from California Farm Bureau outlining in greater detail usage of chlorpyrifos in that state. The other is comments filed by American Farm Bureau which gives a broader overview, from a national perspective, on the importance of the product to a wide range of crops and why it is important to maintain its availability.

Thanks for your attention to this matter. Please let me know if I can provide any further information.

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

<Comment.pdf>

<pesticides-AFBFComments16a.0104.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/7/2018 3:16:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Patrick Carolan [pcarolan@franciscanaction.org]; Molly Rauch [mrauch@momscleanairforce.org]; Trisha Sheehan [tsheehan@momscleanairforce.org]; Kevin_gundersen@huntsman.com; Milbourn, Cathy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=235d8027f05546dba9897972f0b78419-Cmilbour]; grizzle@grizzleco.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=607f0c9ada1547d0b72901f88202889c-grizzle@grizzleco.com]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Reaves, Doretta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b492e80457741579ff01d9f01981e02-Dreaves]; Cassandra Carmichael [cassandra@nrpe.org]; Patrick Hedger [phedger@freedomworks.org]; Myron Ebell [Myron.Ebell@cei.org]; Teller, Paul S. EOP/WHO [Ex. 6]
Subject: EPA Meets Another TSCA Milestone, Releases Draft Strategy to Reduce Animal Testing

Just FYI. This is going out later this morning.



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA Meets Another TSCA Milestone, Releases Draft Strategy to Reduce Animal Testing

WASHINGTON (March 7, 2018) – Today, U.S. Environmental Protection Agency (EPA) is releasing a draft strategy to reduce the use of vertebrate animals in chemical testing for public comment. This fulfills another milestone the Agency has met under the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which amended the Toxic Substances Control Act (TSCA).

“This draft strategy is a first step toward reducing the use of animals and increasing the use of cutting-edge science to ensure chemicals are reviewed for safety with the highest scientific standards,” **said EPA Administrator Scott Pruitt**. “EPA is committed to working with animal welfare groups, industry and stakeholders to produce a sound, effective plan in line with the law.”

“We welcome the draft strategy as a progressive step to reduce and ultimately replace the use of animals to regulate chemicals in the U.S. through the implementation of TSCA reform,” **said Catherine Willett, director of science policy at The Humane Society of the United States**. “We have every indication that EPA intends to make good

on this unprecedented opportunity to not only reduce animal use, but improve the science used to evaluate chemical safety.”

Under the Lautenberg Chemical Safety Act, EPA is required to develop a strategy to promote the development and implementation of alternative test methods and strategies to reduce, refine or replace vertebrate animal testing by June 22, 2018. The draft document incorporates input from a November 2017 public meeting held on the development of the draft strategy, as well as written comments submitted after the meeting, and draws upon EPA research on test methods.

The draft strategy follows the progress EPA has made finalizing three important rules and proposing a fees rule as outlined by the Lautenberg Chemical Safety Act. EPA is working diligently to implement the new law, the first major update to an environmental statute in 20 years, and get the most modern and safe chemicals to market quickly in order to provide regulatory certainty for manufacturers and confidence for American consumers.

This draft strategy will be available for comment for 45 days in docket EPA-HQ-OPPT-2017-0559. Comments received will be considered in the Agency's development of the final strategy.

A public meeting will be held on the draft strategy in Washington, DC on April 10, 2018.

Read the draft strategy and learn more about the April 10 public meeting:

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/alternative-test-methods-and-strategies-reduce>

Background

On June 22, 2017 - the one-year anniversary of the Lautenberg Chemical Safety Act - EPA met milestones for [three framework TSCA rules](#): the Prioritization Process Rule, the Risk Evaluation Process Rule, and the Inventory Rule.

The Prioritization Process Rule establishes a framework and criteria for identifying high-priority chemicals for EPA risk evaluations.

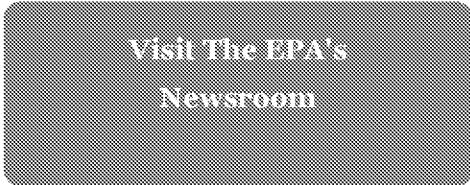
The Risk Evaluation Process Rule establishes a framework for evaluating high priority chemicals to determine whether or not they present an unreasonable risk to health and/or the environment. The rule ensures transparency and confidence in the risk evaluation process while retaining flexibility to allow for new scientific approaches as they are developed.

The Inventory Rule requires industry reporting of chemicals manufactured, imported, or processed in the U.S. over the past 10 years to identify which chemical substances on the TSCA Inventory are active in U.S. commerce. This will inform the chemicals EPA prioritizes for risk evaluations.

In addition to finalizing framework TSCA rules so the Agency can properly implement the law within the timeframes set by Congress, EPA has effectively addressed and eliminated the [backlog of new chemicals](#) awaiting EPA review. The current caseload is back at the baseline level.

EPA also proposed a [fees rule](#) on certain chemical manufacturers - including importers and processors - to provide a sustainable source of funding to defray resources that are available for implementation of new responsibilities under the amended law.

For more information on TSCA implementation, visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5>



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Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/8/2018 11:52:42 PM
To: Andrew Walmsley [andreww@fb.org]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
Subject: Re: Meeting Request: Issue Advisory Committee

Thank you!

On Mar 8, 2018, at 6:48 PM, Andrew Walmsley <andreww@fb.org> wrote:

The folks on our committee come from the following States:

Indiana
Iowa
Kansas
Maryland
Michigan
Pennsylvania
Arkansas
Georgia
Illinois
Oklahoma
South Dakota
Texas

They have the ability to recommend policy for the whole organization though.

Look forward to seeing y'all in the morning.

Andrew

On Mar 8, 2018 6:42 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:
Hello Andrew – would you be able to share which states the Energy committee appointees are from?

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant for Agriculture Policy
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone [\(202\) 564-5041](tel:(202)564-5041)
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Tuesday, March 06, 2018 3:57 PM

To: Subramanian, Hema <Subramanian.Hema@epa.gov>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: Meeting Request: Issue Advisory Committee

Great, thank you both!

Had planned for about 20 - 30 min for remarks and then some time for questions. Want to be respectful of y'all's time so just appreciate y'all making it over.

Please let me know if you need anything else and look forward to seeing y'all Friday.

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: Ex. 6
Cell: Ex. 6
andreww@fb.org

On Mar 6, 2018 3:53 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Andrew,

Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 1:09 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]
Sent: Monday, March 05, 2018 9:36 AM
To: Andrew Walmsley
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew, I am looking into this and will get back to you. Just as FYI Jeff's last day was Friday, and he no longer has access to EPA email.

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 8:28 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Jeff indicated that he will be unable to participate on Friday. He wasn't sure if he was going to be able to find someone to fill-in...if someone is available, please let me know. Attached are the materials that were sent to our IAC members.

Thank you for the consideration.

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 15, 2018 3:32 PM

To: Subramanian.Hema@epa.gov
Cc: Jeff Sands EPA
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

Yes. Thank you so much!

Andrew

On Feb 15, 2018 3:19 PM, "Subramanian, Hema" <Subramanian.Hema@epa.gov> wrote:

Andrew,

Jeff is available to meet with the group at 10:30 am on March 9th. Is this the address?

American Farm Bureau Federation

600 Maryland Ave SW #1000w

Washington, DC 20024

Thank you,

---Hema.

Hema Subramanian

Acting Special Assistant to the Senior Advisor for Agriculture

Office of the Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Thursday, February 15, 2018 12:34 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

Thank you again for finding time. How does 10:30 a.m. sound? We are really flexible at this point so anytime from 10:00 a.m. until noon should work.

Thanks,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: Ex. 6

Cell: Ex. 6

andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew,

Thanks for reaching out regarding the meeting for AFBF Energy Issue Advisory Committee. March 9th will work for my schedule, please suggest a time that works best in the window you provided and I will put it on the calendar.

Best,

Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, February 12, 2018 7:11 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM

To: 'Sands, Jeffrey'

Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

I hope you are well. I was wondering if you might be willing and able to meet with a group of farmers here at the AFBF office on Friday, March 9th sometime between 10:00 a.m. and 3:00 p.m.? The meeting would be with a select group of farmers from around the country who are appointed by our President to serve on the AFBF Energy Issue Advisory Committee. They would like to know the latest thinking from the agency concerning issues like the RFS, the Clean Power Plan and any other regulatory issue that might impact rural America that the agency is working on in regards to energy.

Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

Andrew Walmsley

**Director, Congressional Relations
American Farm Bureau Federation®**

Phone: **Ex. 6**

Cell: **Ex. 6**

andreww@fb.org

Andrew,

Tate Bennett and I will attend on Friday at 10:30 am. How long do you have slated? Tate's title is Associate Administrator for Public Engagement & Environmental Education, if you need it.

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
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1200 Pennsylvania Avenue, NW
Washington, DC 20460
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subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 1:09 PM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Thank you!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone:
Cell:
andreww@fb.org

From: Subramanian, Hema [<mailto:Subramanian.Hema@epa.gov>]
Sent: Monday, March 05, 2018 9:36 AM
To: Andrew Walmsley
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Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, March 05, 2018 8:28 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

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Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] Ex. 6
Cell: [redacted] Ex. 6
andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 15, 2018 3:32 PM
To: Subramanian.Hema@epa.gov
Cc: Jeff Sands EPA
Subject: RE: Meeting Request: Issue Advisory Committee

Hema,

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American Farm Bureau Federation
600 Maryland Ave SW #1000w
Washington, DC 20024

Thank you,
---Hema.

Hema Subramanian
Acting Special Assistant to the Senior Advisor for Agriculture
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Thursday, February 15, 2018 12:34 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Meeting Request: Issue Advisory Committee

Jeff,

Thank you again for finding time. How does 10:30 a.m. sound? We are really flexible at this point so anytime from 10:00 a.m. until noon should work.

Thanks,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] **Ex. 6**
Cell: [redacted] **Ex. 6**
andreww@fb.org

From: Sands, Jeffrey [<mailto:sands.jeffrey@epa.gov>]
Sent: Wednesday, February 14, 2018 10:56 AM
To: Andrew Walmsley
Cc: Subramanian, Hema
Subject: RE: Meeting Request: Issue Advisory Committee

Andrew,

Thanks for reaching out regarding the meeting for AFBF Energy Issue Advisory Committee. March 9th will work for my schedule, please suggest a time that works best in the window you provided and I will put it on the calendar.

Best,
Jeff

From: Andrew Walmsley [<mailto:andreww@fb.org>]
Sent: Monday, February 12, 2018 7:11 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: Meeting Request: Issue Advisory Committee

Jeff,

Just circling back on this to see if you might be available.

Hope you are doing well and let me know if you need anything.

Take care,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [redacted] **Ex. 6**
Cell: [redacted] **Ex. 6**

andreww@fb.org

From: Andrew Walmsley
Sent: Thursday, February 01, 2018 7:36 AM
To: 'Sands, Jeffrey'
Subject: Meeting Request: Issue Advisory Committee

Mr. Sands,

I hope you are well. I was wondering if you might be willing and able to meet with a group of farmers here at the AFBF office on Friday, March 9th sometime between 10:00 a.m. and 3:00 p.m.? The meeting would be with a select group of farmers from around the country who are appointed by our President to serve on the AFBF Energy Issue Advisory Committee. They would like to know the latest thinking from the agency concerning issues like the RFS, the Clean Power Plan and any other regulatory issue that might impact rural America that the agency is working on in regards to energy.

Thank you for your consideration. Please let me know if you need anything else.

Thanks again for all that you do!

Sincerely,

Andrew

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: [REDACTED] **Ex. 6**
Cell: [REDACTED] **Ex. 6**
andreww@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/12/2018 10:02:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: zach@coloradofb.org; pete@ndfb.org; Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Jennings, Kim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7eeab2bece9b461e949b23d538b7964a-kjenning]; Gioffre, Patricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31f5c89e985847ecaec14283e8fc914-PFLEMI02]; 'Starling, Ray A. EOP/WHO' [Raymond.A.Starling@who.eop.gov]; Thomas, Latosha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a405bd473fff4b80b3065d03d9b48eb9-LaThomas]; amy.belcher@agi.alabama.gov; Arthur.Keyes@alaska.gov; storrens@azda.gov; adriane.barnes@arkansas.gov; steve.lyle@cdfa.ca.gov; karen.lover@state.co.us; steve.jensen@ct.gov; sheree.nichols@state.de.us; Jennifer.Meale@FreshFromFlorida.com; Julie.McPeake@agr.georgia.gov; hdoa.info@hawaii.gov; chanel.tewalt@isda.idaho.gov; morgan.booth@illinois.gov; bgavelek@isda.in.gov; Stephanie.groom@iowaagriculture.gov; Heather.Lansdowne@ks.gov; chris.aldridge@ky.gov; PressSecretary@ldaf.state.la.us; john.c.bott@maine.gov; julie.oberg@maryland.gov; Keri.Cornman@state.ma.us; holtonj@michigan.gov; Margaret.Hart@state.mn.us; Paige@mdac.ms.gov; sarah.alsager@mda.mo.gov; AFjeseth@mt.gov; christin.kamm@nebraska.gov; jfagundes@agri.nv.gov; beth.kiley@agr.nh.gov; nancy.trivette@ag.state.nj.us; ddapr@nmda.nmsu.edu; kevin.king@agriculture.ny.gov; heather.overton@ncagr.gov; mmielke@nd.gov; Mark.Bruce@agri.ohio.gov; bryan.painter@ag.ok.gov; bpokarney@oda.state.or.us; aastacio@agricultura.pr.gov; ken.ayars@dem.ri.gov; meubanks@scda.sc.gov; maggie.stensaas@state.sd.us; samantha.jean@tn.gov; Mark.Loeffler@TexasAgriculture.gov; larrylewis@utah.gov; Trevor.audet@vermont.gov; elaine.lidholm@vdacs.virginia.gov; HCastro@agr.wa.gov; b davidson@wvda.us; william2.cosh@wisconsin.gov [william2.cosh@wisconsin.gov]; derek.grant@wyo.gov; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15fd04a3ba11fc8ca3c85bc50-Cory, Kathe]; 'mwalker@alfafarmers.org'; 'amy.seitz@gmail.com'; 'anakennedy@azfb.org'; 'zac.bradley@arfb.com'; 'jrolph@cfbf.com'; 'zach@coloradofb.org'; 'henryt@cfba.org'; 'pam.bakerian@defb.org'; 'johnwalt.boatright@ffbf.org'; 'tasmith@gfb.org'; brian@hfbf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a82620bb144e8496bd7bf63de940a8-brian@hfbf.org]; 'rhendricks@idahofb.org'; 'anielsen@ilfb.org'; 'bwhite@infarmbureau.org'; 'kkuhle@ifbf.org'; 'flicknerr@kfb.org'; 'joe.cain@kyfb.com'; 'Kylem@lfbf.org'; 'asmart@mainefarmbureau.com'; 'cferguson@mdfarmbureau.com'; 'brad@mfbf.net'; 'jkran@michfb.com'; 'amber.hanson@fbmn.org'; 'jferguson@msfb.org'; 'Spencer.tuma@mofb.com'; 'nicoler@mfbf.org'; 'jordand@nefb.org'; 'doug@nvfb.org'; 'robj@nhfarmbureau.org'; 'lizt@njfb.org'; 'mattg@nmflb.org'; 'ewolters@nyfb.org'; 'linda.andrews@ncfb.org'; 'pete@ndfb.org'; 'jirvin@ofbf.org'; 'LeeAnna.mcnally@okfb.org'; 'gail@oregonfb.org'; 'klwatson@pfb.com'; 'isoly@agricultorpr.org'; 'haquinn@rifb.org'; 'gspires@scfb.com'; 'k.smit@sdfbf.org'; 'rrose@tfbf.com'; 'ladams@txfb.org'; 'scb@fbfs.com'; 'Ex. 6'; 'wilmer.stoneman@vafb.com'; 'tdavis@wsfb.com'; 'dwayneo@wvfarm.org'; 'kgefvert@wfbf.com'; 'kenhamilton@wyfb.org'; 'kgreer@bamabeef.org'; 'baja@arizonabeef.org'; 'lscheller@arizonabeef.org'; 'acacommdept@arbeef.org'; 'justin@calcattlemen.org'; 'sarah@coloradocattle.org'; 'bhammerich@coloradolivestock.org'; 'sard@asrlegal.com'; 'kaytlyn@gabeef.org'; 'dale@hicattle.org'; 'Britany@idahocattle.org'; 'jill@illinoisbeef.com'; 'jmoore@indianabeef.org'; 'janlee@iabeef.org'; 'apopelka@kla.org'; 'jredway@kycattle.org'; 'rjoyner@labeef.org'; 'gquackenbush@mibeef.org'; 'ashley@mnsca.org'; 'Ex. 6'; 'Candace@mocattle.com'; 'kori@mtbeef.org'; 'lfield@necattlemen.org'; 'nca@nevadabeef.org'; 'nmcga@nmagriculture.org'; 'phil@trowbridgefarms.com'; 'bryan@nccattle.com'; 'rorvigranchco@gondtc.com'; 'lcorry@ohiobeef.org'; 'chanson@okcattlemen.org'; 'jerome.rosa@orcattle.com'; 'pacattlemen@aol.com'; 'scbeef@scda.sc.gov'; 'executive@sdcattlemen.org'; 'Lauren@tncattle.org';

'jskaggs@tscra.org'; 'jwinegarner@tcfa.org'; 'utahbeef@aol.com'; 'tfix@vacattlemen.org'; 'jackfield@kvalley.com';
'wacattle@k.com'; 'wvca@wvbeef.org'; [REDACTED] Ex. 6; 'haley@wysga.org'; [REDACTED] Ex. 6
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(FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; 'Bill Couser'
[REDACTED] Ex. 6; 'DickWhite@DurangoGov.org';
'kim.peterson@guymonok.org'; 'dani@coloagleaders.org'; 'dstroisch@ilfb.org'; [REDACTED] Ex. 6
[REDACTED] Ex. 6; 'anielsen@ilfb.org'; 'rwhitehouse@ilfb.org'; 'leeanna.mcnally@okfb.org';
'Tyler.Powell@ee.ok.gov'; [REDACTED] Ex. 6; Jackson, Ryan
[/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; 'Marvin Childers'
[marvin@thepoultryfederation.com]; [REDACTED] Ex. 6; Grantham, Nancy [/o=ExchangeLabs/ou=Exchange
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Nancy]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group
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[/o=ExchangeLabs/ou=Exchange Administrative Group
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[/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; 'Kunickis, Sheryl - OSEC'
[Sheryl.Kunickis@osec.usda.gov]; 'Hazlett, Anne - OSEC, Washington, DC' [Anne.Hazlett@osec.usda.gov]; 'Rollins,
Blake - OSEC, Washington, DC' [Blake.Rollins@osec.usda.gov]; juliad@fb.org; Subramanian, Hema
[/o=ExchangeLabs/ou=Exchange Administrative Group
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[/o=ExchangeLabs/ou=Exchange Administrative Group
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[/o=ExchangeLabs/ou=Exchange Administrative Group
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ebarrs@duesouthinvestments.com; cmurray@nafoalliance.org; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange
Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccc6264ae09df7054c7f1019cb-Letendre, D];
wbarrs@duesouthinvestments.com; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad
[/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Mitch Schulte
[mitschschulte@iowadairy.org]; Walker, Mitt [MWalker@alfafarmers.org]; Strong, J. D. [jd.strong@odwc.ok.gov];
jirvin@ofbf.org; justin@calcattlemen.org; sarah@coloradocattle.org; bhammerich@coloradolivestock.org;
sard@asrlegal.com; kaytlyn@gabeef.org; dale@hicattle.org; Britany@idahocattle.org; jill@illinoisbeef.com;
jmoore@indianabeef.org; janlee@iabeef.org; apoppelka@kla.org; jredway@kycattle.org; rjoyner@labeef.org;
gquackenbush@mibeef.org; ashley@mnsca.org; [REDACTED] Ex. 6; Candace@mocattle.com; kori@mtbeef.org;
lfield@necattlemen.org; nca@nevadabeef.org; nmcga@nmagriculture.org; phil@trowbridgefarms.com;
bryan@nccattle.com; rorvigranchco@gondtc.com; lorry@ohiobeef.org; chanson@okcattlemen.org;
jerome.rosa@orcattle.com; pacattlemen@aol.com; scbeef@scda.sc.gov; executive@sdcattlemen.org;
Lauren@tncattle.org; jskaggs@tscra.org; jwinegarner@tcfa.org; utahbeef@aol.com; tfix@vacattlemen.org;
jackfield@kvalley.com; wacattle@k.com; wvca@wvbeef.org; [REDACTED] Ex. 6; haley@wysga.org;
mwalker@alfafarmers.org; [REDACTED] Ex. 6; anakennedy@azfb.org; zac.bradley@arfb.com; jrolph@cfbf.com;
zach@coloradofb.org; henryt@cfba.org; pam.bakerian@defb.org; johnwalt.boatright@ffbf.org; tasmith@gfbf.org;
brian@hfbf.org [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=33a82620bb144e8496bd7bf63de940a8-brian@hfbf.org];
rhendricks@idahofb.org; anielsen@ilfb.org; bwhite@infarmbureau.org; kkuhle@ifbf.org; flicknerr@kfbf.org;
joe.cain@kyfb.com; Kylem@lfbf.org; asmart@mainefarmbureau.com; cferguson@mdfarmbureau.com;
brad@mfbf.net; jkran@michfb.com; amber.hanson@fbmn.org; jferguson@msfbf.org; Spencer.tuma@mofb.com;
nicoler@mfbf.org; jordand@nefbf.org; doug@nvfbf.org; robj@nhfarmbureau.org; lizt@njfbf.org; mattg@nmflb.org;
ewolters@nyfbf.org; linda.andrews@ncfbf.org; pete@ndfbf.org; jirvin@ofbf.org; LeeAnna.mcnally@okfbf.org;
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k.smit@sdfbf.org; rrose@tfbf.com; ladams@txfbf.org; scb@fbfbf.com; Lyn.desmarais@gmail.com;
wilmer.stoneman@vafb.com; tdavis@wsfbf.com; dwayneo@wvfarm.org; kgefvert@wfbf.com;
kenhamilton@wyfbf.org; Williams, Mark [Mark.Williams@mail.house.gov]; Hawkins, Garrett
[Garrett.Hawkins@mda.mo.gov]; William.H.Kirkland@who.eop.gov; Douglas.L.Hoelscher [REDACTED] Ex. 6; Cory,
Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Palich, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=330ad62e158d43af93fcbbece930d21a-Palich, Chr]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Ringel, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1654bdc951284a6d899a418a89fb0abf-Ringel, Aar]; 'Bill Couser' [Ex. 6] kgreer@bamabeef.org; baja@arizonabeef.org; lscheller@arizonabeef.org; acacommdept@arbeef.org; justin@calcattlemen.org; sarah@coloradocattle.org; bhammerich@coloradolivestock.org; sard@asrlegal.com; kaytlyn@gabeef.org; dale@hicattle.org; Britany@idahocattle.org; jill@illinoisbeef.com; jmoore@indianabeef.org; janlee@iabeef.org; apoppelka@kla.org; jredway@kycattle.org; rjoyner@labeef.org; gquackenbush@mibeef.org; ashley@mnsca.org; [Ex. 6] Candace@mocattle.com; kori@mtbeef.org; lfield@necattlemen.org; nca@nevadabeef.org; nmcga@nmgagriculture.org; phil@trowbridgefarms.com; bryan@nccattle.com; rorvigbranchco@gondtc.com; lcorry@ohiobeef.org; chanson@okcattlemen.org; jerome.rosa@orcattle.com; pacattlemen@aol.com; scbeef@scda.sc.gov; executive@sdcattlemen.org; Lauren@tncattle.org; jskaggs@tsra.org; jwinegarner@tcfa.org; utahbeef@aol.com; tfix@vacattlemen.org; jackfield@kvalley.com; wacattle@k.com; wvca@wvbeef.org; [Ex. 6] haley@wysga.org; nathan@nasda.org; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Sarah Greenwalt (greenwalt.sarah@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]

Subject: FW: Feb 14 @1PM CALL: Agriculture Education Grant Opportunities at EPA

Importance: High

Just a friendly reminder about the EE Local Grants Program (now accepting applications for this year) call THIS Wednesday. Let us know if you have any questions.

- **The call will take place at 1 p.m.-2:30 PM EST on Wednesday February 14, 2018**
- **Click here to Register for the call.**
- **CALL IN NUMBER [Ex. 6] PROVIDE THE OPERATOR WITH CONFERENCE ID NUMBER: [Ex. 6]**
- **Questions will be accepted during the call at eegrants@epa.gov**
- **Slides are available at <https://www.epa.gov/education/environmental-education-ee-grants-webinar-and-teleconference-materials>**
- **To apply for the EE Local Grants Program, visit: <https://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice>**
- **Applications for the EE Local Grants Program are due March 15th 2018**

From: Bennett, Tate
Sent: Wednesday, February 7, 2018 12:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Subject: Feb 14 @1PM CALL: Agriculture Education Grant Opportunities at EPA
Importance: High

EPA's office of Environmental Education (EE) is currently accepting applications for the EE Local Grants Program at EPA until March 15th, 2018. **Projects in agriculture are eligible in this year's grant solicitation, including projects on water quality, conservation, food sustainability and integrated pest management best practices— among other traditional topics.**

EPA will hold a teleconference on the overall grant program at 1 p.m.-2:30 PM EST on February 14, 2018:

- The call will take place at 1 p.m.-2:30 PM EST on Wednesday February 14, 2018
- [Click here to Register for the call.](#)
- CALL IN NUMBER PROVIDE THE OPERATOR WITH CONFERENCE ID NUMBER:
- Questions will be accepted during the call at eegrants@epa.gov
- Slides are available at <https://www.epa.gov/education/environmental-education-ee-grants-webinar-and-teleconference-materials>
- To apply for the EE Local Grants Program, visit: <https://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice>
- Applications for the EE Local Grants Program are due March 15th 2018

Let us know if you have any questions.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 8:56:35 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Thanks

Hey Patrick!

Thanks for being so flexible today! Feel free to pass along info for next week.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/31/2018 9:22:06 PM
To: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
CC: Don Parrish [donp@fb.org]; 'Rollins, Blake - OSEC, Washington, DC' [Blake.Rollins@osec.usda.gov]
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Don- it's an MOA so I don't think it will show up there, unless CEQ sends it to FR. We are taking our queues from CEQ. Are you asking for a copy of it?

From: Cory, Preston (Katherine)
Sent: Wednesday, January 31, 2018 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Has this gone in the FR?

From: Don Parrish [mailto:donp@fb.org]
Sent: Wednesday, January 31, 2018 3:36 PM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: RE: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

Katherine

Can you help with this question - has the rule been posted?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Cory, Preston (Katherine) [mailto:Cory.Preston@epa.gov]
Sent: Wednesday, January 31, 2018 3:15 PM
Cc: Rollins, Blake - OSEC, Washington, DC
Subject: FW: Administrator Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

K. Preston Cory
Special Advisor
Office of the Administrator, Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-579-4281

EPA Administrator Scott Pruitt Signs Endangered Species Act Memorandum with State Agriculture Commissioners

WASHINGTON (January 31, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt spoke at the National Association of State Departments of Agriculture Winter Policy Conference and signed a Memorandum of Agreement (MOA) establishing an interagency Working Group to evaluate and improve the Endangered Species Act consultation process for pesticide registration.

“The current Endangered Species Act pesticide consultation process is broken,” **said EPA Administrator Scott Pruitt.** “Today, the Trump Administration is taking action to improve and accelerate this process, harmonize interagency efforts, and create regulatory certainty for America’s farmers and ranchers.”

“Once again, EPA has acted on the calls for regulatory reform from rural communities across the country. I’m glad to see Administrator Pruitt carrying out President Trump’s pro-growth agenda benefiting Oklahoma farmers and ranchers,” **said Oklahoma Commissioner of Agriculture Jim Reese.**

“It’s a breath of fresh air to have an EPA willing to listen to farmers and ranchers across the country. I applaud President Trump and Administrator Pruitt for partnering with rural America to provide the regulatory certainty that our agriculture community deserves,” **said Kentucky Commissioner of Agriculture Ryan Quarles.**

The interagency Working Group includes the Department of the Interior and Department of Commerce and comes at a critical time as EPA has 700 pesticide registrations to complete by 2022.

In addition to the MOA, Administrator Pruitt discussed EPA’s efforts this past year to rescind the 2015 “Waters of the United States” (WOTUS) rule, to address dicamba drift issues, and other actions to help farmers and ranchers across the country. Later today, Administrator Pruitt and the Department of the Army will finalize a rule adding an applicability date to WOTUS. The new applicability date will be two years after today’s action is published in the Federal Register, during which time both agencies will continue the process of reconsidering the 2015 Rule.

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Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 8:08:57 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Kay DeBow [kdebow@nationalbcc.org]
CC: Charles DeBow [cdebow@nationalbcc.org]; Harry Alford [halford@nationalbcc.org]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Lee!
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Thank you all for taking the time to meet with the Admin! Do you mind filling out the attached request form when you have time, Kay?

Tate

From: Tanner, Lee
Sent: Thursday, March 1, 2018 3:06 PM
To: Kay DeBow <kdebow@nationalbcc.org>
Cc: Charles DeBow <cdebow@nationalbcc.org>; Harry Alford <halford@nationalbcc.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Lee!

You are welcome. I am glad to hear it went well.

Best,

Lee

Sent from my iPhone

On Mar 1, 2018, at 2:02 PM, Kay DeBow <kdebow@nationalbcc.org> wrote:

Dear Lee, thank you for setting up yesterday's meeting. It was a success! Secretary Pruitt agreed to speak at our conference in July. We will get back to you with details. Thank you so much.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: _____

Requesting Individual / Affiliation: _____

Event Title: _____

Event Date: _____

Is the Above Date Flexible: _____

Event Time & Duration: _____

Type of Event: *Reception, Conference, Meeting*

Purpose of the Event: *Brief Description*

Role of the Administrator: *E.g., speaking engagement, keynote, panel, roundtable, attendance*

Requested Presentation Topic, if Speaking Involved: _____

Requested Presentation Format: *Keynote, Panel, Q&A, Introduction, etc.*

Speech/Presentation Duration: *Length of Remarks*

Would You Consider a Surrogate: _____

Event Location: *Location Name*
Street Address, City, State, Zip
Location Telephone Number
Room Name/Number

Event Audience: *Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.*

Event Host(s)/Organizer(s): *List all hosts organizing the event*

Host(s)' Relationship to EPA: _____

Run of Show/ Agenda: *Provide full agenda of the event, including events immediately following the Administrator speaking.*

Is there a Hold Room Available for the Administrator? _____



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Open Press/Closed Press? _____

Dress Code: Casual/Business/Black Tie Optional/Black Tie/Etc.

Teleprompter Available: _____

Microphone / Room Setup: What kind of microphone will be used? What is the room setup?

Honorable Guests Attending: Name & Title

Notable Federal, State or Local Appointed or Elected officials attending: Name & Title

Individual Introducing Administrator: Name & Title

Person to contact for media purposes: Name & Title; Email; Office Number, Cell Number

Is this event held Weekly, Monthly, Annually? _____

Day of Event Point of Contact: Name & Title; Email; Office Number, Cell Number

Security Contact: Name & Title; Email; Office Number, Cell Number

Suggested Entrance/ Exit to Event Venue: _____

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): _____

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? _____

Will a meal be provided, if so what is the US currency value? _____

Please return this form completed to scheduling@epa.gov and Aaron Dickerson at dickerson.aaron@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/30/2018 1:28:48 PM
To: donp@fb.org
Subject: Fwd: Agriculture Education Grant Opportunities at EPA

Can you pass along? Deadline to apply is in March

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: January 29, 2018 at 5:04:41 PM EST
To: "Gordon, Stephen" <gordon.stephen@epa.gov>
Cc: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Agriculture Education Grant Opportunities at EPA

All,

I hope that you will be able to join our Office of Environmental Education grant program staff for an informational webinar that will go through some of the requirements in the 2018 EE local grant requests for proposals. This webinar will also provide tips on avoiding common mistakes applicants make.

Agricultural topics are included in this year's solicitation, and therefore we wanted to flag the opportunity to learn more about this year's environmental education grant program at EPA.

Feel free to reach out to me with any questions you may have.

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov



**Register now for a webinar on the 2018 EE
Local Grants Program**

Planning to apply for an EE Grant? Considering joining the EE Grants Program staff on a webinar to review the 2018 EE Local Grants Request for Proposals and address commonly asked questions.

Date and Time: The presentation will be offered at 1:00 p.m. ET on January 31 and February 21, 2018. Please register for only one webinar. The same presentation will be provided on both dates.

[Register for January 31, 2018.](#)

[Register for February 21, 2018.](#)

The webinar slides, transcript and/or a recording will be posted following the first webinar. For full information, including the Request for Proposals and Frequently Asked Questions, please

visit: <https://www.epa.gov/education/environmental-education-ee-grants>.

For questions regarding the EE Grants Program, please email ee grants@epa.gov.

We encourage you to share EPA's Environmental Education eNewsletter with your colleagues. To subscribe, visit: <https://www.epa.gov/newsroom/email-subscriptions>.

Office of Public Engagement and Environmental Education
Office of the Administrator / U.S. Environmental Protection Agency

If you would rather not receive future communications from U.S. EPA, Office of Environmental Education, let us know by clicking [here](#).

U.S. EPA, Office of Environmental Education, [1200 Pennsylvania Avenue NW, Washington, DC 20460 United States](#)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 10:55:20 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; kkuhle@ifbf.org
CC: willr@fb.org; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]
Subject: RE: Farm Bureau Event
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Hey there! We have a tentative hold placed on his calendar for that day and time. Great idea y'all!

Kevin- can you fill out the attached request form (you are probably used to it by now!) for details on the event (no promoting the event, closed to outside press, etc.). We will officially lock in once we have all the deets. We also want to be sure it stays out of the DC trade press until after the event, if at all possible.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Konkus, John
Sent: Thursday, March 1, 2018 5:26 PM
To: kkuhle@ifbf.org; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: willr@fb.org; Dewey, Amy <Dewey.Amy@epa.gov>
Subject: Farm Bureau Event

Kevin: Per our phone conversation, I am handing you off to Tate who will help us tentatively work toward a speaking engagement with your groups and the Administrator at the Holiday Inn at 6th and C Streets on March 14, at 11am. Included in the event will be the Alabama, Iowa, Missouri and Ohio Farm Bureaus, approximately 270 total farmers.

Thank you!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: _____

Requesting Individual / Affiliation: _____

Event Title: _____

Event Date: _____

Is the Above Date Flexible: _____

Event Time & Duration: _____

Type of Event: *Reception, Conference, Meeting*

Purpose of the Event: *Brief Description*

Role of the Administrator: *E.g., speaking engagement, keynote, panel, roundtable, attendance*

Requested Presentation Topic, if Speaking Involved: _____

Requested Presentation Format: *Keynote, Panel, Q&A, Introduction, etc.*

Speech/Presentation Duration: *Length of Remarks*

Would You Consider a Surrogate: _____

Event Location: *Location Name*
Street Address, City, State, Zip
Location Telephone Number
Room Name/Number

Event Audience: *Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.*

Event Host(s)/Organizer(s): *List all hosts organizing the event*

Host(s)' Relationship to EPA: _____

Run of Show/ Agenda: *Provide full agenda of the event, including events immediately following the Administrator speaking.*

Is there a Hold Room Available for the Administrator? _____



ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Open Press/Closed Press? _____

Dress Code: Casual/Business/Black Tie Optional/Black Tie/Etc.

Teleprompter Available: _____

Microphone / Room Setup: What kind of microphone will be used? What is the room setup?

Honorable Guests Attending: Name & Title

Notable Federal, State or Local Appointed or Elected officials attending: Name & Title

Individual Introducing Administrator: Name & Title

Person to contact for media purposes: Name & Title; Email; Office Number, Cell Number

Is this event held Weekly, Monthly, Annually? _____

Day of Event Point of Contact: Name & Title; Email; Office Number, Cell Number

Security Contact: Name & Title; Email; Office Number, Cell Number

Suggested Entrance/ Exit to Event Venue: _____

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): _____

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? _____

Will a meal be provided, if so what is the US currency value? _____

Please return this form completed to scheduling@epa.gov and Aaron Dickerson at dickerson.aaron@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/15/2018 2:59:37 PM
To: Nathan@nasda.org
Subject: Morning

Can you give me a shout when you have a second?

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/27/2018 12:35:44 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Myron Ebell [Myron.Ebell@cei.org]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; KBrookes@cato.org; Annie Dwyer [Annie.Dwyer@cei.org]; David Boaz [dboaz@cato.org]; phedger@freedomworks.org
Subject: FYI

Feel free to give me a shout. My work phone is Ex. 6 -Tate

**EPA Administrator Scott Pruitt Suspends Withdrawal of Proposed
Determination in Bristol Bay Watershed, Will Solicit Additional
Comments**

WASHINGTON (January 26, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt is following through on his promise to restore the rule of law and process to the previous Administration’s action to restrict mining in Bristol Bay, Alaska.

As a result of Administrator Pruitt’s actions last summer, proponents of mining in the region were allowed to apply for a permit with the U.S. Army Corps of Engineers. Today, after hearing directly from stakeholders and the people of Alaska, EPA is suspending its process to withdraw those proposed restrictions, leaving them in place while the Agency receives more information on the potential mine’s impact on the region’s world-class fisheries and natural resources.

“We have restored process, reviewed comments, and heard from a variety of stakeholders on whether to withdraw the proposed restrictions in the Bristol Bay watershed,” Administrator Scott Pruitt said. “Based on that review, it is my judgment at this time that any mining projects in the region likely pose a risk to the abundant natural resources that exist there. Until we know the full extent of that risk, those natural resources and world-class fisheries deserve the utmost protection. Today’s action allows EPA to get the information needed to determine what specific impacts the proposed mining project will have on those critical resources.”

This decision neither deters nor derails the application process of Pebble Limited Partnership's proposed project. The project proponents continue to enjoy the protection of due process and the right to proceed. However, their permit application must clear a high bar, because EPA believes the risk to Bristol Bay may be unacceptable.

EPA intends to solicit additional public comment on the impact of the mining application on the existing proposed determination to better inform that analysis.

Background

In 2014, the Obama Administration issued what was widely considered a preemptive veto of the Pebble Limited Partnership mining project. This effectively brought the mine's application process and, more importantly, due process to a halt. Litigation resulted and continued into this Administration.

In May of 2017, Administrator Pruitt took the first step to rescind this due process denial and allow the Pebble mine proponents to proceed and progress through the process. EPA received over one million comments from interested stakeholders. Administrator Pruitt's action allowed the litigation to be resolved and the proponent's application was allowed to finally move forward. That application is proceeding through the Army Corps's permitting process.

Today's action is important for several reasons. First, EPA has serious concerns about the impacts of mining activity in the Bristol Bay Watershed. From public comments to community meetings, stakeholders stressed the importance of balancing a singular mine venture with the risk to one of the world's largest commercial fisheries. Second, for EPA not to express an environmental position at this stage would be disingenuous.

This action demonstrates the Agency's commitment to both the rule of law and process, and upholding the EPA's core mission of environmental stewardship.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 6:10:35 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Call today or Monday?

Yep! I'll be there!

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Thursday, March 1, 2018 1:09 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Call today or Monday?

Yes! 2pm?

On Thu, Mar 1, 2018 at 1:07 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Still on for today?

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Friday, December 8, 2017 3:36 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Call today or Monday?

Feel free to call me back on my cell at [Ex. 6] Not sure how much longer I'll be at the office. Thanks!

On Fri, Dec 8, 2017 at 3:20 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Give me a shout when you can? [Ex. 6]

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 6:07:31 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Call today or Monday?

Still on for today?

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Friday, December 8, 2017 3:36 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Call today or Monday?

Feel free to call me back on my cell at **Ex. 6** Not sure how much longer I'll be at the office. Thanks!

On Fri, Dec 8, 2017 at 3:20 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Give me a shout when you can? **Ex. 6**

--
Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/24/2018 10:12:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; tim@sorghumgrowers.com; jennifer@sorghumgrowers.com; andreww@fb.org; Ex. 6
Subject: Fwd: Acting EPA Administrator Wheeler Approves Sorghum Oil Pathways Under RFS

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: July 24, 2018 at 6:03:48 PM EDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: Acting EPA Administrator Wheeler Approves Sorghum Oil Pathways Under RFS
Reply-To: press@epa.gov

Acting EPA Administrator Wheeler Approves Sorghum Oil Pathways Under RFS

New Feedstock Provides Added Flexibility and Diversity

WASHINGTON (July 24, 2018) – Today, as a part of the Renewable Fuel Standard (RFS) program, U.S. Environmental Protection Agency (EPA) issued a final notice approving a variety of pathways for renewable fuel derived from sorghum, including biodiesel. EPA Acting Administrator Andrew Wheeler signed the final pathway alongside Sens. Jerry Moran and Deb Fisher, Rep. Roger Marshall, the National Sorghum Producers, and the American Farm Bureau Federation.

“Today’s approval sets the stage for more homegrown fuels under the Renewable Fuel Standard and adds diversity to our mix of biofuels in the U.S.,” said EPA Acting Administrator Andrew Wheeler. **“This is a win for American sorghum farmers and biofuel producers alike.”**

“USDA welcomes this decision by EPA that biofuel made from sorghum oil qualifies for advanced biofuel and biomass-based diesel designation under the RFS,” U.S. Secretary of Agriculture Sonny Perdue said. “This decision recognizes the environmental benefits of home-grown renewable energy and will create new markets for agricultural commodities.”

“Kansas farmers are hurting - low commodity prices and falling farm revenue have made it increasingly difficult for producers to make ends meet,” said Senator Jerry Moran (KS). “Approving the pathway is long past due, and I applaud Administrator Wheeler for acting quickly to finalize the pathway after assuming leadership of the agency. It is critical for EPA to recognize the challenges faced by farmers and ranchers and to make certain it pursues biofuel policies that will benefit rural America.”

“More and more farmers are growing sorghum in Nebraska, and it’s an important commodity in our state. EPA’s approval of a sorghum oil fuel pathway under the RFS is good news for Nebraska ag producers and rural America. I look forward to continuing to work with the administration to provide opportunities for Nebraska farmers,” said Senator Deb Fischer (NE).

“This announcement is big for our producers back home. This pathway has been a top issue for our office since I came to Washington. Kansas is the top sorghum producing state in the country; I am elated the EPA has finalized the long-awaited biofuels pathway for Grain Sorghum Oil. This pathway is crucial to not only our sorghum producers, but also our biofuels plants, and our rural economy. Farmers can use all the relief they can get in the midst of growing uncertainty in global markets,” said Representative Roger Marshal (KS-1).

“With this decision, EPA is creating an opportunity for sorghum producers to support a new fuel source stream for biofuel production,” said EPA Region 7 Administrator Jim Gulliford. “This is a good news story in helping meet America’s renewable fuels needs while protecting public health and the environment.”

“This is a great day for U.S. sorghum farmers and our partners in the ethanol and biodiesel industries,” said National Sorghum Producers Chairman Don Bloss, a sorghum farmer from Pawnee City, Nebraska. “NSP has worked tirelessly for over two years to make this happen. A pathway for sorghum oil opens new markets for ethanol plants extracting oil from sorghum and ultimately adds value to the grain farmers produce. We thank Acting Administrator Wheeler for taking the step to finalize this pathway and everyone involved in the process that lead to this achievement.”

“Farm Bureau applauds EPA’s approval of an RFS pathway for sorghum biofuel production. At a time when sorghum farmers – like many in U.S. agriculture – are facing tough economic times and uncertainty in key markets, new opportunities like

this can go a long way in supporting their bottom line. This new pathway will create an important opportunity for rural America and our farm economy, while strengthening and diversifying U.S. homegrown energy sources,” said American Farm Bureau President Zippy Duvall.

“Kansas produces more sorghum than any other state in the nation,” said Kansas Farm Bureau President Rich Felts. **“The opportunity to add value to those bushels is critical to our farmers and could not be more timely as we seek any and all methods to balance the books in a tough agricultural climate.”**

“Nebraska Farm Bureau supports efforts to expanded market opportunities for Nebraska agricultural commodities, including grain sorghum. EPA’s announcement that sorghum-based biofuel meets emission requirements allowing it to be recognized as an advanced biofuel under the Renewable Fuels Standard (RFS) is a win for Nebraska grain sorghum producers,” said Nebraska Farm Bureau President Steve Nelson.

“We are very pleased the EPA has finalized the RFS pathway for grain sorghum oil biofuel production. This pathway provides a great opportunity for farmers to market their crops and achieve better returns by producing ethanol from grain sorghum. Texas Farm Bureau sincerely thanks Acting EPA Administrator Wheeler and Congressional leaders who made this possible. We look forward to seeing the positive effect this pathway will have on hardworking farm families in Texas and the U.S.,” said Texas Farm Bureau President Russell Boening.

The newly approved pathways include biodiesel, heating oil, jet fuel, heating oil, and liquified petroleum gas produced from sorghum oil, a by-product of ethanol produced from using grain sorghum as a primary feedstock. These pathways meet the greenhouse gas emissions reductions requirements to qualify to generate credits or Renewable Identification Numbers (RINs) for biomass-based diesel and advanced biofuels under the RFS program.

This new feedstock is estimated to produce around 21 million gallons providing flexibility in meeting volume standards of the RFS program. It also adds diversity to the biofuel mix in the country.

The RFS program was created by Congress as a national policy to increase volumes of renewable fuel to replace or reduce the consumption of petroleum-based transportation fuel, heating oil, or jet fuel. EPA implements the program in consultation with U.S. Department of Agriculture and the U.S. Department of Energy.

For more information, please visit: <https://www.epa.gov/renewable-fuel-standard-program/2018-announcements-renewable-fuel-standard>

Acting EPA Administrator Andrew Wheeler addresses stakeholders at today's signing.

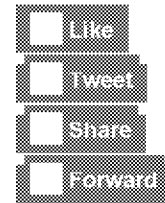
Senator Deb Fischer (NE) addresses attendees.

Acting EPA Administrator Andrew Wheeler signs the final notice alongside Rep. Roger Marshall (right) and Don Bloss, chairman of the National Sorghum Producers (left).

<!--[if !mso]-->[Visit The EPA's Newsroom](#)<!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/11/2018 4:22:17 PM
To: Don Parrish [donp@fb.org]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
Subject: RE: Does AFBF do something similar?

Thanks for sharing this as well!

From: Don Parrish [mailto:donp@fb.org]
Sent: Thursday, January 11, 2018 11:11 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Does AFBF do something similar?

<https://www.fb.org/newsroom/president-zippy-duvall-address-at-opening-general-session>

note that WOTUS was talked about in the press release...

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 10, 2018 5:19 PM
To: Don Parrish
Cc: Sands, Jeffrey
Subject: Re: Does AFBF do something similar?

Were you all planning to mention WOTUS? Like how the President did on Nashville on Monday? Here is a broader year end review sheet as well in case it is helpful to the folks writing your piece.

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.
- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle>
- **Ended the War on Coal and the "Clean Power Plan":** Following issued a Notice of Proposed Rulemaking (NPRM).

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 - **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

On Jan 10, 2018, at 3:32 PM, Don Parrish <donp@fb.org> wrote:

I think so - I will send it your way tomorrow.

Don

Sent from my iPhone

On Jan 10, 2018, at 2:37 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

<https://www.uschamber.com/speech/2018-state-american-business-address>

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/26/2018 8:48:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]; Aline DeLucia [aline@nasda.org]; Paul Schlegel [pauls@fb.org]; bgreenwood@croplifeamerica.com
Subject: FW: EPA Notification: Atrazine Human Health Risk Assessment Now Available for Public Comment

From: Kaiser, Sven-Erik
Sent: Thursday, July 26, 2018 4:35 PM
Subject: EPA Notification: Atrazine Human Health Risk Assessment Now Available for Public Comment

Today EPA is releasing the [atrazine draft human health risk assessment for public comment](#). The assessment identifies potential risks to children who crawl and play on lawns sprayed with atrazine and to workers who apply atrazine and/or enter treated fields after application.

[Atrazine](#) is one of the most widely used agricultural pesticides in the United States. It is used to control broadleaf and grassy weeds on corn, sorghum, and sugarcane, and to a lesser extent on residential lawns and golf courses. In the assessment, EPA reviewed all available scientific data, including published toxicity and epidemiology literature. The assessment uses multiple lines of evidence and methodologies that reflect current science.

In addition to the atrazine draft human health risk assessment, EPA is also releasing the [simazine](#) and [propazine](#) draft human health risk assessments and a [cumulative human health risk assessment](#) on these three triazines. We assessed these three pesticides together for human health risks because they share a common toxicity mechanism.

Comments must be submitted to docket # [EPA-HQ-OPP-2013-0266](#) at [www.regulations.gov](#) on or before Sept. 24, 2018.

After public comments on the human health and the [2016 ecological assessments](#) are reviewed, EPA will determine whether updates or revisions to the assessments are necessary. EPA plans to propose risk mitigation measures, if necessary, in 2019.

Please let me know if any questions. Thanks,

Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753 (o)

Ex. 6 (c)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/11/2018 3:38:57 PM
To: Don Parrish [donp@fb.org]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]
Subject: Re: Does AFBF do something similar?

I can call you back in 10

On Jan 11, 2018, at 10:29 AM, Don Parrish <donp@fb.org> wrote:

Tate and Jeff

This is President Duvall's annual convention address.

I would like to speak with you when you get a minute. thanks

See highlights.

Don R Parrish
American Farm Bureau Federation®

Ex. 6
donp@fb.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, January 10, 2018 5:19 PM
To: Don Parrish
Cc: Sands, Jeffrey
Subject: Re: Does AFBF do something similar?

Were you all planning to mention WOTUS? Like how the President did on Nashville on Monday? Here is a broader year end review sheet as well in case it is helpful to the folks writing your piece.

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.
- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle>

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Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental
Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

<Annual_Address_of_AFBF_President_Zippy_Duvall.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/26/2018 7:31:53 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Call reschedule

Thanks.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Thursday, July 26, 2018 2:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call reschedule

Will check

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, July 26, 2018 1:26 PM
To: Paul Schlegel <pauls@fb.org>
Subject: Call reschedule

Paul-

Sorry to do this, but I really need to add our OCSP counsel to the line. Do any of these days work instead?

8/8: 3-5pm
8/9: 12-2pm, 3-5pm
8/10: 11am-5pm

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/26/2018 7:28:34 PM
To: halford@nationalbcc.org; kdebowl@nationalbcc.org
Subject: Fwd: Nice meeting you!

Begin forwarded message:

From: Bennett.Tate@epa.gov
Date: January 26, 2018 at 2:22:56 PM EST
To: kdeblw@nationalbcc.org, halford@nationalbcc.org
Cc: Stephen Gordon <gordon.stephen@epa.gov>, Lee Tanner <tanner.lee@epa.gov>
Subject: Nice meeting you!

Harry and Kay- Thanks for a productive meeting! We will circle back on our follow-up items, but I just wanted to say thanks and we look forward to working together. -Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/26/2018 4:46:42 PM
To: donp@fb.org
Subject: Fwd: EPA sends WOTUS delay rule for White House review

Begin forwarded message:

From: "POLITICO Pro" <politicoemail@politico.com>
Date: January 26, 2018 at 11:36:37 AM EST
To: <bennett.tate@epa.gov>
Subject: EPA sends WOTUS delay rule for White House review
Reply-To: "POLITICO subscriptions" <reply-fe8e13737764017472-1162770_HTML-791699120-1376319-0@politicoemail.com>

By Annie Snider

01/26/2018 11:34 AM EDT

EPA has sent the final version of its regulation to delay implementation of the Obama administration's Waters of the U.S. rule to the White House for review.

The administration needs to move quickly to finalize its delay of the controversial 2015 rule if it wants to prevent it from going into effect after Monday's Supreme Court ruling that will require lifting a stay issued by the 6th Circuit Court of Appeals, which the court said did not have jurisdiction in the first place. Without a delay from EPA, the regulation would go into effect in 37 states that aren't covered by a hold put in place by a North Dakota district court.

The delay rule was sent to the White House Thursday. EPA's water chief, David Ross, told POLITICO that it would be finalized within a month. The Supreme Court ruling could be finalized and sent to the 6th Circuit as soon as 25 days after the decision.

The delay rule would be the Trump administration's first official move in its bid to kill the Obama rule and replace it with one of its own writing. The agency has said it expects to finalize its rule to withdraw the Obama-era rule in April and has been collecting comments from states, industry groups and other stakeholders on what a rewrite should look like.

WHAT'S NEXT: The White House will review the delay rule, after which it can be finalized. Challenges to the rule from environmental groups and Democratic states are expected.

To view online:

<https://www.politico.com/agriculture/whiteboard/2018/01/epa-sends-wotus-delay-rule-for-white-house-review-482567>

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<https://www.politicopro.com/settings>

POLITICOPRO

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 8:35:41 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Conference call

Yes that works

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 4:35 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference call

I can send out a note to those states asking them to hold some time. Shall we say 2 pm EDT?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, July 20, 2018 4:31 PM
To: Paul Schlegel <pauls@fb.org>
Subject: RE: Conference call

Can you find a time the afternoon of Friday, 8/3?

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 3:43 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference call

Might work better if you can give me a window of days to put on the calendar. If I try to solicit times from those states, might just drag things out.

I can send a note out to those states saying they should expect a notice from EPA setting up a conference call roughly in a certain day/time timeframe and that might work.

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Friday, July 20, 2018 3:38 PM

To: Paul Schlegel <pauls@fb.org>

Subject: Conference call

Per our conversation, can you send me some dates/ times that would work for your key dicamba state members? I'm thinking TN, MS, AR, MO, GA, KY, NE, KS, ND, SD, AL, IL especially.

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 7:44:23 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Conference call

Ok hang tight.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 3:43 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference call

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(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/10/2018 7:39:54 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Paul Sapperstein [psapperstein@freedomworks.org]
Subject: RE: Friday lunch and official invitation

Happy New Year, Patrick and Paul! Give me a shout about the April conference. Ex. 6 Also, do you guys put out anything like this? <https://www.uschamber.com/speech/2018-state-american-business-address>

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Wednesday, December 6, 2017 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Paul Sapperstein <psapperstein@freedomworks.org>
Subject: Friday lunch and official invitation

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (202) 942-7611

Message

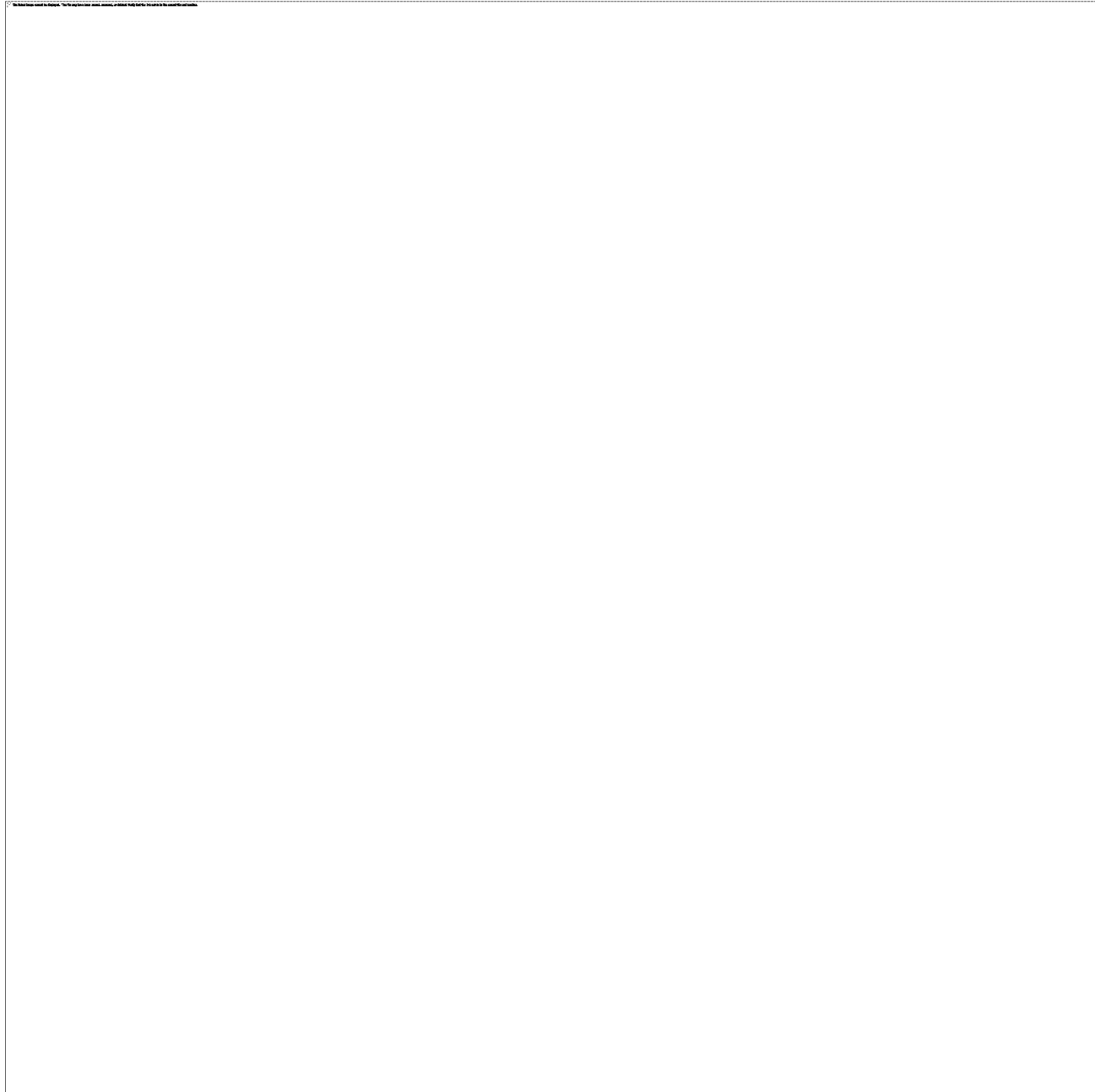
From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/8/2017 8:20:18 PM
To: phedger@freedomworks.org
Subject: Call today or Monday?

Give me a shout when you can?

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/18/2018 4:24:43 PM
To: Patrick Hedger [phedger@freedomworks.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: ICYMI



CONTACT: press@epa.gov

EPA Schedules Three Listening Sessions on Proposed Repeal of Clean Power Plan

Sessions to be held in Kansas City, San Francisco, Gillette, WY

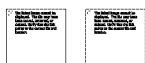
WASHINGTON (January 11, 2018) – The U.S. Environmental Protection Agency (EPA) is announcing the dates for three public listening sessions on the proposed repeal of the Clean Power Plan:

- February 21, 2018 - Kansas City, MO
- February 28, 2018 - San Francisco, CA
- March 27, 2018 - Gillette, WY

“In response to significant interest surrounding the proposed repeal of the Clean Power Plan and the success of the West Virginia hearing, we will now hold listening sessions across the country to ensure all stakeholders have an opportunity to provide input,” **said EPA Administrator Scott Pruitt.**

Contact: Registration information and more details will be posted at: <https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-repealing-clean-power-plan> Pre-registration to provide an oral presentation will begin when the notice is published in the Federal Register and close one week prior to each session.

With the publication of an upcoming Federal Register notice, EPA will re-open the public comment period for the proposed repeal through April 26, 2018 and provide further details on the listening sessions. Written statements and supporting information submitted while the public comment period is open will be considered with the same weight as any oral comments and supporting information presented at the listening sessions. Comments should be identified by Docket ID No. EPA-HQ-OAR-2017-0355 and may be submitted by one of the methods listed on the Clean Power Plan Proposed Repeal: How to Comment web page.



Elizabeth Tate Bennett
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(202) 564-1460
Bennett.Tate@epa.gov

Message

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Sent: 12/14/2017 9:31:31 PM
To: donp@fb.org
Subject: Please call

Importance: High

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
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(202) 564-1460
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From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 9:31:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: tgaziano@pacificalegal.org; jw@pacificalegal.org; brian.seasholes@reason.org; daren.bakst@heritage.org; michael.costigan@heritage.org; robert.gordon@heritage.org; diane.katz@heritage.org; david.kreutzer@heritage.org; nick.loris@heritage.org; terry.miller@heritage.org; bndunlop@heritage.org; jack.spencer@heritage.org; katie.tubb@heritage.org; robert.bluey@heritage.org; Keith Appell [kappell@CRCPublicRelations.com]; Mike Thompson [mthompson@CRCPublicRelations.com]; Myron Ebell [Myron.Ebell@cei.org]; kent.lassman@cei.org; tphillips@afphq.org; THuelskamp@heartland.org; efeulner@comcast.net; tpyle@energydc.org; Lauren.Bowman@heritage.org; gnorquist@atr.org; abrandon@freedomworks.org; tschatz@cagw.org; annie.dwyer@cei.org
Subject: In Case You Missed It: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

ICYMI, this announcement was made by EPA last Friday. Let us know if you have any questions and please flag with us any statements/press your organizations may have subsequently put out. -Tate with Administrator Pruitt's Office

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

12/01/2017

Contact Information:

press@epa.gov

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

“After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities,” **said EPA Administrator Scott Pruitt**. “Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based.”

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in the Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of

hazardous substances from current hardrock mining operations, as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining: the management of hazardous substances at such facilities; federal and state regulatory controls on that management and federal and state financial responsibility requirements; and, the payment experience of the Fund in responding to releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT)**. "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," said **Arizona Governor Doug Ducey**. "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," said **Idaho Governor Butch Otter**. "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," said **Nevada Governor Brian Sandoval**. "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," said **Jim Ogsbury, executive director of the bipartisan Western Governors' Association**. "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," said **Todd Parfitt, director of Wyoming Department of Environmental Quality**.

A pre-publication version of this action may be viewed at: <https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes>

[Contact Us](#) to ask a question, provide feedback, or report a problem.

Elizabeth Tate Bennett
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2018 8:33:27 PM
To: Aline DeLucia [aline@nasda.org]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
Subject: Re: RE:

No problem! Thanks for letting us know!

On Jul 23, 2018, at 4:29 PM, Aline DeLucia <aline@nasda.org> wrote:

Hey Tate! Just wanted to circle back on this. Thank you for the invite, but Barb is not able to attend. Thanks again! Have a great event.

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Monday, July 23, 2018 1:28 PM
To: Aline DeLucia
Subject:

Finalizing this rule:

<https://www.epa.gov/renewable-fuel-standard-program/notice-proposed-rulemaking-grain-sorghum-oil-pathways>

Current attendees include: Zippy Duvall, USDA Reps, Sen Fischer, Sen Moran, Rep. Roger Marshall, Board members from National Sorghum Producers Association.

We'd love for Dr. Glenn to attend and speak about the importance of this to our co-regulators in NE, KS and TX!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 8:17:46 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
BCC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff]; [Ex. 6]; juliar@fb.org; watts@ctic.org; ed.c.curlett@aphis.usda.gov; Sue.King@nass.usda.gov; catherine.mcdermott@fda.hhs.gov; wmg5@cdc.gov; bob@nasda.org; coursercattle@iowatelcom.net; tanya.c.espinosa@aphis.usda.gov; kjohnson@animalagalliance.org; fgould@agcenter.lsu.edu; andrea.vaubel@state.mn.us; christi.lightcap@state.co.us; lporter@lsu.edu; ghilburn@thenewsstar.com; jboneno@z-comm.com; lee@leezurik.com; pkovacs@theadvocate.com; aholan@tampabay.com; Shenk, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c18c4a63467e43c981e285fbbed6a297-Kshenk]; awold@thewaterinstitute.org; laura_p@ldaf.state.la.us; vmosgrove@ldaf.state.la.us; scanlon@dairy.org; goeser@ncga.com; dietz@ncga.com; jhankins@usarice.com; heather.overton@ncagr.gov; mmielke@nd.gov; Mark.Bruce@agri.ohio.gov; bryan.painter@ag.ok.gov; bpokarney@oda.state.or.us; aastacio@agricultura.pr.gov; ken.ayars@dem.ri.gov; meubanks@scda.sc.gov; maggie.stensaas@state.sd.us; samantha.jean@tn.gov; Mark.Loeffler@TexasAgriculture.gov; larrylewis@utah.gov; Trevor.audet@vermont.gov; elaine.lidholm@vdacs.virginia.gov; HCastro@agr.wa.gov; b davidson@wvda.us; william2.cosh@wisconsin.gov [william2.cosh@wisconsin.gov]; derek.grant@wyo.gov; amy.belcher@agi.alabama.gov; Arthur.Keyes@alaska.gov; storrens@azda.gov; adriane.barnes@arkansas.gov; steve.lyle@cdfa.ca.gov; karen.lover@state.co.us; steve.jensen@ct.gov; sheree.nichols@state.de.us; Jennifer.Meale@FreshFromFlorida.com; Julie.McPeake@agr.georgia.gov; hdoa.info@hawaii.gov; chanel.tewalt@isda.idaho.gov; morgan.booth@illinois.gov; bgavelek@isda.in.gov; Stephanie.groom@iowaagriculture.gov; Heather.Lansdowne@ks.gov; chris.aldridge@ky.gov; PressSecretary@ldaf.state.la.us; john.c.bott@maine.gov; julie.oberg@maryland.gov; Keri.Cornman@state.ma.us; holtonj@michigan.gov; Margaret.Hart@state.mn.us; Paige@mdac.ms.gov; sarah.alsager@mda.mo.gov; AFjeseth@mt.gov; christin.kamm@nebraska.gov; jfagundes@agri.nv.gov; beth.kiley@agr.nh.gov; nancy.trivette@ag.state.nj.us; ddapr@nmda.nmsu.edu; kevin.king@agriculture.ny.gov; chanson@okcattlemen.org; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Milbourn, Cathy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=235d8027f05546dba9897972f0b78419-Cmilbour]; demerson@crystalsugar.com; pmiller@betterseed.org; alavigne@betterseed.org; stanley.hill@arfb.com; [Ex. 6] DickWhite@DurangoGov.org; kim.peterson@guymonok.org; dani@coloagleaders.org; dstroisch@ilfb.org; [Ex. 6] judd.berger@foxnews.com; [Ex. 6] [Ex. 6] anielsen@ilfb.org; rwhitehouse@ilfb.org; MCLARK@idem.IN.gov; Kayla.Lyon@iowa.gov; jacksonfarms@mahaska.org; [Ex. 6] Sheaftractor@grics.net; [Ex. 6] [Ex. 6] h; kskunes@polarcomm.com; jmckenney@ndfu.org; kafletcher@nd.gov; [Ex. 6] leeanna.mcnally@okfb.org; Tyler.Powell@ee.ok.gov; [Ex. 6] [Ex. 6] [Ex. 6] msetin@usapple.org; Conner, Katelyn (McConnell) [Katelyn_Conner@mcconnell.senate.gov]; mwalker@alfafarmers.org; [Ex. 6] anakennedy@azfb.org; zac.bradley@arfb.com; jrolph@cfbf.com; zach@coloradofb.org; henryt@cfba.org; pam.bakerian@defb.org; johnwalt.boatright@ffbf.org; tasmith@gfb.org; brian@hfbf.org

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Subject: EPA fact sheets hazardous substances from animal waste

Attachments: CERCLA EPCRA Factsheet FINAL.PDF; CERCLA EPCRA Factsheet FINAL (SPANISH).pdf

All-

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of these fact sheets and FAQs is to provide an overview and basic information for those who are impacted by this new requirement.

If you have any questions, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

As always, our office is happy to be a resource as well.

Tate

Elizabeth Tate Bennett
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Requisitos de reportes para emisiones al aire de sustancias peligrosas provenientes de desechos animales en las granjas conforme a CERCLA y EPCRA

Generalidades

Hay dos leyes ambientales, la Ley de Responsabilidad, Compensación y Respuesta Ambiental Comprensiva (CERCLA, por sus siglas en inglés) y la Ley de Planificación para Emergencias y Derecho a Saber de la Comunidad (EPCRA, por sus siglas en inglés) que exigen reportar emisiones de una sustancia peligrosa que exceda una cantidad reportable en un periodo de 24 horas. El propósito de la notificación es para que los funcionarios federales, estatales y locales evalúen la necesidad de una respuesta de emergencia a fin de mitigar los efectos de la emisión a la comunidad.

Debido a una decisión judicial reciente, pronto se les exigirá a algunas granjas (incluidos ranchos, operaciones ganaderas y/u operaciones animales) reportar las emisiones al aire de sustancias peligrosas provenientes de desechos animales según CERCLA.

¿Por qué debo reportar?

Anteriormente, la EPA eximía a las granjas de reportar emisiones al aire de sustancias peligrosas provenientes de desechos animales según CERCLA, y solo las operaciones concentradas de gran envergadura para alimentar animales (CAFO, por sus siglas en inglés) estaban sujetas a reportes conforme a EPCRA, que es una ley separada pero relacionada.

Hubo grupos de ciudadanos que objetaron la validez de la regla de la EPA, y la Corte de Apelaciones de los EE. UU. correspondiente al Circuito DC anuló dicha regla de la EPA el 11 de abril de 2017. Por lo tanto, ya no es aplicable la exención reglamentaria de la EPA.

A causa de la decisión judicial, se exigirá a las granjas con operaciones animales que emiten ciertas cantidades de sustancias peligrosas que reporten estas emisiones al aire incluso a partir del 22 de enero de 2018.

¿Cuándo tengo que reportar?

Se espera que se emita la orden judicial el 22 de enero de 2018. Las granjas no deben reportar hasta que se emita la orden judicial.

¿Debo presentar un informe de CERCLA?

Se exige reportar cuando las emisiones de sustancias peligrosas (como amoníaco o sulfuro de hidrógeno) provenientes de desechos animales alcancen o excedan sus cantidades reportables dentro de un periodo de 24 horas. Para ver una lista completa de sustancias peligrosas conforme a CERCLA, consulte el enlace de Recursos en inglés en:

www.epa.gov/animalwaste.

¿Qué sustancias se deben reportar?

El amoníaco (NH₃) y el sulfuro de hidrógeno (H₂S) son sustancias peligrosas comunes emitidas por los desechos animales que se exige reportar si se emiten al aire en cantidades que superen o igualen la cantidad reportable de 100 lbs dentro de un periodo de 24 horas. Si una granja emite cualquier otra sustancia peligrosa sobre sus cantidades reportables designadas dentro de un periodo de 24 horas, deben reportarse aquellas también.

¿Cómo estimo las emisiones?

¿Por qué no puede la EPA decirme cuántos animales se requiere reportar?

La EPA reconoce que será difícil para los agricultores estimar las emisiones porque no hay una metodología generalmente aceptada para estimar estas emisiones en este momento.

Hay muchos factores que influyen en las emisiones:

- ubicación geográfica;
- condiciones ambientales;
- prácticas administrativas (por ej, forraje, guano);
- características de los animales (por ej. número, especie, etapa de vida);
- condiciones operativas; y
- prácticas generales de gestión.

Debido a las interacciones complejas de estos factores, no pueden estandarizarse las emisiones basándose exclusivamente en el número y tipo de animales que haya en cada operación animal. Por ejemplo, hay muchas situaciones donde las operaciones con menos animales tienen mayores emisiones que las operaciones con mayor número de la misma especie animal.

La EPA está trabajando para desarrollar metodologías destinadas a estimar las emisiones de una amplia variedad de operaciones para así informar mejor sobre estimar emisiones provenientes de desechos animales. Sin embargo, no se terminará dicha labor antes del mandato judicial para que los agricultores reporten.

Enero 2018

Para asistir a los agricultores con los requisitos de reportar, la EPA ha puesto recursos a disposición en su sitio web que pueden ser útiles para estimar las emisiones. También puede usar otros modelos para estimar emisiones o puede estimar cantidades de emisiones basándose en:

- Datos anteriores de emisiones;
- Estimados de ingeniería;
- Su conocimiento de las operaciones de la instalación y el historial de emisiones; o
- Su óptimo criterio profesional.

Se exige a los propietarios y operadores de instalaciones reportar solo un estimado; no se requieren datos de monitoreo. Además, no se exige a los agricultores reducir las emisiones. Los agricultores deben conservar una copia de los cálculos para referencia futura. Para obtener más información, vea el enlace de Recursos en:

www.epa.gov/animalwaste.

¿Cómo reporto según CERCLA?

Para cumplir con los requisitos de reportes de CERCLA en cuanto a emisiones al aire de sustancias peligrosas provenientes de desechos animales, en vez de reportar todos los días, las granjas pueden seguir un proceso simplificado de reportes que se conoce como “reportes de emisiones continuas”. Esto exige que el propietario u operador de la instalación siga los pasos descritos en la columna a la derecha.

¿Con qué frecuencia debo estimar las emisiones?

Si usted usa el proceso de reportes de emisiones continuas, debe revisar las emisiones de la granja una vez al año. También deberá estimar las emisiones después de que haya cambios considerables en las operaciones que puedan causar aumentos estadísticamente significativos en las emisiones.

¿Debo presentar un informe según EPCRA?

La EPA interpreta la ley como que excluye a las granjas que usan sustancias en “operaciones agrícolas de rutina” de los reportes según la sección 304 de la EPCRA. Esto abarca operaciones de rutina en las granjas, operaciones de alimentación de animales, criaderos de plantas, otras operaciones de horticultura y acuicultura. Para obtener más información, vea: www.epa.gov/epcra/question-and-answer-epcra-reporting-requirements-air-releases-hazardous-substances-animal.

¿Deben cumplir las granjas que tienen animales mantenidos principalmente fuera de una estructura cerrada y pastando en pastizales, con reportar emisiones de sustancias peligrosas provenientes de desechos animales conforme a CERCLA?

Sí, en caso de que la instalación tenga emisiones sobre la cantidad reportable. La EPA considera toda propiedad contigua con propietario común como instalación única para fines de reportar. Con el objeto de determinar si tiene una emisión reportable, una persona debe identificar todas las fuentes de emisiones de sustancias peligrosas, identificar las cantidades

Proceso de reportes de emisiones continuas según CERCLA

Paso 1: Proporcione al Centro Nacional de Respuesta (National Response Center, NRC, por sus siglas en inglés) una notificación inicial de emisiones continuas por correo electrónico (farms@uscg.mil) o por teléfono (1-800-424-8802). Un propietario u operador puede enviar una notificación por correo electrónico abarcando múltiples granjas.

Su mensaje de correo electrónico debe identificar que esta es una notificación inicial de emisiones continuas e incluir:

- Nombre de la granja
- Ubicación de la granja (por ej., nombre de la ciudad/pueblo y estado)
- Nombre(s) de la(s) sustancia(s) peligrosa(s) emitida (s) (amoníaco y/o sulfuro de hidrógeno)

Nota: El NRC no exige información personalmente identificable, como la dirección de una residencia privada. Una ubicación genérica (nombre de la ciudad/pueblo y estado) puede ser suficiente.

Recibirá un mensaje de correo electrónico del NRC con un solo número de identificación (CR-ERNS) para su(s) granja(s). Incluya el número de CR-ERNS en el informe de seguimiento mencionado en el Paso 2.

Paso 2: Dentro de un plazo de 30 días de la notificación al NRC, presente una notificación inicial por escrito a la Oficina Regional de la EPA correspondiente al área donde ocurre la emisión (vea www.epa.gov/epcra/cr-erns-regional-contacts). Use el Formulario de reportes de emisiones continuas.

Paso 3: Presente una sola vez un informe de seguimiento en el primer aniversario a la Oficina Regional de la EPA.

Enero 2018

que se emiten de cada fuente y sumar las cantidades emitidas de la instalación. Al hacer esta determinación, las granjas deben incluir todas las emisiones de la instalación, incluso emisiones de desechos animales provenientes de animales que se mantienen principalmente fuera de una estructura cerrada.

Recursos adicionales

- Envíe por correo electrónico comentarios o sugerencias sobre materiales de orientación a: CERCLA103.guidance@epa.gov
- Contactos regionales: www.epa.gov/epcra/cr-ems-regional-contacts
- Formularios de reportes de emisiones continuas: www.epa.gov/animalwaste
- Centro Nacional de Respuesta: 800-424-8802 o farms@useg.mil

¿Tiene alguna pregunta?

- Vea la orientación de CERCLA y EPCRA para obtener más información en inglés: www.epa.gov/animalwaste
- Llame al Centro de Información sobre EPCRA, RMP y Petróleo al: 1-800-424-9346

CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

Overview

Two environmental laws, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning and Community Right-to-Know Act (EPCRA), require reporting releases of a hazardous substance that exceeds a reportable quantity within a 24-hour period. The purpose of the notification is for federal, state, and local officials to evaluate the need for an emergency response to mitigate the effects of the release to the community.

Due to a recent court decision, some farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under CERCLA.

Why do I need to report?

Previously, EPA exempted farms from reporting hazardous substance air releases from animal waste under CERCLA, and only large concentrated animal feeding operations (CAFOs) were subject to EPCRA reporting, which is a separate but related law.

Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017. Therefore, EPA's regulatory exemption no longer applies.

As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as January 22, 2018.

When do I need to report?

The Court is expected to issue its order on January 22, 2018. Farms do not have to report until the Court issues its mandate.

Do I need to submit a CERCLA report?

Reporting is required when releases of hazardous substances (like ammonia or hydrogen sulfide) from animal waste meet or exceed their reportable quantities within a 24-hour period. For a complete list of CERCLA hazardous substances, please see the Resources link at: www.epa.gov/animalwaste.

What substances need to be reported?

Ammonia (NH₃) and hydrogen sulfide (H₂S) are common hazardous substances emitted from animal waste that require reporting if released to the air in amounts greater than or equal to their reportable quantity of 100 lbs within a 24-hour period. If a farm releases any other hazardous substances above their designated reportable quantities within a 24-hour period, those need to be reported as well.

How do I estimate releases?

To help you comply with the reporting requirements, EPA has made resources available on its website that may be helpful in estimating emissions. You may also use other models for estimating emissions or you may estimate quantities of releases by relying on:

- Past release data;
- Engineering estimates;
- Your knowledge of the facility's operations and release history; or
- Your best professional judgment.

Why Can't EPA Tell Me How Many Animals Require Reporting?

EPA recognizes it will be challenging for farmers to estimate releases because there is no generally accepted methodology for estimating these emissions at this time.

Many factors influence emissions:

- geographic location;
- environmental conditions;
- management practices (e.g. feed, manure);
- animal characteristics (e.g. number, species, life stage);
- operating conditions; and
- general management practices.

Due to the complex interactions of these factors, emissions cannot be standardized based solely on the number and type of animals at each animal operation. For example, there are many scenarios when operations with fewer animals will have higher emissions than operations with greater numbers of the same species of animals.

EPA is working on developing methodologies to estimate emissions from a wide variety of operations and thus better inform emission estimates from animal waste. However, that work will not be completed prior to the Court's mandate that farms report.

Facility owners and operators are required to report an estimate only—monitoring data is not required. Additionally, farmers are not required to reduce emissions. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: www.epa.gov/animalwaste.

How do I report for CERCLA?

To comply with CERCLA reporting requirements for air releases of hazardous substances from animal waste, instead of reporting every day, farms may follow a streamlined reporting process known as “continuous release reporting.” This requires the facility owner or operator to follow the steps outlined in the column to the right.

How often do I need to estimate emissions?

If you use the continuous release reporting process, you need to review emissions from the farm once a year. You’ll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.

Do I need to submit an EPCRA report?

EPA interprets the statute to exclude farms that use substances in “routine agricultural operations” from reporting under EPCRA section 304. This encompasses routine operations at farms, animal feeding operations, nurseries, other horticultural operations, and aquaculture. For more information, see: www.epa.gov/epcra/question-and-answer-epcra-reporting-requirements-air-releases-hazardous-substances-animal.

Do farms that have animals that reside primarily outside of an enclosed structure and graze on pastures, need to comply with reporting releases of hazardous substances from animal wastes under CERCLA?

Yes, if the facility has releases above the reportable quantity. EPA considers all contiguous property under common ownership to be a single facility for reporting purposes. For purposes of determining whether you have a reportable release, a person must identify all of the sources of hazardous substances releases, identify the quantities that are emitted from each source, and add up the quantities released for the facility. In making this determination, farms should include all releases from the facility, including releases from animal waste due to animals that reside primarily outside of an enclosed structure.

Additional Resources

- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Continuous Release Reporting Forms: www.epa.gov/animalwaste
- National Response Center: 800-424-8802 or farms@uscg.mil

Questions?

- See the CERCLA and EPCRA guidance for more information: www.epa.gov/animalwaste
- Call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346

CERCLA Continuous Release Reporting Process

Step 1: Provide the National Response Center (NRC) with an initial continuous release notification by email (farms@uscg.mil) or by phone (1-800-424-8802). An owner or operator can send one email notification for multiple farms.

Your email should identify that this is an initial continuous release notification and include:

- Name of the farm
- Location of the farm (e.g., name of city/town and state)
- Name(s) of the hazardous substance(s) released (ammonia and/or hydrogen sulfide)

Note: The NRC does not require personally identifiable information, such as an address for a private residence. A generic location (name of city/town and state) may be sufficient.

You will receive an email from the NRC with a single identification number (CR-ERNS) for your farms(s). Include the CR-ERNS number on the follow-up report discussed in Step 2.

Step 2: Within 30 days of the NRC notification, submit an initial written notification to the EPA Regional Office for the area where the release occurs (see www.epa.gov/epcra/cr-erns-regional-contacts). Use the Continuous Release Reporting Form.

Step 3: Submit a one-time first anniversary follow-up report to the EPA Regional Office.

If there are significant changes at your operation that could result in a change in emissions, additional reporting may be necessary.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2018 7:17:27 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: Conference Call with EPA

I created our own outlook but Rick, Nancy and myself will definitely be on the line.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Monday, July 23, 2018 3:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Conference Call with EPA

Sent you calendar invite. You can forward or if you want me to include anyone else let me know

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, July 23, 2018 12:34 PM
To: Paul Schlegel <pauls@fb.org>
Subject: RE: Conference Call with EPA

You all can use our line:

Conference Line **Ex. 6**
Access Code **Ex. 6**

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Friday, July 20, 2018 4:46 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Conference Call with EPA

See below; just sent out

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Paul Schlegel

Sent: Friday, July 20, 2018 4:46 PM

To: Tennessee Rhedona Rose <rrose@tbf.com>; Tennessee Stefan Maupin <smaupin@tbf.com>; Mississippi Andy Whittington <awhittington@msfb.org>; Mississippi Justin Ferguson <jferguson@msfb.org>; Arkansas Matt King <matt.king@arfb.com>; Arkansas John Bailey <john.bailey@arfb.com>; Georgia Farm Bureau Tripp Cofield <mtcofield@gfb.org>; Joe Cain (JCain@kyfb.com) <JCain@kyfb.com>; Nebraska Jordan Dux <jordand@nefb.org>; Kansas Ryan Flickner <flicknerr@kfb.org>; North Dakota Pete Hanebutt <pete@ndfb.org>; Illinois Adam Nielsen <anielsen@ilfb.org>; Missouri Leslie Holloway <lholloway@mofb.com>; Spencer.tuma@mofb.com; Scott VanderWal <svanderwal@fb.org>

Subject: Conference Call with EPA

Folks –

EPA has contacted us and is requesting our help in setting up a conference call on dicamba. We have tentatively scheduled the call for 2 pm EDT on Friday, August 3. Please save this time on your calendar.

As I'm sure you know, the registration for over-the-top dicamba was only for two years. EPA will need to make a decision in the near future about the product registration. I hope you will be available to participate in this call.

I will provide further details once they are available.

Thanks,

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 4:33:00 PM
To: Paul Sapperstein [psapperstein@freedomworks.org]; Patrick Hedger [phedger@freedomworks.org]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Friday lunch and official invitation
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Great. Copying Hayley who can fill you in on the details both regarding Friday and on our scheduling process. Here is the events form I was mentioning. Do you mind completing it and getting it back to us?

Thanks.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Paul Sapperstein [mailto:psapperstein@freedomworks.org]
Sent: Wednesday, December 6, 2017 11:10 AM
To: Patrick Hedger <phedger@freedomworks.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Friday lunch and official invitation

Good Morning Tate,

Adam is available for lunch on Friday, just let me know the details and he'll be there.

Thanks!
Paul

On Wed, Dec 6, 2017 at 11:02 AM, Patrick Hedger <phedger@freedomworks.org> wrote:

Tate,

Thanks for reaching out this morning. I spoke with Adam's EA (CC'd) and he will be in town Friday and would love to have lunch with the Administrator.

Also, attached is the formal invitation with details regarding the April conference I mentioned.

Best,

Patrick Hedger
Director of Policy

FreedomWorks Foundation
office (202) 942-7611

--

Paul Sapperstein
Executive Assistant
FreedomWorks

psapperstein@freedomworks.org

(202) 783-3870 (office)

Ex. 6 (direct)

(cell)

400 North Capitol St NW #765
Washington, DC 20001

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.



Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 7:53:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: Sands, Jeffrey [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2aa28629ade4afb8d5ec12a8aaaba54-Sands, Jeff];
[Ex. 6] uliar@fb.org; watts@ctic.org; ed.c.curlett@aphis.usda.gov; Sue.King@nass.usda.gov; catherine.mcdermott@fda.hhs.gov; wmg5@cdc.gov; bob@nasda.org; tanya.c.espinosa@aphis.usda.gov; kjohnson@animalagalliance.org; fgould@agcenter.lsu.edu; andrea.vaubel@state.mn.us; christi.lightcap@state.co.us; lporter@lsu.edu; ghilburn@thenewsstar.com; jboneno@z-comm.com; lee@leezurik.com; pkovacs@theadvocate.com; aholan@tampabay.com; Shenk, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c18c4a63467e43c981e285fbbed6a297-Kshenk]; awold@thewaterinstitute.org; laura_p@ldaf.state.la.us; vmosgrove@ldaf.state.la.us; scanlon@dairy.org; goeser@ncga.com; dietz@ncga.com; jhankins@usarice.com; heather.overton@ncagr.gov; mmielke@nd.gov; Mark.Bruce@agri.ohio.gov; bryan.painter@ag.ok.gov; bpokarney@oda.state.or.us; aastacio@agricultura.pr.gov; ken.ayars@dem.ri.gov; meubanks@scda.sc.gov; maggie.stensaas@state.sd.us; samantha.jean@tn.gov; Mark.Loeffler@TexasAgriculture.gov; larrylewis@utah.gov; Trevor.audet@vermont.gov; elaine.lidholm@vdacs.virginia.gov; HCastro@agr.wa.gov; b davidson@wvda.us; william2.cosh@wisconsin.gov [william2.cosh@wisconsin.gov]; derek.grant@wyo.gov; amy.belcher@agi.alabama.gov; Arthur.Keyes@alaska.gov; storrens@azda.gov; adriane.barnes@arkansas.gov; steve.lyle@cdfa.ca.gov; karen.lover@state.co.us; steve.jensen@ct.gov; sheree.nichols@state.de.us; Jennifer.Meale@FreshFromFlorida.com; Julie.McPeake@agr.georgia.gov; hdoa.info@hawaii.gov; chanel.tewalt@isda.idaho.gov; morgan.booth@illinois.gov; bgavelek@isda.in.gov; Stephanie.groom@iowaagriculture.gov; Heather.Lansdowne@ks.gov; chris.aldridge@ky.gov; PressSecretary@ldaf.state.la.us; john.c.bott@maine.gov; julie.oberg@maryland.gov; Keri.Cornman@state.ma.us; holtonj@michigan.gov; Margaret.Hart@state.mn.us; Paige@mdac.ms.gov; sarah.alsager@mda.mo.gov; AFjeseth@mt.gov; christin.kamm@nebraska.gov; jfagundes@agri.nv.gov; beth.kiley@agr.nh.gov; nancy.trivette@ag.state.nj.us; ddapr@nmda.nmsu.edu; kevin.king@agriculture.ny.gov; chanson@okcattlemen.org; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Milbourn, Cathy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=235d8027f05546dba9897972f0b78419-Cmilbour]; demerson@crystalsugar.com; pmiller@betterseed.org; alavigne@betterseed.org; stanley.hill@arfb.com; [Ex. 6] DickWhite@DurangoGov.org; kim.peterson@guymonok.org; dani@coloagleaders.org; dstroisch@ilfb.org; [Ex. 6]; judd.berger@foxnews.com; [Ex. 6] farm.gal@hotmail.com; anielsen@ilfb.org; rwhitehouse@ilfb.org; MCLARK@idem.IN.gov; Kayla.Lyon@iowa.gov; jacksonfarms@mahaska.org; drewdesutter@gmail.com; Sheafractor@grics.net; bartmanjm@yahoo.com; [Ex. 6]; kskunes@polarcomm.com; jmckenney@ndfu.org; kafletcher@nd.gov; [Ex. 6]; leeanna.mcnally@okfb.org; Tyler.Powell@ee.ok.gov; [Ex. 6] streitmatter1@gmail.com; 83mece@gmail.com; stevefricke@hotmail.com; mseetin@usapple.org; Conner, Katelyn (McConnell) [Katelyn_Conner@mcconnell.senate.gov]; mwalker@alfafarmers.org; [Ex. 6] anakennedy@azfb.org; zac.bradley@arfb.com; jrolph@cfbf.com; zach@coloradofb.org; henryt@cfba.org; pam.bakerian@defb.org; johnwalt.boatright@ffbf.org; tasmith@gfb.org; brian@hfbf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33a82620bb144e8496bd7bf63de940a8-brian@hfbf.org]; rhendricks@idahofb.org; anielsen@ilfb.org; bwhite@infarmbureau.org; kkuhle@ifbf.org; flicknerr@kfbf.org; joe.cain@kyfb.com; Kylem@lfbf.org; asmart@mainefarmbureau.com; cferguson@mdfarmbureau.com;

brad@mfbf.net; jkran@michfb.com; amber.hanson@fbmn.org; jferguson@msfb.org; Spencer.tuma@mofb.com; nicoler@mfbf.org; jordand@nefb.org; doug@nvfb.org; robj@nhfarmbureau.org; lizt@njfb.org; mattg@nmflb.org; ewolters@nyfb.org; linda.andrews@ncfb.org; pete@ndfb.org; jirvin@ofbf.org; LeeAnna.mcnally@okfb.org; gail@oregonfb.org; klwatson@pfb.com; isoly@agricultorpr.org; haquinn@rifb.org; gspires@scfb.com; k.smit@sdfbf.org; rrose@tbf.com; ladams@txfb.org; scb@fbfs.com; [Ex. 6] wilmer.stoneman@vafb.com; tdavis@wsfb.com; dwayneo@wvfarm.org; kgefvert@wfbf.com; kenhamilton@wyfb.org; Trey_McKenzie@blunt.senate.gov; Williams, Mark [Mark.Williams@mail.house.gov]; andrew_vlasaty@ag.senate.gov; kgreer@bamabeef.org; baja@arizonabeef.org; lscheller@arizonabeef.org; acacommdept@arbeef.org; justin@calcattlemen.org; sarah@coloradocattle.org; bhammerich@coloradolivestock.org; sard@asrlegal.com; kaytlyn@gabeef.org; dale@hicattle.org; Britany@idahocattle.org; jill@illinoisbeef.com; jmoore@indianabeef.org; janlee@iabeef.org; apoppelka@kla.org; jredway@kycattle.org; rjoyner@labeef.org; gquackenbush@mibeef.org; ashley@mnsca.org; [Ex. 6] Candace@mocattle.com; kori@mtbeef.org; lfield@necattlemen.org; nca@nevadabeef.org; nmcga@nmagriculture.org; phil@trowbridgefarms.com; bryan@nccattle.com; rorvigbranchco@gondtc.com; lcorry@ohiobeef.org; chanson@okcattlemen.org; jerome.rosa@orcattle.com; pacattlemen@aol.com; scbeef@scda.sc.gov; executive@sdcattlemen.org; Lauren@tncattle.org; jskaggs@tsra.org; jwinegarner@tcfa.org; utahbeef@aol.com; tfix@vacattlemen.org; jackfield@kvalley.com; wacattle@k.com; wvca@wvbeef.org; [Ex. 6] haley@wysga.org; 'Kunickis, Sheryl - OSEC' [Sheryl.Kunickis@osec.usda.gov]; cyoung@learfield.com; cflory@farmjournal.com; Hazlett, Anne - OSEC, Washington, DC [Anne.Hazlett@osec.usda.gov]; Douglas.L.Hoelscher [Ex. 6] William.H.Kirkland [Ex. 6] justin@calcattlemen.org; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Sarah Greenwalt (greenwalt.sarah@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; 'Roman, Mark' [Mark.Roman@mail.house.gov]; pauls@fb.org; Don Parrish [donp@fb.org]; webmaster@ffa.org; Terry_VanDoren@mconnell.senate.gov; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]

Subject: \$3 M in funding now available for locally-focused environmental education grants

- All-
-
- In case you missed it, EPA's Office of Environmental Education last week announced the agency is currently accepting applications for our environmental education grant programs until March 15, 2018. **There are new agricultural themes included in this year's grant description (including conservation practices and integrated pest management practices)**, so we wanted to be sure and flag this potential opportunity for your organization.

More information is provided below and let us know if you have any questions.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

-
-

News Releases from Headquarters > Office of the Administrator (AO)

Up to \$3 M in funding now available for locally-focused environmental education grants

01/08/2018

Contact Information:

EPA Press Office (press@epa.gov)

WASHINGTON – EPA is pleased to announce that up to \$3 million in funding for locally-focused environmental education grants will be available this week under the 2018 EE Local Grant Program. EPA will award three to four grants in each of EPA's ten Regions, for no less than \$50,000 and no more than \$100,000 each, for a total of 30-35 grants nationwide. Proposals are due March 15, 2018. The Requests for Proposals will be posted on www.grants.gov later this week.

In addition to other environmental topics, the 2018 EE Local Grant Program includes support for projects that reflect the intersection of environmental issues and agricultural best-practices, conservation of natural resources, food waste management, and natural disaster preparedness.

Funded projects will increase public awareness of those topics and help participants to develop the skills needed to make informed decisions. A Request for Proposals (also called a Solicitation Notice) containing details will be issued by each of the ten EPA Regions.

"By recognizing these locally-based learning and awareness opportunities, the Environmental Protection Agency is taking both a local and national leadership role in promoting sound agricultural conservation practices, environmental disaster preparedness, adequate food waste management and other important environmental best-practices," **said Administrator Scott Pruitt**. "Environmental education starts locally in our own backyards, classrooms and in the fields of farmers who work the land directly, and I'm proud to play a role in enhancing such learning opportunities."

Through this grant program, EPA intends to provide financial support for projects that design, demonstrate; and/or disseminate environmental education practices, methods, or techniques, as described in this notice, that will serve to increase environmental and conservation literacy, and encourage behavior that will benefit the environment in the local community/ies in which they are located.

Since 1992, EPA has distributed between \$2 million and \$3.5 million in annual grant funding under this program, supporting more than 3700 grants.

Proposals are due by March 15, 2018. The full solicitation notices will be posted later this week at www.grants.gov and at <http://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice>.

Find background on the EE Grants Program and resources for applicants at <http://www.epa.gov/education/environmental-education-ee-grants>.

[Contact Us](#) to ask a question, provide feedback, or report a problem.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 3:20:00 PM
To: abrandon@freedomworks.org
Subject: Getting together with Admin Pruitt

Hey Adam-

I wanted to see if you had some availability in the near future. Give me a quick shout when you have a moment? **Ex. 6**

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 2:58:02 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: meeting with Pruitt

Hey Patrick! When you have a moment, do you mind giving me a shout? **Ex. 6**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/23/2017 1:04:37 AM
To: Jay Vroom [JVroom@croplifeamerica.org]
Subject: RE: CERCLA-EPCRA Update

You too, Jay! Happy Thanksgiving to you and your family. See you soon. -Tate

From: Jay Vroom [mailto:JVroom@croplifeamerica.org]
Sent: Wednesday, November 22, 2017 8:02 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: CERCLA-EPCRA Update

Thanks Tate--

Appreciate your staying on task right up to the holiday. Happy Thanksgiving.

Jay

Jay Vroom, CropLife America

Sent from my iPad

On Nov 22, 2017, at 5:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

All-

As you may have seen, earlier today, the DC Circuit Court of Appeals granted EPA's motion to **further stay the mandate** of its decision vacating EPA's 2008 rule exempting farms from CERCLA and EPCRA emissions reporting requirements **until January 22, 2018**. More information can be found on EPA's website [here](#).

Happy Thanksgiving Eve.
Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/13/2017 4:23:50 PM
To: Don Parrish [donp@fb.org]
Subject: RE:

Ex. 6

From: Don Parrish [mailto:donp@fb.org]
Sent: Wednesday, December 13, 2017 11:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

When can we visit?

Don

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 5:45:53 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: Pleasure meeting you at today's event

Hey Patrick! Just realized we still need to get together. Let me know what the weeks ahead look like for you?

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Tuesday, October 31, 2017 4:21 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Pleasure meeting you at today's event

Elizabeth,

Thank you for introducing yourself at today's event regarding the scientific advisory directive. As Director of Policy at FreedomWorks, I manage our regulatory reform portfolio and our Regulatory Action Center project. I have already met your colleagues John Konkus, Michael Abboud, and James Hewitt. Looking forward to hopefully collaborating with you all during this administration.

Please feel free to reach out and let me know how FreedomWorks can be of help and look for our statement in support of today's directive shortly.

Best,

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office (Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 11:18:05 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Call

Thanks!

On Jul 20, 2018, at 5:30 PM, Aline DeLucia <aline@nasda.org> wrote:

Yeap. I will go ahead and lock that in on Monday. Thanks!

Sent from my iPhone

On Jul 20, 2018, at 4:22 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I think the 26th at 11 AM would be best on our end. Does that work for you?

From: Aline DeLucia [<mailto:aline@nasda.org>]
Sent: Friday, July 20, 2018 3:03 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call

Options:

July 26th – 9am to 12pm
July 27th – 12pm – 5pm

Thanks!

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Friday, July 20, 2018 1:46 PM
To: Aline DeLucia
Subject: Call

Can you go ahead and start polling for times to set up a call next week or the week after?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/20/2018 9:07:43 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Conference Call with EPA

Thank you

On Jul 20, 2018, at 4:46 PM, Paul Schlegel <pauls@fb.org> wrote:

See below; just sent out

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Paul Schlegel
Sent: Friday, July 20, 2018 4:46 PM
To: Tennessee Rhedona Rose <rrose@tbf.com>; Tennessee Stefan Maupin <smaupin@tbf.com>; Mississippi Andy Whittington <awhittington@msfb.org>; Mississippi Justin Ferguson <jferguson@msfb.org>; Arkansas Matt King <matt.king@arfb.com>; Arkansas John Bailey <john.bailey@arfb.com>; Georgia Farm Bureau Tripp Cofield <mtcofield@gfb.org>; Joe Cain (JCain@kyfb.com) <JCain@kyfb.com>; Nebraska Jordan Dux <jordand@nefb.org>; Kansas Ryan Flickner <flickner@kfb.org>; North Dakota Pete Hanebutt <pete@ndfb.org>; Illinois Adam Nielsen <anielsen@ilfb.org>; Missouri Leslie Holloway <lholloway@mofb.com>; Spencer Tuma <stuma@mofb.com>; Scott VanderWal <svanderwal@fb.org>
Subject: Conference Call with EPA

Folks –

EPA has contacted us and is requesting our help in setting up a conference call on dicamba. We have tentatively scheduled the call for 2 pm EDT on Friday, August 3. Please save this time on your calendar.

As I'm sure you know, the registration for over-the-top dicamba was only for two years. EPA will need to make a decision in the near future about the product registration. I hope you will be available to participate in this call.

I will provide further details once they are available.

Thanks,

Paul

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/14/2018 2:18:58 AM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Draft language

Sorry- we are working a redline to show you where language along these lines would fit in. Might be easier that way. Standby.

> On Aug 13, 2018, at 8:49 PM, Paul Schlegel <pauls@fb.org> wrote:

>
> Do you have a context for this?

>
> Sent from my iPhone

>
>> On Aug 13, 2018, at 9:48 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>>
>> However, EPA could take advantage of existing enforcement authority (albeit not EPA authority) which could provide a credible deterrent against disclosure by designated representatives. EPA could add to 170.311(b)(9) a requirement that the designated representative must give the agricultural employer a signed statement that he/she will disclose the information only to the worker/handler, that statement would then be required by EPA regulations and therefore a false statement would be criminally enforceable by US attorneys under 28 USC 1001.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/31/2017 8:37:34 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: Re: Pleasure meeting you at today's event

Hey! Thanks for making it out today. I look forward to working with you.

On Oct 31, 2017, at 4:21 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

Elizabeth,

Thank you for introducing yourself at today's event regarding the scientific advisory directive. As Director of Policy at FreedomWorks, I manage our regulatory reform portfolio and our Regulatory Action Center project. I have already met your colleagues John Konkus, Michael Abboud, and James Hewitt. Looking forward to hopefully collaborating with you all during this administration.

Please feel free to reach out and let me know how FreedomWorks can be of help and look for our statement in support of today's directive shortly.

Best,

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation
office Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/13/2018 9:26:09 PM
To: Kay DeBow [kdebow@nationalbcc.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]]
Subject: RE: Administrator Wheeler Bio

Thanks!

From: Kay DeBow [mailto:kdebow@nationalbcc.org]
Sent: Friday, July 13, 2018 11:56 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
Subject: RE: Administrator Wheeler Bio

Good morning, the room is SD-106. I think I've been saying Hart Building but of course it is on the Dirksen side and it is easiest to enter from Constitution Ave, you walk by security and the room is on the right.

Kay DeBow
Co-founder
National Black Chamber of Commerce
4400 Jenifer St NW #331
Washington, DC 20015
www.nationalbcc.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, July 10, 2018 4:33 PM
To: Kay DeBow <kdebow@nationalbcc.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
Subject: Administrator Wheeler Bio

On July 9, 2018, Andrew Wheeler was named Acting Administrator of the Environmental Protection Agency (EPA) by President Donald J. Trump. The preceding April 12, 2018, Mr. Wheeler was confirmed by the U.S. Senate as the Deputy Administrator of the EPA.

Mr. Wheeler has dedicated his career to advancing sound environmental policies. He was a Principal and the team leader of the energy and environment practice group at FaegreBD Consulting, as well as Counsel at Faegre Baker Daniels law firm where he practiced since 2009. He also served as the Co-chair of the Energy and Natural Resources Industry team across the entire firm.

Prior to his work with the firm, Mr. Wheeler served as the Majority Staff Director and Chief Counsel, as well as the Minority Staff Director, of the Senate Committee on Environment and Public Works for six years. Before his time at the full Senate EPW Committee, Mr. Wheeler served in a similar capacity for six years for the Subcommittee on Clean Air, Climate Change, Wetlands and Nuclear Safety. He started his career at the Environmental Protection Agency as a Special Assistant in the Pollution Prevention and Toxics office, where he received three bronze medals.

Mr. Wheeler is the past Chairman of the National Energy Resource Organization (NERO), and a Stennis Fellow. Mr. Wheeler is also an Eagle Scout.

Mr. Wheeler was born in Hamilton, Ohio. He completed his law degree at Washington University in St. Louis, his MBA at George Mason University, and his undergraduate work at Case Western Reserve University in English and Biology.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/3/2017 4:00:04 PM
To: Don Parrish [donp@fb.org]
Subject: RE: Annual meetings

YES! Thank you. Christmas early.

From: Don Parrish [mailto:donp@fb.org]
Sent: Friday, November 3, 2017 11:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Annual meetings

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 3:37 PM
To: Don Parrish
Subject: Re: Annual meetings

Thanks!

On Nov 2, 2017, at 12:06 PM, Don Parrish <donp@fb.org> wrote:

I will check...

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 02, 2017 11:54 AM
To: Don Parrish
Subject: Annual meetings

Do you guys have a calendar for when all your guys' state annual meetings are?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/27/2017 7:35:40 PM
To: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Subject: Re: Meeting Request - Newtrient

That would be perfect. 1200 PA avenue nw north entrance

On Oct 27, 2017, at 2:09 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:


Tate,

No worries at all. I'm glad we could get some time with you. We'd be happy to meet then. I can send you a list of attendees next week. Please let me know if there are any special access instructions or points of contact we should be aware for entering the building.

Thanks,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, October 27, 2017 2:54 PM
To: Swanson, Kevin O (59578)
Subject: Re: Meeting Request - Newtrient

I'm so sorry! Is 5:30 too late?

On Oct 27, 2017, at 1:07 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

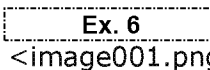
Hi Tate,

Was hoping to follow up with you on a meeting time for Monday 11/6. We're can make anytime the afternoon between 1-6pm work.

Thanks again,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<image001.png>

From: Swanson, Kevin O (59578)
Sent: Tuesday, October 24, 2017 4:42 PM
To: 'Bennett, Tate'
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

Hi Tate,

No worries at all and thanks for your willingness to meet. We can do the afternoon of Monday the 6th any time between 1-6pm. Let us know what works best for you.

Best,

Kevin O. Swanson

Senior Associate

 | michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Tuesday, October 24, 2017 4:20 PM

To: Swanson, Kevin O (59578)

Cc: Bode, Denise A (53804); Gordon, Stephen

Subject: RE: Meeting Request - Newtrient

Hi there! Sorry for the delay and thanks for following up with me. Somehow I missed your initial e-mail. What time on the 6th would be best for you? Sorry, I know you initially asked for the 7th, but do you still have availability that Monday?

Looking forward to it.

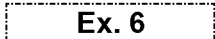
Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency


Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578) [<mailto:koswanson@michaelbeststrategies.com>]

Sent: Tuesday, October 24, 2017 4:15 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>

Subject: RE: Meeting Request - Newtrient

Hello Tate:

I was hoping to follow up on Ken Wagner's recommendation below that we meet with you to introduce what our client, Newtrient, is working on with the dairy industry to address their non-point source emissions. We would appreciate the opportunity to meet with you and learn more about EPA's stakeholder outreach efforts in this area. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson

Senior Associate

 Ex. 6 michaelbeststrategies.com

<image001.png>

From: Swanson, Kevin O (59578)

Sent: Wednesday, October 18, 2017 5:18 PM

To: 'Bennett.Tate@epa.gov'

Cc: Bode, Denise A (53804)

Subject: Meeting Request - Newtrient

Hello Tate:


I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

 Ex. 6 michaelbeststrategies.com

<image001.png>

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

Date: Wednesday, September 20, 2017 at 9:02 AM

To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe

<steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>

Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6
Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; steven.rowe@newtrient.com;
dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*
US Environmental Protection Agency

Ex. 6
wagner.kenneth@epa.gov

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/5/2017 11:57:00 PM
To: donp@fb.org
Subject: Call me

will only take 5 min

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 2:08:53 PM
To: David Edmund Black [DAVIDBLACK@UP.COM]
Subject: RE: EPA Visit to Omaha

Thanks so much!

From: David Edmund Black [mailto:DAVIDBLACK@UP.COM]
Sent: Monday, October 16, 2017 9:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: EPA Visit to Omaha

Morning Tate! The best person to contact is my former boss, Mike Rock marock@up.com

Ex. 6

Cheers!

David Edmund Black

Union Pacific | Economic & Industrial Development - Ports
24125 Old Aldine Westfield Road | Spring, TX | 77373

Ex. 6

| E: davidblack@up.com | UPRR.com

On Oct 15, 2017, at 10:20 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Hey David! Wanted to let you know that Administrator Pruitt will in Omaha next Friday and is interested in meeting with UP leadership. Do you mind helping me navigate the best way to set up a potential meeting, if possible?

Hope this finds you well--- Mark says hello. Tate

**

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**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/13/2018 2:31:57 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Question...

Thank you for asking.

On Aug 13, 2018, at 9:31 AM, Aline DeLucia <aline@nasda.org> wrote:

Hey Tate – talked to a few folks about the over the top question. They all said they don't have a way to obtain that information.

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 1:56:09 PM
To: Mike Rock [MAROCK@up.com]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Pruitt visit to Omaha

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific
Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
Ex. 6
Bennett.Tate@epa.gov

**

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 1:37:54 PM
To: marock@up.com
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Pruitt visit to Omaha

Importance: High

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/19/2017 9:21:54 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Subject: Re: HollyFrontier meeting request

I'll give you a shout later too.

Sent from my iPad

On Oct 19, 2017, at 3:42 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Thanks, Hayley.

I've enclosed the meeting request form. We'd asked about 10/31 and 11/3 which I realize are coming up quickly. Happy to meet when convenient for the Administrator if he has time in the near future.

Thanks again.

Blake

--
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Thursday, October 19, 2017 3:33 PM
To: Barfield, Blake; Bennett, Tate
Subject: RE: HollyFrontier meeting request

Blake,

Attached is the form that Tate mentioned. If you could provide me with further info, I would be happy to get back to you within a week if that's not too late. Also, feel free to send future requests directly to me/Tate. Ryan gets a lot of messages so he may have missed this one.

Thanks!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

ford.hayley@epa.gov

Ex. 6

From: Barfield, Blake [<mailto:Blake.Barfield@HollyFrontier.com>]

Sent: Thursday, October 19, 2017 4:20 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Ford, Hayley <ford.hayley@epa.gov>

Subject: RE: HollyFrontier meeting request

We sent it to RJ.

Happy to fill out a form – don't believe we have yet.

No apology necessary!

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Thursday, October 19, 2017 3:14 PM

To: Barfield, Blake

Cc: Ford, Hayley

Subject: Re: HollyFrontier meeting request

Who did you send your original, official meeting request to? Hayley our scheduling guru is CC'd and can send you the internal official meeting request form if you haven't already filled it out. Sorry- we cannot locate your original request and apologize if there was a mistake on our end.

On Oct 19, 2017, at 2:17 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Tate:

Hope you're well; good visiting earlier this week.

Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.

Thanks

Blake

--

Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX, 75201

Ex. 6

blake.barfield@hollyfrontier.com

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<EPA Administrator Pruitt External Meeting Request Form - HollyFrontier Corp..docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 3:45:10 PM
To: Don Parrish [donp@fb.org]
CC: Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]
Subject: FW: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

A release would be awesome!

From: Dewey, Amy
Sent: Monday, October 16, 2017 11:44 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: FW: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

This is the American Farm Bureau thought you guys would love this! Amy

From: William Rodger [mailto:willr@fb.org]
Sent: Monday, October 16, 2017 11:39 AM
To: Dewey, Amy <Dewey.Amy@epa.gov>
Subject: RE: ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

That's pretty damned huge. I'll see if we can't get a release out.

ADMINISTRATOR PRUITT ISSUES DIRECTIVE TO END EPA "SUE & SETTLE"

"The days of regulation through litigation are over," – EPA Administrator Scott Pruitt

WASHINGTON – In fulfilling his promise to end the practice of regulation through litigation that has harmed the American public, EPA Administrator Scott Pruitt issued an Agency-wide directive today designed to end "sue and settle" practices within the Agency, providing an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements.

"The days of regulation through litigation are over," **said EPA Administrator Scott Pruitt.** "We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress. Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle."

Over the years, outside the regulatory process, special interest groups have used lawsuits that seek to force federal agencies – especially EPA – to issue regulations that advance their interests and priorities, on their specified timeframe. EPA gets sued by an outside party that is asking the court to compel the Agency to take certain steps, either through change in a statutory duty or enforcing timelines set by the law, and then EPA

will acquiesce through a consent decree or settlement agreement, affecting the Agency's obligations under the statute.

More specifically, EPA either commits to taking an action that is not a mandatory requirement under its governing statutes or agrees to a specific, unreasonable timeline to act. Oftentimes, these agreements are reached with little to no public input or transparency. That is regulation through litigation, and it is inconsistent with the authority that Congress has granted and the responsibility to operate in an open and fair manner.

"Sue and settle" cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.

With today's directive, Administrator Pruitt is ensuring the Agency increase transparency, improve public engagement, and provide accountability to the American public when considering a settlement agreement or consent decree by:

1. Publishing any notices of intent to sue the Agency within 15 days of receiving the notice;
2. Publishing any complaints or petitions for review in regard to an environmental law, regulation, or rule in which the Agency is a defendant or respondent in federal court within 15 days of receipt;
3. Reaching out to and including any states and/or regulated entities affected by potential settlements or consent decrees;
4. Publishing a list of consent decrees and settlement agreements that govern Agency actions within 30 days, along with any attorney fees paid, and update it within 15 days of any new consent decree or settlement agreement;
5. Expressly forbidding the practice of entering into any consent decrees that exceed the authority of the courts;
6. Excluding attorney's fees and litigation costs when settling with those suing the Agency;
7. Providing sufficient time to issue or modify proposed and final rules, take and consider public comment; and
8. Publishing any proposed or modified consent decrees and settlements for 30-day public comment, and providing a public hearing on a proposed consent decree or settlement when requested.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/20/2017 5:21:33 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Subject: Re: HFC Locations

Hey! Thanks for putting this together so quickly. We will keep such an opportunity like this on our radar. Likely next year. Copying Stephen who is helping keep track of potential instate site visits.

On Oct 20, 2017, at 1:07 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Tate:

Good visiting earlier.

Per our conversation- we'd welcome the chance to meet with Administrator Pruitt perhaps in late November or early December in DC.

Additionally, we would be glad to host the Administrator at one of our US refining locations. You called out Wyoming in particular and we work closely with that Congressional delegation so hopefully can be of assistance if any is needed. Below are our sites and stats:

Cheyenne, Wyoming – 52,000 barrel/day refinery – 300 employees
Woods Cross, Utah (15 min from Salt Lake City) – 45,000 barrel/day refinery – 250 employees
El Dorado, Kansas (15 min from Wichita) – 135,000 barrel/day refinery – 400 employees
Tulsa, Oklahoma – 125,000 barrel/day refinery – 600 employees
Artesia, New Mexico (30 min from Roswell) – 115,000 barrel/day refinery – 700 employees

Thanks
Blake

—
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/6/2017 9:58:22 PM
To: Swanson, Kevin O (59578) [koswanson@michaelbeststrategies.com]
Subject: Re: Meeting Request - Newtrient

Perfect

On Nov 6, 2017, at 4:57 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

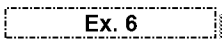
Hi Tate,

We look forward to meeting you and Jeff in a few minutes. I can give you a call when we are in the lobby.

Thanks,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<image001.png>

From: Swanson, Kevin O (59578)
Sent: Tuesday, October 31, 2017 10:18 AM
To: 'Bennett, Tate'
Subject: RE: Meeting Request - Newtrient

Tate,

Happy to. I sent one over few minutes ago. I also saw that Jeff Sands accepted the invite which is perfect because we were looking to touch base with him as well. We are excited to learn more about the stakeholder education programs that you are working on. As a bit of background, Newtrient has been encouraged to participate in the Lake Champlain Basin Program and will be looking at their grant opportunities to further fund their work in VT. We look forward to sharing the work that Newtrient has done there as well as Wisconsin. In terms of attendees for the meeting we will be bringing:

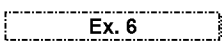
Steve Rowe, CEO, Newtrient
Denise Bode, Partner, Michael Best Strategies
Clay Detlefsen, National Milk
Paul Bleiberg, National Milk
Bruce Knight, Strategic Conservation Solutions
Kevin Swanson, Michael Best Strategies

Please let me know if you have any further questions.

Best,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<image001.png>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, October 31, 2017 9:07 AM
To: Swanson, Kevin O (59578)
Subject: Re: Meeting Request - Newtrient

Not sure if I asked but could you send a calendar invite? Also, 1200 PA Ave NW North Building.

On Oct 27, 2017, at 3:09 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

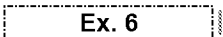
Tate,

No worries at all. I'm glad we could get some time with you. We'd be happy to meet then. I can send you a list of attendees next week. Please let me know if there are any special access instructions or points of contact we should be aware for entering the building.

Thanks,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<[image001.png](#)>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Friday, October 27, 2017 2:54 PM
To: Swanson, Kevin O (59578)
Subject: Re: Meeting Request - Newtrient

I'm so sorry! Is 5:30 too late?

On Oct 27, 2017, at 1:07 PM, Swanson, Kevin O (59578) <koswanson@michaelbeststrategies.com> wrote:

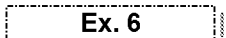
Hi Tate,

Was hoping to follow up with you on a meeting time for Monday 11/6.
We're can make anytime the afternoon between 1-6pm work.

Thanks again,

Kevin O. Swanson

Senior Associate

 michaelbeststrategies.com
<[image001.png](#)>

From: Swanson, Kevin O (59578)
Sent: Tuesday, October 24, 2017 4:42 PM
To: 'Bennett, Tate'
Cc: Bode, Denise A (53804); Gordon, Stephen
Subject: RE: Meeting Request - Newtrient

Hi Tate,

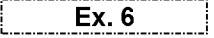
No worries at all and thanks for your willingness to meet. We can do the

afternoon of Monday the 6th any time between 1-6pm. Let us know what works best for you.

Best,

Kevin O. Swanson

Senior Associate

 Ex. 6 | michaelbeststrategies.com

<image001.png>

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Tuesday, October 24, 2017 4:20 PM

To: Swanson, Kevin O (59578)

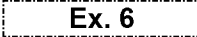
Cc: Bode, Denise A (53804); Gordon, Stephen

Subject: RE: Meeting Request - Newtrient

Hi there! Sorry for the delay and thanks for following up with me. Somehow I missed your initial e-mail. What time on the 6th would be best for you? Sorry, I know you initially asked for the 7th, but do you still have availability that Monday?

Looking forward to it.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental
Education
Office of the Administrator
U.S. Environmental Protection Agency
 Ex. 6
Bennett.Tate@epa.gov

From: Swanson, Kevin O (59578)

[<mailto:koswanson@michaelbeststrategies.com>]

Sent: Tuesday, October 24, 2017 4:15 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Bode, Denise A (53804) <dabode@michaelbeststrategies.com>

Subject: RE: Meeting Request - Newtrient

Hello Tate:

I was hoping to follow up on Ken Wagner's recommendation below that we meet with you to introduce what our client, Newtrient, is working on with the dairy industry to address their non-point source emissions. We would appreciate the opportunity to meet with you and learn more about EPA's stakeholder outreach efforts in this area. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We

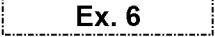
could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Thank you for your consideration of this request.

Best regards,

Kevin O. Swanson

Senior Associate

 Ex. 6 | michaelbeststrategies.com
<image001.png>

From: Swanson, Kevin O (59578)
Sent: Wednesday, October 18, 2017 5:18 PM
To: 'Bennett.Tate@epa.gov'
Cc: Bode, Denise A (53804)
Subject: Meeting Request - Newtrient

Hello Tate:


I work with Denise and our client, Steve Rowe, from Newtrient which as Ken noted below is the dairy industry's effort to reduce Nitrogen and Phosphorus in a market based way. We would love to follow up on your offer to meet and share more about the work Newtrient is doing to build these environmental services marketplaces and learn more about your efforts in this area and the agricultural stakeholder outreach you are doing. As a bit of background, Newtrient is a company that shares the support of the organizations that produce more than half the milk in the country across 20,000 plus dairy farms. National Milk sits on Newtrient's board and we'd bring their D.C. based folks with us to the meeting. Steve will be coming back to D.C. Tuesday November 7th for some meetings with USDA and Hill offices. We have good availability after 11:30am. We could also do the afternoon of Monday the 6th if that works better. We appreciate your willingness to meet.

Best regards,

Kevin O. Swanson

Senior Associate

E koswanson@michaelbeststrategies.com

 Ex. 6 | michaelbeststrategies.com

<image001.png>

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, September 20, 2017 at 9:02 AM
To: Kenneth Wagner <Wagner.kenneth@Epa.gov>, Steven Rowe <steven.rowe@newtrient.com>, Denise Bode <dabode@michaelbeststrategies.com>
Subject: RE: Newtrient

Hey guys-

We love the National Milk Producers!

Let me know when you all have some time to get together. I'd love to share with you all some info about our education grant program relaunch that we have coming up.

Best.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental
Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

From: Wagner, Kenneth
Sent: Wednesday, September 20, 2017 8:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>;
steven.rowe@newtrient.com; dabode@beststrategies.com
Subject: Newtrient

Tate:

I met with Steven, Denise and National Milk Producer's Federation yesterday on the dairy industries effort to reduce Nitrogen and Phosphorus through private investment and creating new markets that should become an economic driver for the producers and cuts costs of traditional waste water treatments for those discharges.

They work closely with the Noble Foundation and their work is similar, only it is focused on dairy farmers rather than ranchers. They are looking to meet with you in the near future, as they have already met with the Administrator who was encouraged by their efforts. I will be happy to support from a regional/state perspective.

FYI, Denise is from Oklahoma where she served as a former Corporation Commissioner and Labor Commissioner who couldn't resist the call to DC. Anyway, these are great folks!

Let me know if you need anything from me.

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*

Ex. 6

wagner.kenneth@epa.gov

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 3:15:41 PM
To: Mike Rock [MAROCK@up.com]
Subject: RE: Pruitt visit to Omaha

Good on our end. Do you have time for a call today just to go to logistics? Happy to work around your schedule.

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 11:11 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

We can make 3:30 work. Are you ok with that time on your end?

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 10:11:28 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Date: 10/16/2017 10:11 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Thank you, sir!

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 10:09 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

OK, give me an hour or so, and I will get back to you.

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:56:15 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:56 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [<mailto:MAROCK@up.com>]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

=====
Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

**

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**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/23/2017 2:58:39 PM
To: Barfield, Blake [Blake.Barfield@HollyFrontier.com]
Subject: Re: HollyFrontier meeting request

Unlikely. But you can ask RJ if you want.

On Oct 23, 2017, at 9:57 AM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Do you think we could set up a call with George and the Administrator in the interim of waiting for a meeting until December timeframe?

From: Barfield, Blake
Sent: Friday, October 20, 2017 9:19 AM
To: 'Bennett, Tate'
Subject: RE: HollyFrontier meeting request

Thx. around all day if you'd like to chat

Ex. 6

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Thursday, October 19, 2017 4:22 PM
To: Barfield, Blake
Subject: Re: HollyFrontier meeting request

I'll give you a shout later too.

Sent from my iPad

On Oct 19, 2017, at 3:42 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Thanks, Hayley.

I've enclosed the meeting request form. We'd asked about 10/31 and 11/3 which I realize are coming up quickly. Happy to meet when convenient for the Administrator if he has time in the near future.

Thanks again.

Blake

—
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Thursday, October 19, 2017 3:33 PM
To: Barfield, Blake; Bennett, Tate
Subject: RE: HollyFrontier meeting request

Blake,

Attached is the form that Tate mentioned. If you could provide me with further info, I would be happy to get back to you within a week if that's not too late. Also, feel free to send future requests directly to me/Tate. Ryan gets a lot of messages so he may have missed this one.

Thanks!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov

Ex. 6

From: Barfield, Blake [<mailto:Blake.Barfield@HollyFrontier.com>]
Sent: Thursday, October 19, 2017 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: HollyFrontier meeting request

We sent it to RJ.

Happy to fill out a form – don't believe we have yet.

No apology necessary!

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Thursday, October 19, 2017 3:14 PM
To: Barfield, Blake
Cc: Ford, Hayley
Subject: Re: HollyFrontier meeting request

Who did you send your original, official meeting request to? Hayley our scheduling guru is CC'd and can send you the internal official meeting request form if you haven't already filled it out. Sorry- we cannot locate your original request and apologize if there was a mistake on our end.

On Oct 19, 2017, at 2:17 PM, Barfield, Blake <Blake.Barfield@HollyFrontier.com> wrote:

Tate:

Hope you're well; good visiting earlier this week.

Just wanted to follow-up on our request for HollyFrontier's CEO George Damiris to meet with Administrator Pruitt.

Thanks
Blake

--
Blake D. Barfield
Director, Government Affairs
The HollyFrontier Companies
2828 N. Harwood, Suite 1300
Dallas, TX 75201
Ex. 6
blake.barfield@hollyfrontier.com

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<EPA Administrator Pruitt External Meeting Request Form - HollyFrontier Corp..docx>

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/29/2017 7:21:45 PM
To: Ethan Mathews [emathews@croplifeamerica.org]
Subject: Re: Hearing info

Let me get back to you on this

> On Sep 29, 2017, at 3:20 PM, Ethan Mathews <emathews@croplifeamerica.org> wrote:
>
> Tate -
>
> Attached is info CLA is providing to members of the EPW committee in advance of the nominee hearing. We
> are particularly focused on the PRIA question. Let me know if you want to discuss.
>
> <9.28.17 Questions - Michael Dourson Nomination Hearing.docx>
>
>
> Ethan Mathews
>
> Director of Government Affairs
> CropLife America
> emathews@croplifeamerica.org
> **Ex. 6** (o)
> (m)
>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/27/2017 2:33:00 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Traci Kraus [traci.kraus@cummins.com]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Follow up- Cummins
Attachments: EPA Administrator Pruitt External Meeting Request Form.docx

Hi Traci! Good to hear from you. Do you mind filling out this form and sending it back to us? We will be sure to let you know the next time we are in IN!

Tate

From: Ferguson, Lincoln
Sent: Tuesday, September 26, 2017 12:02 PM
To: Traci Kraus <traci.kraus@cummins.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Follow up- Cummins

Hi Traci –

Thanks so much for following up. I want to introduce you to Tate, who heads our Office of Public Engagement. She is going to be the best point of contact to set up a possible tour. I know the Administrator really enjoyed meeting Brian and others at the EMA meeting last week. We'll be in touch soon!

Thanks,
Lincoln

Lincoln Ferguson
Senior Advisor to the Administrator
U.S. EPA

Ex. 6

From: Traci Kraus [mailto:traci.kraus@cummins.com]
Sent: Tuesday, September 26, 2017 9:52 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Follow up- Cummins

Hi Lincoln,

My name is Traci Kraus and I lead government relations for Cummins energy and environment issues. My colleague Brian Mormino mentioned that following last week's meeting between Engine Manufacturers Association principals and Administrator Pruitt that the Administrator was interested in visiting Cummins and learning more about our natural gas engines.

I wanted to follow up with you to invite the Administrator to see our headquarters in Columbus, IN where we can give him a tour of our tech center, natural gas engine test facility, and all of the other exciting work we do.

Please let me know if there is a formal channel through which I should be extending this invite, but I wanted to make sure I closed the loop with you.

Thanks so much for your help!

Best,

Traci Kraus
Director, Government Relations
Cummins Inc.

601 Pennsylvania Ave. NW
Suite 1100N
Washington, DC 20004

Ex. 6



Meeting Request Form for Administrator Scott Pruitt

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/15/2017 3:20:01 PM
To: deblack1@up.com
Subject: EPA Visit to Omaha

Hey David! Wanted to let you know that Administrator Pruitt will in Omaha next Friday and is interested in meeting with UP leadership. Do you mind helping me navigate the best way to set up a potential meeting, if possible?

Hope this finds you well--- Mark says hello. Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/27/2017 7:04:48 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Re: Thank You & Farewell for Now

USDA?

On Sep 27, 2017, at 3:03 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Dear Friends & Colleagues:

It is with mixed feelings to share that my last day with NASDA will be this Friday, September 29th.

I cannot fully articulate my gratitude for all of the time, patience, support, and guidance you all have generously extended to me throughout my time with NASDA. I can only hope to reciprocate some fraction of the goodwill, friendship, and partnership I have benefited from, both professionally and personally, as part of the NASDA Family.

I look forward to sharing more information on my next steps and updated contact information in the near future. In the interim, I hope to keep in touch with you all going forward (email: and cell: .

More soon & many thanks! - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) • www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/12/2017 7:03:45 PM
To: donp@fb.org
Subject: Fwd: PHOTOS: Administrator Pruitt Visits Mississippi

Begin forwarded message:

From: "Hewitt, James" <hewitt.james@epa.gov>
Date: October 12, 2017 at 1:36:34 PM CDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: FW: PHOTOS: Administrator Pruitt Visits Mississippi

It's out.

From: EPA Press Office [<mailto:press=epa.gov@cmail19.com>] **On Behalf Of** EPA Press Office
Sent: Thursday, October 12, 2017 2:22 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: PHOTOS: Administrator Pruitt Visits Mississippi



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

PHOTOS: Administrator Pruitt Visits Mississippi

Announces Regulatory Action on Pesticide Dicamba

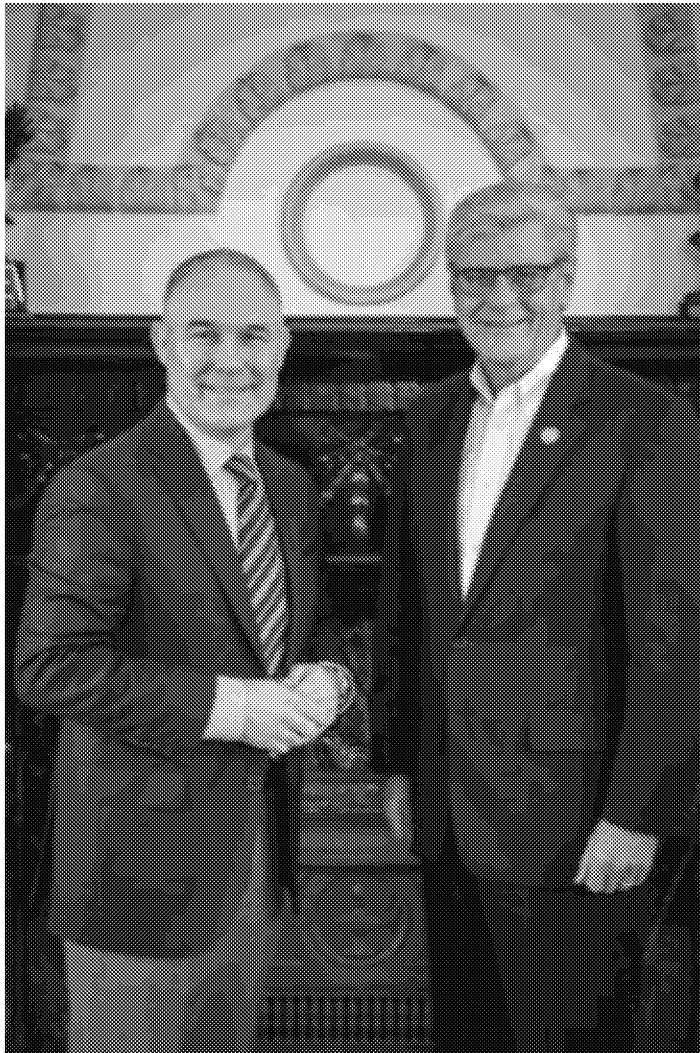
Jackson, Miss. (October 12, 2017) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt met with Governor Phil Bryant, farmers and other state leaders to discuss ways to strengthen partnerships with EPA. During the visit, Administrator Pruitt announced that EPA is working on an agreement with the manufacturers of the pesticide dicamba to minimize the potential for drift to damage neighboring crops from the use of the pesticide - an agreement that will allow cotton and soybean farmers to make informed choices for seed purchases for the 2018 growing season.

“Our job at EPA is not to look at folks in Mississippi as adversaries, but as partners,” **said Administrator Pruitt.** “It is of the utmost importance to continue to collaborate with state and local leaders to provide American farmers and ranchers the regulatory certainty they deserve.”

“Mississippi farmers are the original conservationists,” **said Mississippi Governor Phil Bryant.** “I am grateful for Administrator Pruitt’s commitment to working with us to develop strategies that will strengthen agriculture in Mississippi while protecting our environment.”

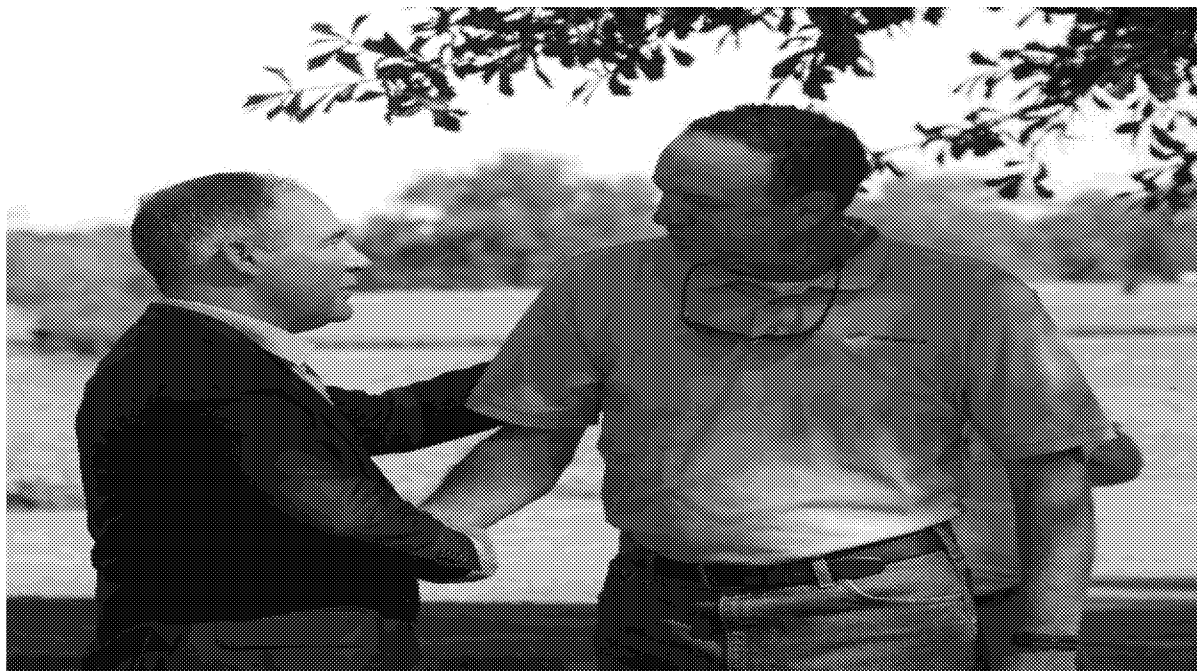
Administrator Pruitt began his trip with a stop at the State Capitol where he met with Governor Bryant and other state leaders. Following their meeting, Administrator Pruitt and Governor Bryant hosted a roundtable along with Mississippi Commissioner of Agriculture and Commerce Cindy Hyde-Smith, Mississippi Farm Bureau Federation President Mike McCormick, and other stakeholders to discuss EPA’s recent proposal to rescind the 2015 “Waters of the United States” (WOTUS) rule to help ensure regulatory certainty and prioritize keeping America’s water clean.

After the roundtable, Administrator Pruitt and Governor Bryant departed for Gaddis Farms in Bolton where the Administrator announced EPA’s regulatory action on dicamba and took questions from farmers.



EPA Administrator Scott Pruitt with Mississippi Governor Phil Bryant.

EPA Administrator Scott Pruitt (second from right) and Mississippi Governor Phil Bryant (right) greet stakeholders at Gaddis Farms in Bolton, Miss.



EPA Administrator Scott Pruitt greets Ted Kendall, owner of Gaddis Farms.



Mississippi Governor Phil Bryant and EPA Administrator Scott Pruitt speak with Ted Kendall.

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<!--[if !vml]-->

<!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 2:11:23 PM
To: Mike Rock [MAROCK@up.com]
Subject: RE: Pruitt visit to Omaha

Thank you, sir!

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 10:09 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Pruitt visit to Omaha

OK, give me an hour or so, and I will get back to you.

=====
Mike Rock
Vice President, External Relations
Union Pacific
Ex. 6

☞ "Bennett, Tate" ---10/16/2017 09:56:15 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Mike Rock <MAROCK@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:56 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Actually, yes, we would definitely be able to make 3 or 3:30 work. We have a lunch in Omaha don't need to rush to get to you all afterwards.

Let me know once your folks are certain that can work? Thanks in advance for looking into this at short notice.

Tate

From: Mike Rock [mailto:MAROCK@up.com]
Sent: Monday, October 16, 2017 9:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Pruitt visit to Omaha

Tate, we have the same problem on Friday. Our folks are out most of the day. Is it possible to make 3 or 3:30 work. We would be able to reschedule things to get our CEO back by then.

Mike

=====

Mike Rock
Vice President, External Relations
Union Pacific

Ex. 6

▼ "Bennett, Tate" ---10/16/2017 09:37:58 AM---This email originated from outside of the company. Please use discretion if opening attachments or

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "marock@up.com" <marock@up.com>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: 10/16/2017 09:37 AM
Subject: RE: Pruitt visit to Omaha

This email originated from outside of the company. Please use discretion if opening attachments or clicking on links.

Correction- the correct date is this FRIDAY and 1:30 or 2 PM. NOT Thursday. Different state then ☺

From: Bennett, Tate
Sent: Monday, October 16, 2017 9:34 AM
To: 'marock@up.com' <marock@up.com>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Pruitt visit to Omaha

Hi Mike!

Tate Bennett with Administrator Pruitt's immediate office here. I head our office of Public Engagement/ Business Outreach and, even better, I also happen to be Mary McAuliffe's second cousin. Small world! I hope this finds you well.

EPA Administrator Scott Pruitt will be in Nebraska this Thursday and we are interested in getting him together at your HQ with UP leadership. Is that by chance a possibility? The Administrator would be most grateful for any time your senior team might be able to spare.

We could be there by 1:30 or 2 PM. Perhaps let me know what you think and what might work for you?

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

Bennett.Tate@epa.gov

**

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**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/12/2017 8:48:05 PM
To: Don Parrish [donp@fb.org]
Subject: FW: Office of Pesticide Programs Announcement

From: Beck, Nancy
Sent: Tuesday, September 12, 2017 4:46 PM
To: OCSPP ALL <OCSPP_ALL@epa.gov>
Cc: Wise, Louise <Wise.Louise@epa.gov>
Subject: Office of Pesticide Programs Announcement

I am pleased to announce the selection of Rick Keigwin as the new Director of the Office of Pesticide Programs (OPP). Rick has more than 24 years of management and technical experience in the Office of Pesticide Programs and has been serving as the Acting Director since February when Jack Housenger retired. Since January 2016, Rick has been OPP's Deputy Director for Programs. He previously led the Pesticide Re-evaluation Division (PRD), integrating science, policy and regulatory perspectives in making risk management decisions in leading OPP's re-evaluation program for conventional pesticides. During his time as the PRD Director, Rick co-lead the development of the "National Strategy to Promote the Health of Honey Bees and Other Pollinators."

Prior to working in PRD, Rick served as the Acting Director and then Director of the Biological and Economic Analysis Division in OPP. He was the Senior Advisor to the Deputy Director for Management in OPP, where he led the agency's implementation of the Pesticide Registration Improvement Act. He previously held positions as the Acting Associate Director of the Special Review and Re-registration Division, Chief of the Registration Division's Fungicide Branch and Registration Support Branch, Product Manager for the Insecticide-Rodenticide Branch, and Special Assistant to the Director of the Registration Division.

Rick has a Bachelor of Arts Degree in Government from Colby College and a Masters of Public Management Degree from the University of Maryland, College Park.

Rick and his team will have no shortage of exciting opportunities to keep themselves busy. In addition to all the "basic activities" within OPP, by October 1, 2022, the program will also be completing registration reviews for over 1,100 pesticide active ingredients.

Please join Louise and me in welcoming Rick as the new Director of the Office of Pesticide Programs.

Nancy

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention
P: 202-564-1273

M: Ex. 6
beck.nancy@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/6/2017 1:23:22 PM
To: Provost, Megan (J) [MProvost@dow.com]
CC: Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: Following Up

Sounds good!

On Sep 6, 2017, at 9:22 AM, Provost, Megan (J) <MProvost@dow.com> wrote:

Thanks, Amy! And will do!

Tate, I'm sorry that I'll miss you, but hopefully we can get together when I'm in DC next.

From: Dewey, Amy [mailto:Dewey.Amy@epa.gov]
Sent: Wednesday, September 6, 2017 9:10 AM
To: Provost, Megan (J) <MProvost@dow.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: Re: Following Up

Megan,

Thank you, for getting back to us. Unfortunately, Tate has to fly back to D.C. Monday night. We would love to host a meeting here at EPA for you the next time you are in DC. Let's stay in touch! Amy

Sent from my iPhone

On Aug 31, 2017, at 11:41 PM, Provost, Megan (J) <MProvost@dow.com> wrote:

Hi, Amy. Just wanted to follow-up on this.

Thanks!

On Aug 29, 2017, at 12:36 PM, Provost, Megan (J) <MProvost@dow.com> wrote:

Hi, Amy!

I'm sorry for the delay in getting back to you. I'm actually on my last week of maternity leave right now!

I will be at NASDA, but was planning on being there only Wednesday and Thursday (September 13th and 14th). Is there any chance Tate is available to meet then?

Thanks!
Megan

Megan J. Provost

U.S. Government Affairs

Dow AgroSciences, LLC

9330 Zionsville Road | Indianapolis, IN 46268

Ex. 6

<http://www.dowagro.com> | [Facebook](#) | [Twitter](#) | [YouTube](#)

<image003.jpg> | *Solutions for the Growing World*

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/6/2017 1:04:41 PM
To: Julia Recko [juliad@fb.org]
CC: Don Parrish [donp@fb.org]
Subject: Re: Education Dept.

We are working on reforms to our \$3 M education grant program. Give me a shout when you can.

Ex. 6

On Sep 6, 2017, at 8:46 AM, Julia Recko <juliad@fb.org> wrote:

Hello Tate! What can we help you with?

I am running around today at doctor's appointments, but if you would like to connect over the phone I have some time on Friday.

Best,
Julia

From: Don Parrish <donp@fb.org>
Sent: Wednesday, September 6, 2017 8:36 AM
Subject: RE: Education Dept.
To: Bennett, Tate <bennett.tate@epa.gov>
Cc: Julia Recko <juliad@fb.org>

Tate

Julia Recko coordinates "ag in the classroom" program for AFBF. Julia – please meet Tate Bennett – she works for Administrator Pruitt over at EPA and wants to connect.

Julia's phone is Ex. 6 and her email is juliar@fb.org

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]]
Sent: Wednesday, September 06, 2017 8:30 AM
To: Don Parrish
Subject: Re: Education Dept.

Correct. Sorry.

On Sep 6, 2017, at 8:28 AM, Don Parrish <donp@fb.org> wrote:

Do you mean what we call – Ag in the Classroom?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

darp@afb.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, September 05, 2017 5:14 PM
To: Don Parrish
Subject: Education Dept.

Hey Don! Hope you had a nice Labor Day! Can you connect me with someone in your education department?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/23/2017 9:35:57 PM
To: Don Parrish [donp@fb.org]
Subject: Re: Don!

Whenever works!

> On Sep 23, 2017, at 5:35 PM, Don Parrish <donp@fb.org> wrote:
>
> When you get a minute I want to visit.
>
> Don
>
> Sent from my iPhone
>
>> On Sep 22, 2017, at 7:13 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Can you introduce me to our friends at MS farm bureau?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 4:55:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
BCC: 'McDonough, Owen' [OMcDonough@nahb.org]; joe.cain@kyfb.com; 'Tyler White' [twhite@kentuckycoal.com]; Don Parrish [donp@fb.org]; Kovacs, William (WKovacs@USChamber.com) [WKovacs@USChamber.com]
Subject: Sue and Settle today

If you all do ANYTHING press wise- even a tweet- let me know. We are tracking anything that can be linked to online. Thank you! -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/3/2018 2:56:24 PM
To: phedger@freedomworks.org
Subject: Fwd: WSJ: EPA's Pruitt Wants to Limit His Own Agency's Authority

Begin forwarded message:

From: Bennett.Tate@epa.gov
Date: June 27, 2018 at 3:43:16 PM EDT
To: Tate Bennett <Bennett.Tate@epa.gov>
Cc: gordon.stephen@epa.gov
Subject: **WSJ: EPA's Pruitt Wants to Limit His Own Agency's Authority**

In case you missed it, this WSJ piece is in response to the internal directive EPA released yesterday directing the agency to end pre-emptive veto practices with respect to 404(c) permitting. Let us know if you have any questions. -Tate Bennett, Associate Administrator for Public Engagement, U.S. EPA, Ex. 6

Ex. 6

The Wall Street Journal

EPA's Pruitt Wants to Limit His Own Agency's Authority

The Wall Street Journal

By Tim Puko

June 26, 2018

<https://www.wsj.com/articles/epas-pruitt-wants-to-limit-his-own-agencys-authority-1530091923>

The chief of the Environmental Protection Agency is trying to limit one of the agency's most powerful tools to manage or block mining, real-estate and other developments by removing the effective veto power it has over permits to dump waste into waterways.

The move, described in a memo reviewed by The Wall Street Journal, would limit the agency's power to pre-emptively or retroactively block U.S. Army Corps of Engineers approval of the waste dumping, hindering or potentially killing large development projects.

It is the latest attempt at a regulatory rollback from EPA Administrator Scott Pruitt, who has pledged to ease environmental restrictions on businesses. He wrote in the memo to some senior staff, including regional administrators, that the powers he intends to curb have a chilling effect on economic development.

...

Mr. Pruitt is ordering EPA's Office of Water to relinquish authority the agency has had for about 40 years under the Clean Water Act of 1972 to prohibit some approvals by the Corps even before a developer formally applies for them, or to throw them out years after they were granted—even after a project is complete and operational.

The Corps has permitting authority when developers want to dump excavated land and waste into waterways, most commonly sought for mines and real-estate development, experts said. But Congress granted EPA the review authority over that permitting and power to reject permits approved by the Corps. While advocates see it as a fail-safe the agency can leverage to encourage developers into more environmentally friendly practices, Mr. Pruitt thinks the power is so broad it is vulnerable to abuse, according to a person familiar with his thinking.

...

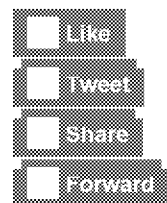
Mr. Pruitt's memo directs EPA staff to send a draft policy to the White House for review within six months. The new policy would need to go through a public comment period before it is finalized, according to a person familiar with the process.

To read more click [here](#).

<!--[if !mso]-->[Visit The EPA's Newsroom](#)<!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/29/2017 1:52:28 PM
To: Britt Aasmundstad [britt@nasda.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Farewell Happy Hour for Dudley Hoskins

Britt! Can we push to 10:10?

On Sep 28, 2017, at 1:29 PM, Britt Aasmundstad <britt@nasda.org> wrote:

Hi everyone,

Please join us tomorrow night at Stanton & Greene at 6:00pm as we wish Dudley good luck in his new venture and celebrate his years of service with NASDA. We are so sad to see him go, but happy to have a chance to raise a glass with him before he does.

Stanton & Greene
319 Pennsylvania Ave SE
Friday, September 29th
6:00pm

See you then!

Britt

Britt Aasmundstad | Manager, Public Policy | **National Association of State Departments of Agriculture**
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org |
[@NASDANews](#)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/18/2017 2:27:44 PM
To: Don Parrish [donp@fb.org]

Is now a good time?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2017 3:20:59 AM
To: donp@fb.org; Garrett.Hawkins@mda.mo.gov
Subject: Fwd: I will be out of the office and Issues needing attention while I am gone

Have you all shot Lee a note yet too?

Sent from my iPhone

Begin forwarded message:

From: "Forsgren, Lee" <Forsgren.Lee@epa.gov>
Date: August 3, 2017 at 5:37:29 PM CDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Morris, Madeline" <morris.madeline@epa.gov>, "Dravis, Samantha" <dravis.samantha@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "Brown, Byron" <brown.byron@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, "Fotouhi, David" <fotouhi.david@epa.gov>
Subject: FW: I will be out of the office and Issues needing attention while I am gone

Ladies and Gentlemen,

Just a reminder that Ex. 6
Ex. 6 I will be available (although with a 6 hour time difference) by email and cell phone at Ex. 6 while I am gone.

If there are any other issues that you feel need to be acted on while I am out, and the issue is not politically sensitive please contact either Mike Shapiro or Ann Campbell in the Office of Water. If the issue is politically sensitive please reach out to Sarah Greenwalt or David Fotouhi. Between the two of them they are up to speed on every major sensitive issue in the office of water.

Look forward to seeing all of you Ex. 6

Respectfully,
Lee

D. Lee Forsgren

Deputy Assistant Administrator
Office Of Water
Environmental Protection Agency
1200 Pennsylvania Avenue, VW
Room 3219 WJCE
Washington, DC 20460
Phone: 202-564-5700
Forsgren.Lee@epa.gov

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 8/9/2017 11:57:38 PM
To: donp@fb.org
Subject: Question

Do you mind connecting me with your Nebraska folks?

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/28/2018 5:44:17 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: Re: Wanted to flag this

You have a second today? **Ex. 6**

On Apr 25, 2018, at 12:15 PM, Patrick Hedger <phedger@freedomworks.org> wrote:

We're going on offense.

<http://www.freedomworks.org/content/freedomworks-releases-obama-era-wasteful-spending-memo-to-help-activists-fight-hypocrisy>

--

Patrick Hedger
Director of Policy
FreedomWorks Foundation

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2017 11:53:37 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: Press release quotes

Thanks! See you soon!

Sent from my iPhone

On Jul 23, 2017, at 7:46 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

Amy-
Connecting you with: John Hazzard and Robert Kittle in AG Wilson's office and Leacy Burke in Congressman Joe Wilson's office.
-Adam

Get [Outlook for iOS](#)

From: Bennett, Tate <bennett.tate@epa.gov>
Sent: Sunday, July 23, 2017 7:42 PM
Subject: Re: Press release quotes
To: Graham, Amy <graham.amy@epa.gov>
Cc: Hewitt, James <hewitt.james@epa.gov>, Adam Piper <apiper@ruleoflawdefensefund.org>

You bet! Adam, can you help?

Sent from my iPhone

On Jul 23, 2017, at 7:40 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi Tate - Can you help put us in contact with Rep. Wilson's team and the Attorney General's team to track down quotes for the draft press release below?

PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. – (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today, visiting his fourth state in a week. The visit highlights the Administrator's recent decision to begin the process to rescind the "Waters of the United States" (WOTUS) rule to help return

power back to the states and provide regulatory certainty for farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsay Graham, Attorney General Alan Wilson, Congressman Joe Wilson, and South Carolina Agriculture Commissioner Hugh Weathers for a roundtable with local agriculture and business leaders.

“The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship,” **said EPA Administrator Scott Pruitt.** “By beginning the process to rescind WOTUS, we are helping return oversight to states and providing regulatory certainty for farms in South Carolina while continuing to keep our waters clean.”

Following the roundtable, representatives from the family owned business Super-Sod led Administrator Pruitt and local elected officials on a tour of the Super-Sod facility. They viewed the facility’s streams and rivers that have been adversely affected by the WOTUS rule.

Senator Graham Quote

Congressman Quote

Attorney General Quote

Ag Commissioner Weathers Quote

PHOTOS

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/1/2017 5:10:48 AM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: Re: NASDA Request: EPA Local Government Advisory Comm (LGAC)

Thanks! Got it.

Sent from my iPhone

On Jul 25, 2017, at 12:25 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Hi Tate,

We saw this FR [notice](#) soliciting nominations to fill 10-15 vacancies on EPA's Local Government Advisory Committee (LGAC). Our member from New Mexico (Secretary Jeff Witte) currently serves on the LGAC (not sure if his term expires this year or not), and NASDA strongly supports his continued participation.

Please let me know if you all need/want any additional information from NASDA on supporting his role on the LGAC.

Also, looking forward to seeing Ken later this week at the WASDA Regional meeting in Sun Valley.

Many thanks!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/28/2017 5:09:37 AM
To: Norton, Pierce H [Pierce.Norton@onegas.com]
CC: Gardner, Gary [GGardner@aga.org]
Subject: RE: AGA Contact

Hey Pierce! Thanks for the follow-up. Enjoyed seeing you as well. Let me know the next time you are in the area and I will follow up with Gary in the meantime.

From: Norton, Pierce H [mailto:Pierce.Norton@onegas.com]
Sent: Thursday, July 27, 2017 12:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gardner, Gary <GGardner@aga.org>
Subject: AGA Contact

Tate,

It was nice to meet you yesterday and I hope your stay in Tulsa was a pleasant one despite the heat. You had asked me for a personal contact within the American Gas Association and my suggestion is Gary Gardner (his contact information is listed below). Gary will be able to listen to your need and direct you to the person most likely to fill your request.

I look forward to the great things you will do at the EPA.

All the best,

Pierce



President & Chief Executive Officer
Ex. 6
pnorton@onegas.com



15 East Fifth Street, Tulsa, OK 74103 | onegas.com



Gary Gardner | Vice President, Corporate Affairs & Corporate Secretary
American Gas Association

400 N. Capitol St., NW | Washington, DC | 20001

Ex. 6

ggardner@aga.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/23/2017 8:37:38 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: WOTUS Background

This is perfect!

Sent from my iPhone

On Jul 23, 2017, at 4:04 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

This is what I sent Wilson in case there is anything else that should have been included.

Get [Outlook for iOS](#)

From: Adam Piper <apiper@ruleoflawdefensefund.org>
Sent: Sunday, July 23, 2017 11:23 AM
Subject: WOTUS Background
To: Alan Wilson <wilsonforag@gmail.com>

WOTUS UPDATE:

- The EPA has begun drafting a new definition for Waters of the United States and is currently in the notice and comment period of the rulemaking process.
- 20 states (including South Carolina) filed a comment regarding the definition of WOTUS. Link to letter here: <http://www.ago.wv.gov/Documents/2017.06.19%20WOTUS%20Comments.PDF>
- Administrator Pruitt and Acting Assistant Secretary of the Army Douglas Lamont sent a letter on May 9 to Governors asking for their “input and wisdom” on what bodies of water should be regulated under the Clean Water Act.
- At the end of June, the EPA published in the federal register a formal withdraw of the previous WOTUS rule.
- Four separate lawsuits were filed against the WOTUS rule by a total of 27 states. The US Court of Appeals Sixth Circuit issued a nationwide stay of the rule in October 2015.
- More background on WOTUS can be found here: <https://www.epa.gov/wotus-rule>

UTAH:

Link to article including photo gallery: <http://www.sltrib.com/news/5522569-155/top-epa-administrator-to-talk-air>

EPA News Release w. photos of Utah Visit: <https://www.epa.gov/newsreleases/photos-epa-administrator-pruitt-visits-utah-kick-state-action-tour-announce-decision>

ARKANSAS:

Link to article on event:<https://www.arktimes.com/ArkansasBlog/archives/2017/07/20/epa-chief-pruitt-in-arkansas-pushing-end-to-clean-air-and-water-rules>

Rutledge Release on Pruitt Visit:<https://www.arkansasag.gov/media-center/news-releases/rutledge-welcomes-epa-administrator-scott-pruitt-to-arkansas/>

EPA News Release w. Photos of Arkansas Visit:<https://www.epa.gov/newsreleases/photos-pruitt-stops-arkansas-state-action-tour>

What Pruitt Announced in Arkansas:

Administrator Pruitt Visits Arkansas to Announce Water Quality Improvements

- o Administrator Scott Pruitt met with Governor Asa Hutchinson (R-AR) and Attorney General Leslie Rutledge (R-AR) in Little Rock, Arkansas on July 20 to discuss revisiting the 2015 Waters of the United States rule in an effort to restore cooperative federalism.
- o Pruitt announced that the EPA has approved Arkansas' 303(d) list of water quality standards highlighting the state's impaired waters.
- o The list has been pending approval since 2010, and thanks to Arkansas' efforts, 76 percent of waters labeled as impaired in 2008 now meet water quality standards.
- o In a salute to Federalism, Pruitt said, "under the Trump Administration, EPA is focused on partnering with states to achieve the best environmental outcomes."

YOUR RECENT COMMENTARY ON WOTUS:

July 27 Comment to Previous Definition of WOTUS Withdraw Publication:

"The EPA's regulatory filing has a laudable intent of protecting small streams and wetlands from the risk of pollution. But in fact, it does so through extraordinary means by greatly expanding the already broad definition of 'Waters of the U.S.,"

"This (Obama) expansion would bring many roadside ditches, small ponds on family farms, water features on golf courses and storm water systems under onerous federal regulation. Simply put, our argument is that drainage ditches aren't navigable waters,"

National Op-ED on WOTUS:

<http://dailycaller.com/2014/10/30/drainage-ditches-arent-navigable-waters/>

Coverage of 27 State Legal Challenge to WOTUS:

<http://thehill.com/policy/energy-environment/246539-27-states-challenge-obama-water-rule-in-court>

Letter to Presidential Transition Team on WOTUS:

https://law.georgia.gov/sites/law.georgia.gov/files/related_files/press_release/WOTUS%20Letter%20to%20Transition%20Team.pdf

Message

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Sent: 6/27/2018 2:53:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: myron.ebell@cei.org; Rachel Jones [rjones@nam.org]; robert.bluey@heritage.org; Patrick Gleason [pgleason@atr.org]; phedger@freedomworks.org
Subject: Fwd: Administrator Pruitt Issues Memo to Increase Regulatory Certainty in Permitting Process

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: June 27, 2018 at 9:03:59 AM CDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: Administrator Pruitt Issues Memo to Increase Regulatory Certainty in Permitting Process
Reply-To: press@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Administrator Pruitt Issues Memo to Increase Regulatory Certainty in Permitting Process

WASHINGTON (June 27, 2018) - The U.S. Environmental Protection Agency (EPA) is taking an important step toward updating the regulations governing EPA's role in permitting discharges of dredged or fill materials under section 404 of the Clean Water Act (CWA). In a memorandum to the Office of Water and Regional Administrators, EPA Administrator Scott Pruitt outlined changes that EPA will propose that would increase predictability and regulatory certainty for landowners, investors, businesses, and other stakeholders

"Today's memo refocuses EPA on its core mission of protecting public health and the environment in a way that is fair and consistent with due process," said EPA Administrator Scott Pruitt. **"We must ensure that EPA exercises its authority under the Clean Water Act in a careful, predictable, and prudent manner."**

EPA’s current regulations on the implementation of section 404(c) of the CWA allow the Agency to veto - at any time - a permit issued by the U.S. Army Corps of Engineers (USACE) or an approved state that allows for the discharge of dredged or fill material at specified disposal sites. The memo directs EPA’s Office of Water to develop a proposed rulemaking that would consider the following changes:

- Eliminating the authority to initiate the section 404(c) process before a section 404 permit application has been filed with the USACE or a state, otherwise known as the “preemptive veto.”
- Eliminating the authority to initiate the section 404(c) process after a permit has been issued by the USACE or a state, otherwise known as the “retroactive veto.”
- Requiring a Regional Administrator to obtain approval from EPA Headquarters before initiating the section 404(c) process.
- Requiring a Regional Administrator to review and consider the findings of an Environmental Assessment or Environmental Impact Statement prepared by the USACE or a state before preparing and publishing notice of a proposed determination.
- Requiring EPA to publish and seek public comment on a final determination before such a determination takes effect.

The robust National Environmental Policy Act explicitly requires federal agencies to consider environmental effects from proposed projects, and include opportunities for public review and comment. Additionally, in the four decades since EPA’s regulations were last revised, the environmental statutory and regulatory landscape has changed dramatically. Given these existing protections and significant changes, updating EPA’s authority under section 404(c) will advance EPA’s core mission of protecting human health and the environment while improving predictability and regulatory certainty.

EPA’s proposal, after undergoing interagency review, will be available for public review and comment.

[Read the memorandum.](#)

<!--[if !mso]-->[Visit The EPA's Newsroom](#)<!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

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Sent: 7/27/2017 9:32:23 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: FW: Notification: EPA Issues Dicamba Compliance Advisory
Attachments: 2017 Compliance Advisory for Dicamba.pdf

Heads up that notifications went to House and Senate Ag committee staff on EPA issuance of a compliance advisory on dicamba in response to recent complaints about crop damage in states like Arkansas, Missouri and Tennessee. As the advisory states, the application of a registered dicamba product during either the cotton or soybean crop growing season is unlawful under FIFRA except when using one of the conditionally registered dicamba product in accordance with their labels. EPA encourages individuals to report suspected crop damage caused by the off-target movement of dicamba to their state's department of agriculture or pesticide regulatory agency.

The advisory is attached and also available at <https://www.epa.gov/sites/production/files/2017-07/documents/fifra-dicambacomplianceadvisory-201708.pdf>.

Please let me know if any congressional pesticides questions and Carolyn Levine if enforcement questions.
Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

COMPLIANCE ADVISORY

July 2017

Crop Damage Complaints Related to Dicamba Herbicides Raising Concerns

EPA and state agencies regulate pesticides to protect human health and the environment from unreasonable risk. Compliance concerns have arisen related to the use of certain registered pesticides. Specifically, reports of crop damage have been received that appear related to the use of herbicides containing the active ingredient dicamba. This Advisory replaces an Advisory issued in August of 2016 and provides information on the agricultural and compliance concerns raised by these ongoing incidents.

What is Dicamba?

Dicamba is an active ingredient contained in certain herbicides. Herbicides containing dicamba are registered for uses in agriculture, residential areas, and other sites to control broadleaf weeds and woody plants. Older product registrations include uses on cotton and soybeans but are restricted to preplant and postharvest burndown applications only. The product labels for those herbicides specify that restriction. *Only the new registered products, described below, may be applied over-the-top of growing soybeans and cotton.*

New Dicamba Herbicide Products

Late last year, EPA approved the conditional registration of three new dicamba herbicide products for use in-crop (over-top of growing crop plants) as a post-emergent application in Bollgard II XtendFlex cotton and Roundup Ready 2 Xtend soybeans, which are now available for use in the 2017 growing season:

- *DuPont FeXapan Herbicide Plus VaporGrip Technology*, EPA Registration Number 352-913;
- *Engenia Herbicide*, EPA Registration Number 7969-345; and
- *XTENDIMAX with VaporGrip Technology*, EPA Registration Number 524-617.

Agricultural Concerns

Despite the conditional approval of new dicamba products with drift reduction agents and further use restrictions set in place prior to the 2017 growing season, some states are reporting high numbers of dicamba complaints. By early July, we already had reports of hundreds of complaints received by state agencies in Arkansas, Missouri and Tennessee (a significant increase from last year). Both physical drift and volatilization of dicamba from the target application site have been reported. The underlying causes of the various damage reports are still being investigated.

Unlawful applications of dicamba products can result in residues on harvested crops and cause damage to and affect the yields of non-target crops. Depending on the ambient temperatures and growth stage, it can take 7 to 21 days for dicamba symptoms to appear. Classic symptoms of dicamba damage on non-

tolerant soybean cultivars exhibit cupping of leaves and, in some cases, puckering of leaves as well. Symptoms generally appear only on new leaves. Crops that have been reported as damaged include, but may not be limited to, cotton that is not dicamba-tolerant, ornamental crops, vegetable crops such as tomatoes, certain tree species, watermelon and grapes. Applicators are encouraged to keep detailed records of dicamba applications, including location, wind speed, and temperature at the time of application in the event a drift incident may occur in your area.

If you suspect crop damage has been caused by the off-target movement of dicamba, call your state Department of Agriculture or your state Pesticide Regulatory Agency. EPA is working directly with state lead agencies and is interested in reviewing any information obtained from investigations of possible crop damage related to the use of dicamba.

Compliance Concerns

Each of the new conditionally approved dicamba herbicide products have labeling that provides mandatory directions for use, restrictions and special precautions that *must be followed*. The labels of the new products require very specific and rigorous drift mitigation measures to further reduce the potential for exposure from spray drift including:

- no application from aircraft;
- no application when wind speed is over 15 mph;
- application only with approved nozzles at specified pressures; and
- buffer zones to protect sensitive areas when the wind is blowing toward them.

Except for the new conditionally registered dicamba products, application of a dicamba product during either the cotton or soybean crop growing season is unlawful under FIFRA.

Farmers must follow the requirements on the labels plus any additional restrictions that their states may have put in place. Certain states have imposed additional restrictions on the use of dicamba products and regulatory changes are taking place throughout the growing season. For instance, some states have imposed requirements via a state level mitigation or restriction. Check with state agencies prior to applying dicamba products, as the requirements regarding use this year are fluid and may have state-specific elements.

DISCLAIMER

This Compliance Advisory explains select provisions of EPA regulatory requirements using plain language. Nothing in this Compliance Advisory is meant to replace or revise any EPA regulatory provisions of any other part of the Code of Federal Regulations, the Federal Register, or the Federal Insecticide, Fungicide and Rodenticide Act. For up-to-date information about dicamba uses in your area, contact your state Department of Agriculture or your state Pesticide Regulatory Agency. For more information on agricultural pesticides and compliance, visit: <https://www.epa.gov/agriculture>. For more information on enforcement, visit: <https://www.epa.gov/enforcement>.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2017 8:05:15 PM
To: Megan McDonald [Megan@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Barb Glenn [barb@nasda.org]
Subject: Re: Invite to Speak at NASDA's 2017 Annual Meeting

Keep us posted on future opportunities!

Sent from my iPhone

On Aug 8, 2017, at 2:57 PM, Megan McDonald <Megan@nasda.org> wrote:

Tate, thanks so much for the quick response. We certainly understand he has a busy schedule. Perhaps he can join us at a future NASDA meeting.

Megan

Megan McDonald
Director, Meetings and Events & Executive Assistant to the CEO
National Association of State Departments of Agriculture
(202) 296-9680 office
Ex. 6 direct
www.nasda.org
tradeshows.nasda.org
megan@nasda.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, August 08, 2017 3:55 PM
To: Megan McDonald <Megan@nasda.org>
Cc: Nathan Bowen <Nathan@nasda.org>; Dudley Hoskins <Dudley@nasda.org>; Barb Glenn <barb@nasda.org>
Subject: Re: Invite to Speak at NASDA's 2017 Annual Meeting

Unfortunately he will not be able to attend.

Sent from my iPhone

On Aug 8, 2017, at 2:48 PM, Megan McDonald <Megan@nasda.org> wrote:

Hi Tate,

I wanted to follow up on Administrator Pruitt's invitation to speak our Annual Meeting in New Orleans on September 14. Will you please let us know if his schedule allows him to speak at our meeting?

Thanks so much for any information you can provide.

Megan

Megan McDonald

Director, Meetings and Events & Executive Assistant to the CEO
National Association of State Departments of Agriculture
(202) 296-9680 office
Ex. 6 direct
www.nasda.org
tradeshows.nasda.org
megan@nasda.org

From: Barb Glenn
Sent: Wednesday, July 19, 2017 11:11 AM
To: bennett.tate@epa.gov
Cc: Megan McDonald <Megan@nasda.org>; Nathan Bowen <Nathan@nasda.org>;
Dudley Hoskins <Dudley@nasda.org>
Subject: Invite to Speak at NASDA's 2017 Annual Meeting
Importance: High

Administrator Pruitt,

It would be our honor to have you speak at NASDA's upcoming annual meeting in New Orleans. Please see the attached invitation for more details

We look forward to hearing from you.

Regards,

Barb

Barbara P. Glenn, Ph.D.
Chief Executive Officer
National Association of State Departments of Agriculture
4350 Fairfax Drive Suite 910 Arlington, VA 22203
(202) 296-9680
Barb@nasda.org
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[@NASDANews](https://twitter.com/NASDANews)

<image001.png>

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Sent: 8/8/2017 7:55:07 PM
To: Megan McDonald [Megan@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Barb Glenn [barb@nasda.org]
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Megan McDonald
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Cc: Megan McDonald <Megan@nasda.org>; Nathan Bowen <Nathan@nasda.org>; Dudley Hoskins <Dudley@nasda.org>
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We look forward to hearing from you.

Regards,

Barb

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Chief Executive Officer
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<image001.png>

Message

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Sent: 8/10/2018 6:13:07 PM
To: aline@nasda.org
Subject: Chlorpyrifos
Attachments: USDA requests another SAP for HHRA for chlorpyrifos.pdf; ATT00001.htm

FYI This is what we have sent reporters.

“EPA is reviewing the decision. The Columbia Center’s data underlying the Court’s assumptions remains inaccessible and has hindered the Agency’s ongoing process to fully evaluate the pesticide using the best available, transparent science.” – EPA Spokesperson Michael Abboud

On background:

The Columbia Center study has been widely-used as support for a ban, despite divergent scientific views among EPA scientific review panels and the **Obama Administration’s USDA** questioning the study and its data:

· 2016 EPA Scientific Advisory Panel: “Some Panel members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced.”

· 2017 **Obama Administration** USDA letter: “USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision ...”

EPA LINK: <https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data>

USDA letter attached.



United States Department of Agriculture

January 17, 2017

Jack E. Housenger, Director
Office of Pesticide Programs (7501P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Mr. Housenger,

USDA appreciates the opportunity to comment on EPA's proposal to revoke chlorpyrifos tolerances, and in particular the new underlying risk assessment that was announced on November 17, 2016 ("Chlorpyrifos; Tolerance Revocations; Notice of Data Availability and Request for Comment," 81 FR 81049, Docket ID EPA-HQ-OPP-2015-0653). As you know, EPA is proposing this action in response to a petition to revoke chlorpyrifos tolerances submitted by the Natural Resources Defense Council and Pesticide Action Network North America in 2007.

USDA has both grave concerns about the EPA process that has led to the Agency publishing three wildly different human health risk assessments for chlorpyrifos within two years, and severe doubts about the validity of the scientific conclusions underpinning EPA's latest chlorpyrifos risk assessment. Even though use of the Columbia Center for Children's Environmental Health (CCCEH) study to derive a point of departure was criticized by the FIFRA Scientific Advisory Panel, EPA continues to rely on this study and has now paired it with an inadequate dose reconstruction approach.

In light of these developments, USDA calls on EPA to deny the NRDC/PANNA petition to revoke chlorpyrifos tolerances. This would allow EPA to ensure the validity of its scientific approach as part of the ongoing registration review process, without the excessive pressure caused by arbitrary, litigation-related deadlines.

Our detailed comments on the latest chlorpyrifos risk assessment follow. We look forward to continuing to work with EPA to ensure that pesticides remain both safe to the public and available to U.S. farmers. Please do not hesitate to contact me if you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Sheryl H. Kunickis".

Sheryl H. Kunickis, Ph.D.
Director

Office of Pest Management Policy
1400 Independence Avenue SW
Washington, D.C. 20250-0314
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USDA Comments on the Risk Assessment Underlying the Reopened Proposed Rule “Chlorpyrifos; Tolerance Revocations; Notice of Data Availability and Request for Comment” (Docket ID EPA-HQ-OPP-2015-0653)

Science is the backbone of the EPA’s decision-making. The Agency’s ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which it relies. The environmental policies, decisions, guidance, and regulations that impact the lives of all Americans every day must be grounded, at a most fundamental level, in sound, high quality science.

– Excerpt from *Scientific Integrity Policy*, U.S. Environmental Protection Agency

Introduction

The “Revised Human Health Risk Assessment for Registration Review” dated November 3, 2016, is the third human health risk assessment for chlorpyrifos that EPA has released, and that USDA has reviewed and commented on, within the past two years. Typically, three risk assessments for the same hazard published so close together represent successive attempts at improvement and refinement, with the goal of reducing uncertainty and improving the reliability of the results. However, EPA’s three risk assessments resemble more of a scattershot approach, with the agency switching between different health outcomes and points of departure, and adopting widely varying dose measurement and reconstruction approaches.

In its latest assessment, EPA has stopped using the dose data from the Columbia Center for Children’s Environmental Health (CCCEH) study it had endorsed in its previous risk assessment just eight months earlier, and instead has chosen to rely on a dose-reconstruction approach to identify a point of departure. This dose reconstruction approach supposedly estimates the amount of chlorpyrifos to which women in the CCCEH cohort might have been exposed in their homes around the turn of the century. It is not based on any empirical data, but rather on conversations EPA had with “several” pesticide applicators in 2016 in which they “recalled” what the “predominant” use of chlorpyrifos “in New York City apartment buildings” was 15-20 years earlier. Without any actual data as to use of chlorpyrifos in the cohort members’ apartment buildings, let alone their individual apartments, EPA is merely *guessing* that the women in the CCCEH cohort were exposed to one crack-and-crevice application of chlorpyrifos per month.

These exposure guesses are then linked to adverse health outcomes that EPA’s own Scientific Advisory Panel (SAP) has questioned as being either statistical artifacts or not caused by chlorpyrifos exposure. In addition, the latest risk assessment is still based on just the single, not replicated, and unconfirmed CCCEH study. Many weaknesses inherent in the study have been identified by the SAP and others, which undermine its suitability for determining a point of departure. These weaknesses remain unaddressed in EPA’s latest risk assessment. This cannot be the type of “sound, high quality science” the writers of EPA’s Scientific Integrity Policy envisioned as the “backbone of the EPA’s decision-making.” USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere *guess* as to dose levels, and the result is being used to underpin a regulatory decision about a pesticide chemical that is vital to U.S. agriculture, and whose removal from market would have a major economic impact on growers and consumers.

Our more detailed comments follow, and are divided into two sections, substantive and procedural. USDA requests a response that addresses our comments both comprehensively, and on a paragraph-by-paragraph basis.

Office of Pest Management Policy
1400 Independence Avenue SW
Washington, D.C. 20250-0314
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Substantive Concerns

Over the past two years, USDA has observed EPA's chlorpyrifos risk assessments transition from a more traditional, incremental approach based on combining a point of departure from a well-established health outcome (10 % red blood cell acetylcholinesterase inhibition, or 10 % RBC AChEI) with retention of a 10X FQPA safety factor based on some new epidemiological observations, to a completely novel, even radical, approach of basing the entire risk assessment, and through it the regulatory and economic future of this major agricultural chemical, on a single limited and problematic epidemiological study.

Throughout the latest risk assessment and the accompanying notice in the Federal Register, EPA gives the impression that the Agency has addressed concerns voiced by the April 2016 SAP and is following the SAP's recommendations. For example, in the Federal Register Notice published on November 17, 2016, which announced the availability of the latest risk assessment, EPA claimed that it "modif[ied] the methods and risk assessment . . . in accordance with the advice of the SAP" (81 FR 81050). The SAP exists to provide independent scientific advice to the Agency; as such the SAP's findings are particularly important when they disagree with an approach taken by EPA. Even though SAP reports are not legally binding on the Agency, USDA strongly encourages EPA to thoroughly consider the advice received from the SAP. An objective, comprehensive review of the meeting minutes of the SAP's April meeting, published July 20, 2016, simply does not lead to the conclusion that SAP concerns have been addressed. Instead, the latest risk assessment raises additional and more acute concerns about the viability of EPA's risk assessment approach and the reliability of its findings.

EPA's latest risk assessment rests on three central conclusions. USDA disagrees with all three.

1. EPA concludes that studies show an actual effect on working memory among children in the CCCEH cohort

In order for a study to be meaningful for deriving a point of departure, it must detect an actual health effect. EPA has chosen a 2 % change in working memory, measured at age 7 and discussed in the Rauh et al. (2011) study of the CCCEH cohort, as the critical effect for its last two risk assessments, the first of which was reviewed by the SAP in April. There was considerable disagreement among SAP members as to whether this 2 % change is even significant or anything more than a statistical artifact:

- "The [SAP] was conflicted with respect to the importance of a 2% change in working memory."
- "Some members considered a 2% change in working memory (less than one standard deviation in the distribution of scores in the general population) to be of questionable biological significance."
- "By definition, the [standard deviation] for an essentially unexposed population is really 15%. A 2% reduction seems to be a particularly low threshold for concluding 'abnormal.'"

Quotes from FIFRA SAP meeting minutes on chlorpyrifos (July 20, 2016)

If the Rauh et al. study failed to detect a true health effect, any further discussion on the use of this study to derive a point of departure would be moot. USDA does not deny that some SAP members did argue that a 2% change in working memory is a significant health effect. Rather than taking a position as to whether the observed 2 % decrement in working memory is "real" or "significant," USDA merely wishes to highlight the considerable disagreement within the EPA SAP as to this very basic question. If the experts convened by EPA cannot even agree that a health effect (let alone an *adverse* health effect) was observed, this severely weakens the study's suitability as the sole quantitative foundation of a major, economically significant risk assessment. Equally concerning is EPA's failure to address in its most recent risk assessment the questions raised by the SAP.

2. EPA concludes that the 2 % change in working memory was caused by prenatal exposure to chlorpyrifos

Establishing causality between the exposure of interest (in this case, prenatal chlorpyrifos exposure) and the observed health effect (in this case, a 2 % change in working memory measured at age 7) is a crucial prerequisite to using the CCCEH cohort data in quantitative risk assessment. EPA's latest risk assessment does nothing to address the April 2016 SAP's strongly-worded concerns regarding the lack of established causality. If anything, EPA's Federal Register Notice accompanying the risk assessment further obfuscates the SAP's conclusions. It states that "generally, however, the FIFRA SAP agreed with the overall conclusion of the CCCEH study, i.e. the *association* between prenatal chlorpyrifos exposure and neurodevelopmental outcomes in children" (81 FR 81050; emphasis added). Whether or not chlorpyrifos exposure is *associated* with the change in working memory is not the issue here; an association between chlorpyrifos exposure and change in working memory could be the result of a confounding factor or a multiple comparisons problem, and thus be meaningless for risk assessment.

Rather than association, the relevance of the CCCEH study depends on whether chlorpyrifos *caused* the change in working memory. The SAP emphatically commented on question of causality (emphases added):

- "The assumption that the impaired working memory and lower IQ measures observed [in the CCCEH study] are caused primarily by a single insecticide (chlorpyrifos) and predicted by the blood levels at time of delivery is not supported by the scientific weight of evidence."
- "Some members of the [SAP] were also concerned about the lack of knowledge of the sensitive window(s) of exposure during pregnancy that would lead to neurodevelopmental outcomes. Without accurate knowledge that exposure occurred during a sensitive window, it is impossible to derive causation."
- "Without any evidence in the animal literature or elsewhere of a mechanism of action that could explain how pg/g levels in blood could impair IQ and/or working memory, there does not appear to be biological plausibility. This is a significant uncertainty." (Biological plausibility is a crucial element for establishing causality.)
- "The [SAP] is not aware of any scientific evidence where pg/g levels in the blood would lead to deleterious neurotoxicological effects in a mammalian system. This lack of data could indicate a lack of biological plausibility."

The majority of the SAP members drew the correct logical conclusion from the absence of indicated causality, namely that use of the CCCEH study in a highly impactful risk assessment is "premature and possibly inappropriate." This is a necessary conclusion EPA refuses to draw, by continuing to rely on the CCCEH study in its latest risk assessment. Even more worrisome is EPA's willingness to portray its latest risk assessment as responsive to the SAP concerns, when in reality it is extremely difficult to see how any continued use of the CCCEH study as a basis for a point of departure is consistent with the SAP conclusions. The larger passage from the SAP minutes reads as follows (emphases added):

- "The majority of the [SAP] considers the Agency's use of the results from a single longitudinal study to make a decision with immense ramifications based on the use of cord blood measures of chlorpyrifos as a [point of departure] for risk assessment as premature and possibly inappropriate. The basis for this majority view includes: 1) an inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection . . . [and] 5) lack of biological plausibility for how low cord blood (low parts per trillion) concentrations of chlorpyrifos can alter working memory and produce neurodevelopmental impairment."

- “Some Panel members stated that the reliance on single cord blood measurements from only one study (i.e. the CCCEH study) as a primary basis for a highly impactful regulatory decision goes against standard practices of science in the field of toxicology and pharmacology.”

EPA argues that it addressed SAP concerns about the cord blood data by no longer using them in its latest risk assessment, having replaced them with the dose reconstruction approach. In doing so, EPA misreads the SAP’s concerns. While the SAP did criticize EPA for using a single measurement of cord blood, rather than deriving a time-weighted average, the SAP’s fundamental disagreement centered on the fact that the risk assessment was based on just a single study with insufficient evidence of causality between exposure and effect. It is not the cord blood data per se that are the problem, and replacing them with a time-weighted average not based on any relevant exposure data does not improve the risk assessment. Rather, it is EPA’s “inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection,” as well as the “lack of biological plausibility” that render the CCCEH study unusable. These criticisms are equally valid whether EPA uses the CCCEH cord blood data or a time-weighted average based on the reconstructed dose data.

EPA’s reconstructed doses are not based on any additional exposure data collected from the CCCEH cohort, nor do they help overcome the fundamental lack of biological plausibility and thereby causality. In fact, the SAP criticized the use in the risk assessment of not only the dose data (cord blood measurements), but also of the observed outcome data (change in working memory):

- “It was the Panel’s conclusion that the Agency provided insufficient justification for using cord blood chlorpyrifos levels and associated neurobehavioral health outcomes to derive a [point of departure]” (emphasis added).

In the end, the fatal flaw of EPA’s use of the CCCEH study is that there is insufficient evidence of causality underlying the observed association involving chlorpyrifos. The problems with the chlorpyrifos cord blood data identified by the SAP cannot be isolated from the CCCEH study as a whole. Instead, the entire study, including the cord blood data, is problematic because it fails to indicate a causal relationship between chlorpyrifos and the health effect. Replacing the cord blood data with a different (and arguably inferior) set of reconstructed dose data, as EPA did in its latest risk assessment, does nothing to improve the quality or reliability of the risk assessment, and introduces new and greater uncertainty rather than decreasing it.

The SAP meeting minutes also restated many other concerns about the CCCEH study that have been previously identified by USDA and others, and that continue to be relevant as long as EPA attempts to use the CCCEH study to derive a point of departure. These include the potential presence of numerous confounding factors that further weaken any claim of causality between chlorpyrifos exposure and the change in working memory, the lack of access by EPA or the public to the raw study data, and questions surrounding the analytical methods used to detect the very low (picogram per gram) levels of chlorpyrifos in the cord blood.

- On confounding factors: “In addition to the air sampling study and the cord blood sampling study indicating exposure of the [CCCEH] study cohort to various pesticides, the cohort was additionally exposed to multiple contaminants including PAHs, tobacco smoke, piperonyl butoxide, and phthalates. . . . The fact that the pregnant mothers were exposed to a complex mixture of chemicals, many of which induce deleterious effects on the same neurobehavioral parameters that chlorpyrifos is reported to affect, increases the level of uncertainty for using measurements of chlorpyrifos alone as the basis for the risk assessment [T]he environment where the exposure occurred contained multiple organophosphate insecticides and multiple carbamate insecticides Thus, there was the opportunity for the pregnant mothers to be simultaneously exposed to multiple cholinesterase inhibiting chemicals. Following exposure to such a mixture, it would be biologically impossible to separate the independent effects of each

chemical on a neurochemical or behavioral outcome regardless of the statistical model used”
(emphasis added).

- On raw data availability: “Finally, some [SAP] members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced.”
- On the analytical method: “A major source of uncertainty for the [SAP] was the lack of verification and replication of the analytical chemistry results that reported very low levels of chlorpyrifos (pg/g). Imputing quantitative values when the concentration of analyte falls below the level of detection (LOD) was a particular concern, especially given that a large fraction of cord blood samples included in the analyses presented with levels below LOD.”

3. EPA uses reconstructed dose estimates that are not based on any empirical data or any actual knowledge of the exposure experienced by members of the CCCEH cohort

EPA used its 2012 Residential SOPs, which are typically used to estimate exposure to a pesticide for the general population, to estimate the doses experienced by the CCCEH cohort. Exposure models, such as the Residential SOPs, are designed to produce conservative exposure estimates that are then compared to experimental dose data derived from animal or human studies. In other words, a study typically supplies actual dose values linked to actual response data, which can then be compared to modeled exposure estimates to determine whether a response is expected in the modeled population.

Dose reconstruction is usually based on an internal dose (biomarker) measurement as a starting point and uses reverse dosimetry to arrive at a corresponding external dose. In this case, EPA has no usable internal dose data, and instead is using exposure models to estimate both the doses received by the individuals in the study, as well as the exposure experienced by the general population. The problem is that there is no cause-and-effect link between the dose estimates provided by the exposure model (Residential SOPs) and the change in working memory observed in the CCCEH study. Any exposure model can produce a huge range of exposure estimates due to both population variability and uncertainty. In this case, the uncertainty around any modeled dose estimate is expected to be massive, since EPA has no way of knowing when, how often, and at what levels chlorpyrifos was applied in the CCCEH cohort members’ apartments, nor does EPA know the duration and intensity of exposure experienced by study participants post-application. Did they apply chlorpyrifos themselves and did they do so instead of or in addition to professional applications? How long did they spend in the apartment post-application? Were the windows open or closed? When did they shower? Were they also exposed elsewhere, for example at work?

The wide range of exposure estimates and the vast uncertainty associated with any estimate makes it impossible to identify an actual dose estimate that is linked to the rather small change in working memory observed in the CCCEH study. The fact that EPA’s response to the SAP report – which highlighted in a negative way the “inability to either know, or confidently make assumptions about, aspects of exposure patterns, labor and delivery, and blood collection” and the “the lack of knowledge of the sensitive window(s) of exposure during pregnancy” – was to derive dose reconstruction estimates based on absolutely no data related to the cohort members’ timing of exposure or sensitive windows, indicates a misunderstanding of the SAP’s concerns. The SAP went on to criticize reliance on the CCCEH study, because the data showed “a lack of a clear dose-response relationship and evidence of temporality (i.e., two key concepts in pharmacology and toxicology).” Abandoning the CCCEH cord blood exposure data in favor of EPA’s dose reconstruction estimates, which are completely devoid of actual connection to the CCCEH cohort, exacerbates this SAP concern instead of mitigating it.

In addition, EPA is using an inappropriately high level of conservatism in its dose-reconstruction effort given that its stated goal is to derive a lowest observed adverse effect level (LOAEL) dose. In the latest risk assessment, EPA references an earlier dose reconstruction that was part of the 2014 Revised Human

Health Risk Assessment (2014 HHRA). The goal of the 2014 HHRA exercise was to estimate an “upper limit, bounding level exposure” and as a result it contained very conservative assumptions with regards to exposure duration and bathing frequency. By contrast, EPA states that the purpose of the dose reconstruction in its latest risk assessment is to predict “typical” product usage and behaviors, and therefore the assumptions are essentially realistic or even tend to underestimate exposure (e.g., daily shower taking place immediately after application; exposure duration of only 2 hours/day). However, EPA should be estimating upper limit exposures if its goal is to derive a LOAEL dose. Assuming for a moment that the CCCEH study did observe an actual association between chlorpyrifos exposure and change in working memory, only the most highly exposed cohort members would have experienced this adverse effect. Most cohort members were exposed to comparatively lower levels of chlorpyrifos, which did not cause a change in working memory. Therefore, exposure resulting from “typical” product usage and behaviors should not be expected to cause a response, and if used at all should be considered a no observed adverse effect level (NOAEL) dose, not a LOAEL dose. Instead, upper limit exposures, representing the most highly exposed individuals within the CCCEH cohort, would have been the only doses to be potentially associated with an adverse effect.

Taking a step back, USDA wishes to highlight a logical flaw in EPA’s reasoning. In its dose reconstruction, EPA considered the exposure from the monthly residential crack-and-crevice application to be the only contributor to the chlorpyrifos doses experienced by the CCCEH cohort. In other words, EPA is assuming that the crack-and-crevice application, and only the crack-and-crevice application, is causing any adverse effects potentially observed in the CCCEH study cohort, such as a change in working memory. By implication, this indicates that the Agency considers any dietary (food or drinking water) exposure to chlorpyrifos among the CCCEH cohort to be negligible. As EPA points out in its latest risk assessment, all residential uses of chlorpyrifos were cancelled in 2000, meaning that today the only relevant exposures for the general population are food and drinking water exposures. There is no reason to believe that the population today is exposed to significantly higher levels of chlorpyrifos in the diet than the CCCEH cohort was. How then is it possible that food and drinking water exposures were not even considered in the CCCEH cohort dose reconstruction, but EPA now claims that food exposure *alone* causes some individuals to exceed the acceptable level of chlorpyrifos exposure by as much as 140 times?

Conclusion for Substantive Concerns

EPA’s latest risk assessment depends on three conclusions related to the existence of a health effect, causality, and the dose-reconstruction approach. For EPA’s assessment to be meaningful, all three conclusions would have to be well-supported by the evidence and logically coherent. Instead, they range from questionable to unsupported by the evidence to incorrect. As a result, the latest risk assessment fails to show either a causal or a dose-response relationship between chlorpyrifos exposure and a change in working memory among the CCCEH cohort, even though causality and the existence of a dose-response relationship are two fundamental pillars of regulatory toxicology and risk assessment. USDA concludes by asking whether, before November 2016, EPA has ever derived a point of departure for pesticide risk assessment based on a single study which the Agency has concluded does not contain *any* usable dose data.

Procedural Concerns

USDA strongly urges EPA to abandon use of the CCCEH study to set a point of departure for chlorpyrifos and to return to using AChEI as the critical effect. If EPA chooses to continue to use the CCCEH study, EPA’s latest risk assessment should be re-submitted to the SAP for review. USDA finds this to be absolutely crucial for maintaining public confidence in the pesticide regulatory process. Compared to the March 2016 risk assessment that the SAP reviewed, the latest risk assessment is even

further beyond the “mainstream” of pesticide risk assessment. Mostly, this is due to the dose reconstruction approach that, to USDA’s knowledge, has never been externally reviewed. In addition, the fact that the latest risk assessment continues to be based on the CCCEH study clearly weighs in favor of allowing the SAP to review again, in order to determine whether its earlier criticisms of the CCCEH study have been addressed or mitigated.

USDA notes that according to EPA’s Peer Review Policy, “external peer review is the approach of choice” for influential scientific information intended to support important decisions. Influential scientific information in turn is characterized, inter alia, by its establishment of a significant precedent, model, or methodology; its material adverse effect on the economy or a sector of the economy; its addressing of significant controversial issues; its significant interagency implications; and its consideration of an “innovative” approach for a previously defined problem (EPA Peer Review Handbook, 4th Ed.). In USDA’s opinion, all of these factors are present in EPA’s latest chlorpyrifos risk assessment, indicating that an external peer review of the document is warranted. USDA commends EPA for having consulted the SAP three times already on the subject of chlorpyrifos. However, this latest hybrid approach is more than just a refinement or an implementation of previous SAP recommendations. A completely new risk assessment approach is being considered which will have a wide impact on the evaluation chlorpyrifos, as well as other pesticides in the future. USDA strongly urges EPA to present this latest risk assessment to the SAP. Before doing so, EPA should thoughtfully consider and publicly respond to all public comments received on the subject of chlorpyrifos since the 2014 Revised Human Health Risk Assessment was published. This will allow the public to provide an informed opinion at the next SAP meeting, and it will help the SAP in fully understanding the breadth of risk assessment approaches considered by the Agency.

USDA is aware that EPA is under a court-ordered deadline to fully respond to the PANNA/NRDC petition (by issuing a final rule, if necessary) by March 31, 2017. However, USDA strongly feels that EPA should take the necessary time to fully address the SAP concerns and to develop a robust risk assessment. To that end, USDA requests that EPA issue an order denying the petition to revoke chlorpyrifos tolerances and cancel uses. This would allow the Agency to continue its evaluation of chlorpyrifos as part of the ongoing pesticide review process and free from undue litigation-induced pressure, and would not preclude the Agency from taking mitigation action in the future if neurodevelopmental effects related to chlorpyrifos are identified and confirmed.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/9/2017 2:33:13 PM
To: Don Parrish [donp@fb.org]
Subject: Re: RE:

No idea

Sent from my iPhone

On Aug 9, 2017, at 9:31 AM, Don Parrish <donp@fb.org> wrote:

Thanks – when will Lee return?

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, August 09, 2017 10:28 AM
To: Don Parrish
Subject: Re:

Brown.byron@epa.gov

Sent from my iPhone

On Aug 9, 2017, at 9:20 AM, Don Parrish <donp@fb.org> wrote:

Can you send me Bryon Browns' contact info?
thanks

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/26/2017 3:35:26 PM
To: Barb Glenn [barb@nasda.org]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: Re: PRUITT CONTINUES STATE ACTION TOUR IN SC

Agreed!

Sent from my iPhone

On Jul 24, 2017, at 5:46 PM, Barb Glenn <barb@nasda.org> wrote:

Thank you Preston. Great to see Administrator Pruitt in SC and especially with Commissioner Weathers.

Regards,

Barb

Barbara P. Glenn, Ph.D.
CEO
National Association of State Departments of Agriculture

Sent from my iPhone

On Jul 24, 2017, at 3:28 PM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:

All,

In case you missed it, more on Administrator Pruitt's WOTUS tour. Please let me know if you have any questions!

Regards,

Preston Cory

K. Preston Cory
Special Assistant
Office of the Administrator, Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency
O: (202) 564-1747
C: Ex. 6

From: "EPA Press Office" <press@epa.gov>
Date: July 24, 2017 at 2:55:37 PM EDT
To: "hewitt.james@epa.gov" <hewitt.james@epa.gov>

Subject: PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SC

Reply-To: press@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

PHOTOS: PRUITT CONTINUES STATE ACTION TOUR IN SOUTH CAROLINA

CHARLESTON, S.C. - (July 24, 2017) U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt continued his multistate action tour in South Carolina today following visits to Utah, Minnesota and Arkansas last week. The visit highlights the administrator's recent decision to begin the process to redefine the "Waters of the United States" (WOTUS) rule to help return power back to the states and provide regulatory certainty to farmers, landowners, and ranchers across the country. Administrator Pruitt was joined by U.S. Senator Lindsey Graham, U.S. Congressman Joe Wilson, South Carolina Attorney General Alan Wilson, and South Carolina Commissioner of Agriculture Hugh Weathers, at a local sod farm for a roundtable with agricultural and business leaders.

"The Trump Administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship," **said EPA Administrator Scott Pruitt.** "By beginning the process to redefine WOTUS, we are providing regulatory certainty for South Carolinians while working together with the state to keep our waters clean."

"We are very appreciative of EPA Administrator Pruitt taking time to visit South Carolina and underscore the negative impact of the Obama Administration's WOTUS regulation," **said U.S. Senator Graham.** "This Obama regulation greatly expanded the power of the federal government at the expense of our farmers and local development. I opposed this misguided proposal from the start. It failed the common sense test and has proven to be government overreach at its worst. I appreciate Administrator Pruitt and President Trump for making clear that government overregulation like WOTUS will be reviewed and reformed."

"Today's visit showed firsthand the real impact overreaching regulations can have on individuals, families, and businesses. I appreciate the leadership of President Donald Trump and EPA Administrator Scott Pruitt for their commitment to scaling back the role of the federal government, promoting limited government and expanded freedom,"

U.S. Congressman Joe Wilson said. "I am grateful to Administrator Pruitt for visiting South Carolina today and hearing from local agriculture and business leaders, especially South Carolina Commissioner of Agriculture Hugh Weathers and my longtime friend Jim Roquemore."

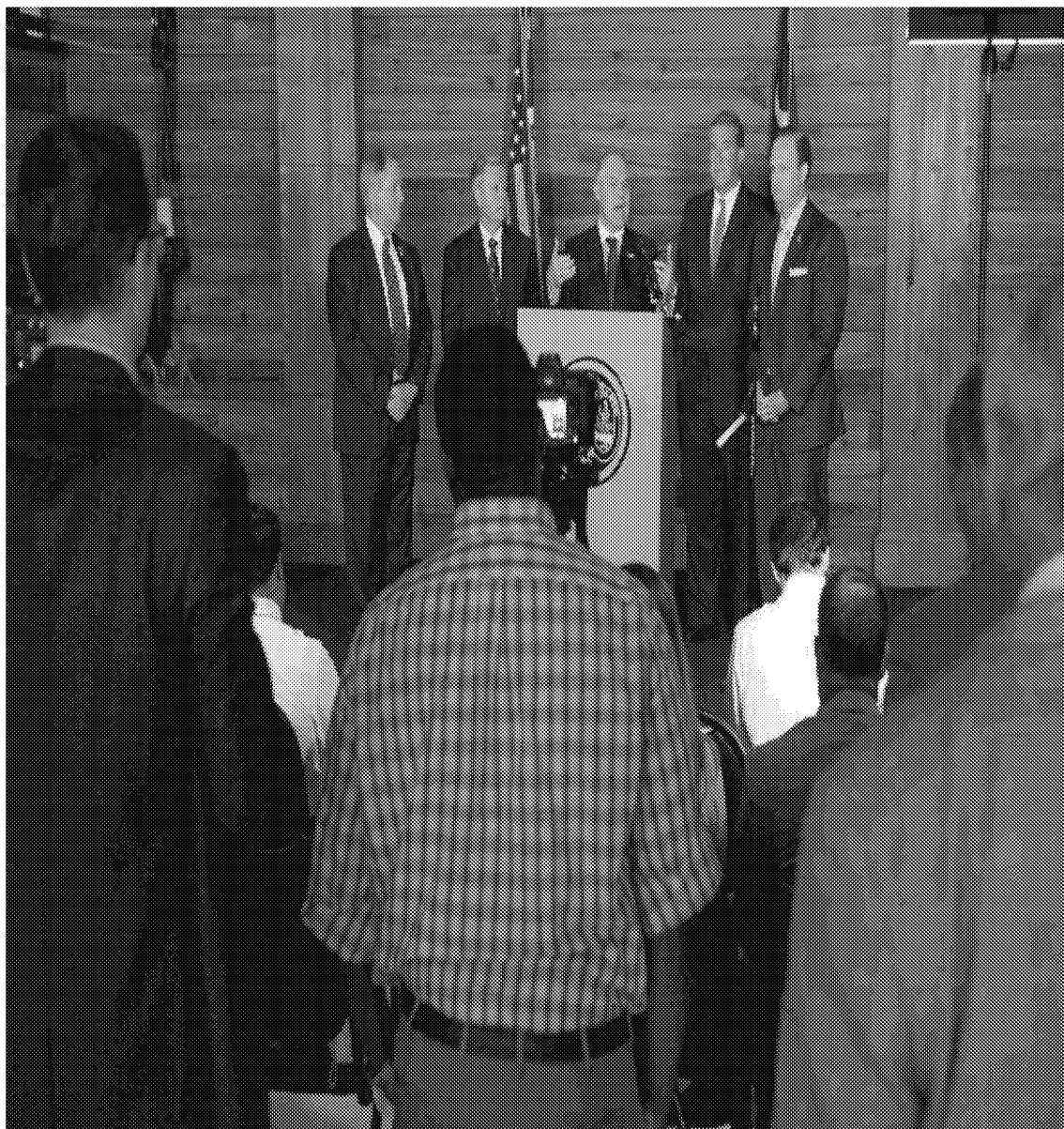
"For several years, I, along with Scott Pruitt and 24 other states, have been fighting the unconstitutional land grab by the federal government" **said South Carolina Attorney General Alan Wilson.** "I now look forward to working with Administrator Pruitt on this new proposal to protect the rights of South Carolina landowners."

"I am pleased Administrator Pruitt came to South Carolina to hear first-hand about the negative impacts the 2015 WOTUS rule would have on our state," **said South Carolina Commissioner of Agriculture Hugh Weathers.** "As our state's largest industry, agriculture is focused on having this overburdensome rule rescinded, so farmers can operate without additional uncertainties and costly regulations."



From left: South Carolina Attorney General Alan Wilson, South Carolina Commissioner of Agriculture Hugh Weathers. U.S. EPA Administrator Scott Pruitt, U.S. Senator Lindsey Graham, and U.S. Congressman Joe Wilson

U.S. EPA Administrator Scott Pruitt discusses WOTUS with roundtable attendees.



U.S. EPA Administrator Scott Pruitt takes questions from the press

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/28/2017 11:33:14 PM
To: Dudley Hoskins [Dudley@nasda.org]; Keigwin, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=151baabb6a2246a3a312f12a706c0a05-Richard P Keigwin Jr]
CC: Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: RE: State Dicamba Workgroup?

Adding Nancy. Defer to her and Rick as I've also been traveling for work all week.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, July 28, 2017 6:04 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: State Dicamba Workgroup?

We had a few inquiries from some of our members asking if EPA was pulling together an EPA-State Dicamba Workgroup.

I have been [Ex. 6] and behind on email by wanted to reach out to see if this is something that is in the works?

Many thanks in advance for any insights you can share at this time.

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/22/2018 10:16:06 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Monday

On a flight from 7-12

> On Jun 22, 2018, at 5:59 PM, Paul Schlegel <pauls@fb.org> wrote:
>
> Will u b around?
>
> Sent from my iPhone

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 8/1/2017 1:10:14 PM
To: donp@fb.org

I need to run something by you anyways.

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/1/2017 12:55:38 PM
To: Don Parrish [donp@fb.org]
Subject: Re: RE:

Call me when you're done.

Sent from my iPhone

On Aug 1, 2017, at 8:17 AM, Don Parrish <donp@fb.org> wrote:

I have a meeting at EPA office of water at 9:00 and a conference call at 11:00 – otherwise my schedule is open...

Important to note.

COURT REVIVES EPA METHANE RULE, AGAIN: The full D.C. Circuit Court of Appeals on Monday ordered EPA to resume enforcing its methane rule for new oil and gas wells, a potentially temporary but important loss for EPA Administrator Scott Pruitt's deregulatory agenda. A three judge panel reversed Pruitt's stay, but gave EPA time to appeal. The agency hasn't done so, but industry groups have. The court's order was issued by a 9-2 vote. Judges Janice Rogers Brown, who will retire from the court effective Aug. 31, and Brett Kavanaugh voted against reinstating the rule immediately. More here.

For those keeping track at home: EPA's methane rule has been on, off, on again, off again, and now back on again. Plus, it's likely to be off again within a couple months, once Pruitt's proposed two-year hold is finalized — and then possibly back on following a new judicial review.

Don R Parrish
American Farm Bureau Federation®
Ex. 6
donp@fb.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Monday, July 31, 2017 6:29 PM
To: Don Parrish
Subject:

Touch base soon?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/19/2017 5:35:49 PM
To: Don Parrish [donp@fb.org]
Subject: Re: Haven't forgotten you!

Can I call at 8

Sent from my iPhone

> On Jul 19, 2017, at 12:30 PM, Don Parrish <donp@fb.org> wrote:

>
> I have a lunch. No worries.

>
> Don

>
> Sent from my iPhone

>
>> On Jul 19, 2017, at 12:40 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>>
>>
>>
>> Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/8/2017 5:33:49 PM
To: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Subject: Re: Pesticides on tobacco

Response below:

Attached is a link to some information on the EPA website that discusses minimum risk pesticides: <https://www.epa.gov/minimum-risk-pesticides>. Note that pesticides meeting the conditions discussed on the website are exempt from federal registration under the Federal Insecticide, Fungicide, and Rodenticide Act. Individual states may still require registration of these products under state pesticide laws. Because these products are exempt from federal registration, EPA does not have a list of products in commerce that meet these criteria. The Maryland Department of Agriculture, however, would likely know which products meeting the minimum risk criteria can be sold and used in the state of Maryland.

On Jul 7, 2017, at 3:54 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

That works perfectly. Do you think it's possible to get it early next week?



Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

On Fri, Jul 7, 2017 at 3:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
I'll try and get back to you next week? Does that work?

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Hi, Tate:

I just tried to give you a call, but your voicemail was full and I was unable to leave a message. Anyway, I hope you're having a nice week! I was wondering if you would be able to provide me with a definition "minimum risk" pesticide as well as the EPA's list of minimum risk pesticides. Also, can "minimum risk" pesticides be used on food crops?

Thank you in advance for your assistance. I really appreciate your help.

Please feel free to give me a call if you have any questions.

Thanks,

<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
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cassie.shirk@maryland.gov

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Team effort!

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<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
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Annapolis, MD 21401

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cassie.shirk@maryland.gov

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Cassie-

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Please note that this list should not be used as a substitute for a pesticide user to consult the label for specific directions on how to use the product. Not all of these products will necessarily be available for use in the State of Maryland. EPA does not maintain information regarding which products are registered in which states. The state lead agency for pesticide regulation would be the best source for that information.

Hope this helps.

Tate

Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/30/2017 3:51:43 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: RE: NASDA Contacts: IA, WI and ND

Yes! Thank you.

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, June 30, 2017 11:49 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Subject: NASDA Contacts: IA, WI and ND

Tate – thanks again for the call this morning.

Per our conversation, I wanted to share the following contacts:

- **IA: Mike Naig, Deputy Secretary:**
 - Email: michael.naig@iowaagriculture.gov
 - Phone: Ex. 6
- **WI: Matt Tompach, Federal Policy Liaison:**
 - Email: Matthew.Tompach@Wisconsin.gov
 - Phone: Ex. 6
- **ND: Jessie Pfaff, Policy Analyst:**
 - Email: jkpffaff@nd.gov
 - Phone: Ex. 6
- **ND: Jody Reinke, Assistant to the Commissioner:**
 - Email: jodyreinke@nd.gov
 - Phone: Ex. 6

Britt is our lead on WOTUS, but she is on travel right now. I am cc'ing her as an FYI on this outreach and will coordinate with her internally on any follow-ups you all need while she is out of pocket.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/30/2017 2:51:35 PM
To: apiper@ruleoflawdefensefund.org

Don't have my cell but can you call **Ex. 6**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/30/2017 1:47:25 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Alabama

From: Brooks, Hassey [mailto:Hassey.Brooks@agi.alabama.gov]
Sent: Thursday, June 29, 2017 11:15 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Autrey, Daniel <Daniel.Autrey@agi.alabama.gov>
Subject: RE: Introduction & Request for Coordinating Call

Tate,

We would like to get back in touch with you regarding a visit by EPA to Alabama based on our conversation chain below? Thank you for your time and any details on this potential visit by EPA.

Have a great afternoon.

Hassey Brooks
Federal Affairs
Alabama Department of Agriculture & Industries

Ex. 6

www.agi.alabama.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, May 19, 2017 9:13 AM
To: Brooks, Hassey <Hassey.Brooks@agi.alabama.gov>; Dudley Hoskins <Dudley@nasda.org>
Subject: RE: Introduction & Request for Coordinating Call

Hey there! We want to visit AL sometime in the future and would love to coordinate. I'll keep you posted on dates and we can chat further when we have a better idea r.e. calendar.

From: Brooks, Hassey [mailto:Hassey.Brooks@agi.alabama.gov]
Sent: Friday, May 19, 2017 10:09 AM
To: Dudley Hoskins <Dudley@nasda.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Introduction & Request for Coordinating Call

Dudley,

Thank you for sending. Please stay in contact.

Tate,

We look forward to working with you and Region 4 EPA on various issues related to agriculture and the environment. Please keep our office posted on details of the future listening session hosted by EPA.

Do not hesitate to contact our office at any time.

Hassey Brooks

Federal Affairs

Alabama Department of Agriculture & Industries

Ex. 6

www.agi.alabama.gov

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]
Sent: Thursday, May 18, 2017 9:46 PM
To: Brooks, Hassey <Hassey.Brooks@agi.alabama.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Introduction & Request for Coordinating Call

Hassey - hope all is well on your end.

Please accept this brief introduction on behalf of Tate Bennett. Tate was recently brought on as EPA's Senior Deputy Associate Administrator for Congressional & Intergovernmental Affairs. Tate has been extremely proactive on a range of issues NASDA has been seeking assistance on over the recent past.

Tate – for your reference, Hassey is the federal affairs director for AL Dept of Ag and works for Commissioner John McMillan. Hassey is a great partner and trusted resource across all fronts.

I understand EPA may be considering a listening session in AL in the not too distant future, and I wanted to connect you all on email in hopes that you may have a minute to touch base for a brief call in the not too distant future. Please let me know if I can assist in facilitating this introductory conversation in any way.

More soon & many thanks! - dudley

Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Dudley W. Hoskins ● Public Policy Counsel ● **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910 Arlington, VA 22203 ● (P) 202.296.9680 ● (C) Ex. 6 ●

www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 9:06:35 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Amanda Culp [Amanda@nasda.org]; Nathan Bowen [Nathan@nasda.org]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: RE: WOTUS Federal Register Notice

Thanks!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, June 27, 2017 5:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Amanda Culp <Amanda@nasda.org>; Nathan Bowen <Nathan@nasda.org>
Subject: Fwd: WOTUS Federal Register Notice

FYI

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: June 27, 2017 at 4:58:45 PM EDT
To: Britt Aasmundstad <britt@nasda.org>
Subject: FW: WOTUS Federal Register Notice

Amanda Culp | Director, Communications | National Association of State Departments of Agriculture
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

For Immediate Release

Contact: Parker Briden, parker.briden@governor.mo.gov
June 27, 2017

Gov. Greitens Celebrates Waters of the US Repeal with Missouri Farmers

Today, Governor Greitens released a video celebrating the new leadership of the EPA's decision to repeal the Obama-era Waters of the United States rule that gave bureaucrats in Washington D.C. authority to regulate "streams and other small bodies of water across the country." Governor Greitens also signed a proclamation encouraging farmers to give input to

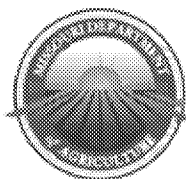
Missouri's Department of Natural Resources and Department of Agriculture to ensure that government gets out of the way.

In the video, Governor Greitens said, "When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama's Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they've heard us. They've heard that Obama's Waters of the US regulations are hurting family farmers."

Watch the video here:

<https://www.facebook.com/EricGreitens/videos/10155462846764747/?pnref=story>

###



Sarah Alsager

Director of Communications
Missouri Department of Agriculture
Director's Office

Office:

Agriculture.Mo.Gov

#beMORE



From: Amanda Culp [<mailto:Amanda@nasda.org>]

Sent: Tuesday, June 27, 2017 3:57 PM

To: Alsager, Sarah

Subject: RE: WOTUS Federal Register Notice

Please share if you do a press statement!

Amanda Culp | Director, Communications | National Association of State Departments of Agriculture
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

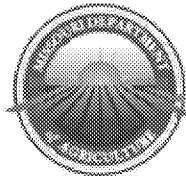
From: Alsager, Sarah [<mailto:Sarah.Alsager@mda.mo.gov>]

Sent: Tuesday, June 27, 2017 2:56 PM

To: Amanda Culp

Subject: RE: WOTUS Federal Register Notice

Thank you!



Sarah Alsager

Director of Communications
Missouri Department of Agriculture
Director's Office
Office: **Ex. 6**
Agriculture.Mo.Gov

#beMORE



From: Amanda Culp [<mailto:Amanda@nasda.org>]
Sent: Tuesday, June 27, 2017 8:26 AM
To: Britt Aasmundstad
Subject: FW: WOTUS Federal Register Notice

COSDA Members,

We are expecting the announcement of the rollback of the 2015 Clean Water Rule today. I have attached a few talking points in case WOTUS is a hot issue in your states. Please do not share outside of your senior staff.

Regards,

Amanda Culp | Director, Communications | **National Association of State Departments of Agriculture**
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

From: Amanda Culp
Sent: Wednesday, June 21, 2017 12:08 PM
Cc: Britt Aasmundstad
Subject: FW: WOTUS Federal Register Notice

COSDA Members,

See note below regarding extremely sensitive announcement on withdrawing the 2015 Clean Water Rule. Please do not share outside of your senior agency staff.

Amanda Culp | Director, Communications | **National Association of State Departments of Agriculture**
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | Amanda@nasda.org

From: Britt Aasmundstad
Sent: Wednesday, June 21, 2017 7:54 AM
Cc: Policy Unit
Subject: WOTUS Federal Register Notice

NASDA Members and State Staff,

Thank you all for your participation in the WOTUS consultation process—please send me your state comments if you are able and haven't done so, I appreciate it.

EPA notified NASDA that the Federal Register notice withdrawing the 2015 Clean Water Rule and recodifying the 1986 regulation will be printed in the Federal Register either Monday or Tuesday next week. This is the first step in EPA's two-step process of promulgating a new definition of waters of the U.S. We wanted to inform you, as we know this is a major action and your state may want the advance notice before any press releases or like actions. If you send a press release, please share them with NASDA.

More information will be included in this week's member update (Friday) and accessible in the Member Center. Please let me know if you have any questions,

Britt

Britt Aasmundstad | Manager, Public Policy | **National Association of State Departments of Agriculture**
| 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296-9680 | www.nasda.org |
[@NASDANews](https://twitter.com/NASDANews)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 3:20:53 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
BCC: Stephanie Groen [Stephanie.Groen@iowa.gov]; kristin.allan@nebraska.gov; lebachmeier@nd.gov; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; kelsie.bickett@ky.gov; ryan@nevadadc.org; Gardner, Judd (Moran) [Judd_Gardner@moran.senate.gov]; Ryan Flickner [flicknerr@kfb.org]; Jerry Strickland [Jerry.Strickland@gov.texas.gov]; Rell, Brian [ber@mail.house.gov]; joseph.songy@governor.ms.gov; Adam Piper [apiper@ruleoflawdefensefund.org]; Adam Nordstrom [adam.nordstrom@cch-llc.com]; Brian Sanderson [bsanderson@rgppc.org]; Cassie Shirk -GOV- [cassie.shirk@maryland.gov]; Cassie Bladow [Cassie.Bladow@beetsugar.org]; Cally Younger [Cally.Younger@gov.idaho.gov]; Lopez, Danny [DaLopez@gov.IN.gov]; Debbie Hohlt [debbie@hohlt.com]; john.horne@ky.gov; Charles.Snavely@ky.gov; Leeann.Veatch@ky.gov; Kathy.Lydon@Illinois.gov; Meier, Adam (Gov Office) [Adam.Meier@ky.gov]; Southard, Sean (AGR) [Sean.Southard@ky.gov]; A. Schafer [aschafer@mt.gov]; Alexandra Dapolito Dunn [adunn@ecos.org]; Schaefer, Alex [ASchaefer@NGA.ORG]; Bruce.Scott@ky.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fae909d07b1c4b88ab08f60f0b96978e-Bruce.Scott@ky.gov]; fitzhugh_elder@appro.senate.gov; Britt Aasmundstad [britt@nasda.org]; Barry Hart [bhart@amec.org]; Yasamine August [yasamine.august@governor.alabama.gov]; mcbrideb@michigan.gov; McBride, Stacy (Blunt) [Stacy_McBride@blunt.senate.gov]; McKenzie, Trey (Blunt) [Trey_McKenzie@blunt.senate.gov]; garrett.hawkins@mda.mo.gov; Kathy Bergren [Bergren@ncga.com]; taylor.gage@nebraska.gov; DeLeon, Dona [Dona.DeLeon@nj.gov]; larry.behrens2@state.nm.us; rolauf@nd.gov
Subject: Heads up: proposed RVO's coming today

Administrator Pruitt is likely signing a FR notice proposing 2018 renewable fuel standard volume levels later today. This is so EPA can stay on track to meet the Nov 30th statutory deadline to make the RVO's final for 2018.

Happy to chat further via phone- Ex. 6

-Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/23/2017 11:48:16 PM
To: pauls@fb.org
Subject: Looking like Tuesday

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/7/2017 7:54:38 PM
To: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Subject: Re: Pesticides on tobacco

We will try.

On Jul 7, 2017, at 3:54 PM, Cassie Shirk -GOV- <cassie.shirk@maryland.gov> wrote:

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<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)

cassie.shirk@maryland.gov

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<changingMD.png>

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Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)

cassie.shirk@maryland.gov

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<changingMD.png>

Cassie Shirk
Policy Advisor

Office of the Governor
100 State Circle
Annapolis, MD 21401

Ex. 6 (office)
(mobile)
cassie.shirk@maryland.gov

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Hope this helps.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 10:46:36 PM
To: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]
Subject: Just kidding- found her

Disregard previous email!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 8:44:24 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
CC: Amanda Culp [Amanda@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Dudley Hoskins [Dudley@nasda.org]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

Awesome! Thank you!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, June 27, 2017 4:24 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: Amanda Culp <Amanda@nasda.org>; Nathan Bowen <Nathan@nasda.org>; Dudley Hoskins <Dudley@nasda.org>
Subject: Fwd: Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

Hi Tate,

We'll forward these as we receive them. Please let us know if you need anything else. Thanks!

Sent from my iPhone

Begin forwarded message:

From: Commissioner Adam Putnam's Communications Office
[mailto:Communications@freshfromflorida.com]
Sent: Tuesday, June 27, 2017 1:15 PM
To: Commissioner Adam Putnam's Communications Office
Subject: Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule



Commissioner Adam H. Putnam

Florida Department of Agriculture and Consumer Services

FOR IMMEDIATE RELEASE

June 27, 2017

Contact: Jenn Meale

(850) 617-7737

Twitter: @FDACSNews

Commissioner Adam H. Putnam Applauds EPA Administrator Scott Pruitt for Move to Repeal WOTUS Final Rule

TALLAHASSEE, Fla.—Florida Commissioner of Agriculture Adam H. Putnam issued the following statement regarding EPA Administrator Scott Pruitt’s proposal to repeal the Obama-era WOTUS final rule.

“The federal government overstepped its authority under the Obama Administration with its overreaching and nonsensical WOTUS rule. I applaud EPA Administrator Scott Pruitt’s move to undo these overly burdensome regulations that cost American workers precious dollars to meet unnecessary and unscientific standards.”

###

www.FreshFromFlorida.com

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/15/2018 7:12:40 PM
To: Andrew Walmsley [andreww@fb.org]
Subject: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

FYI. Steve was great!

From: Block, Molly
Sent: Friday, June 15, 2018 3:08 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Administrator Pruitt Visits with Farmers and Local Leaders in Nebraska

Talks WOTUS, Water Infrastructure, and Superfund Program

Omaha, NE (June 14, 2018) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Omaha's Missouri River Wastewater Treatment Plant and met with state and local leaders to see first-hand how Omaha is working to overcome water infrastructure challenges. He also announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site and met with farmers to announce the Agency's next step on the "Waters of the United States" (WOTUS) rule.

"Coming to Nebraska and hearing directly from the voices that have been forgotten for so long is critical to how we make decisions at the Agency," said EPA Administrator Scott Pruitt. **"From making progress with respect to Superfund sites to directly engaging stakeholders on the Renewable Fuel Standard, we are working tirelessly to provide the regulatory clarity that President Trump promised and the American people deserve."**

Administrator Pruitt attended a roundtable with the Mayor of Omaha Jean Stothert, Nebraska Department of Environmental Quality (NDEQ) Director Jim Macy, city council members, and other local and state officials, including EPA Region 7 Administrator Jim Gulliford. The discussion was largely focused on the Water Infrastructure Finance and Innovation Act (WIFIA) and the upcoming loan approval that the City of Omaha will be receiving from EPA. Administrator Pruitt had the opportunity to tour the Missouri River

Wastewater Treatment Plant prior to his discussion.

In addition to the water discussions, Administrator Pruitt announced the partial deletion of an additional 101 properties from the Omaha Lead Superfund Site. The city, working with EPA and NDEQ, has reduced childhood blood lead levels from 25% of those tested in 1998 to less than 1% of those tested in 2017. To date, EPA has cleaned up more than 13,000 properties. The city recently signed an agreement with EPA to manage the cleanup of the remaining 900 properties.

"We work cooperatively with the EPA on many important projects. Today, I shared our plans for the Omaha Riverfront Revitalization project, which includes Lewis and Clark Landing, a former Superfund site," said Mayor of Omaha Jean Stothert. **"The work we are doing can be shared with other cities to redevelop these sites for new public use."**

"This is the first time I've been able to pick up the phone and call EPA staff directly and elevate issues that need resolving. We thank Administrator Pruitt and his team for the cooperation as we work to achieve positive environmental outcomes for Nebraska," said NDEQ Director Jim Macy.

Administrator Pruitt also visited Green Plains Inc. and spoke with 150 employees about the importance of cooperative federalism, especially regarding the Renewable Fuel Standard (RFS). He met with Todd Becker, Chief Executive Officer (CEO), and other members of Green Plains' leadership team, where they had a constructive dialogue to discuss potential solutions and a path forward.

"We appreciate Administrator Pruitt taking the time to visit and learn more about the challenges facing the ethanol industry and the broader agriculture community. We will continue to work toward solutions that allow for greater ethanol market access in line with the President's commitment to rural America," said Green Plains Inc. CEO Todd Becker.

Finally, Administrator Pruitt joined Governor Pete Ricketts (R-NE) and members of the Common Sense Nebraska Coalition to announce an update on WOTUS, RFS, and other issues that EPA can help to provide regulatory certainty for farmers and ranchers across Nebraska and the country. In their effort to provide certainty to farmers and landowners, tomorrow EPA and the U.S. Army Corps of Engineers will be announcing the next step on the WOTUS rulemaking.

"Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back the job-killing WOTUS regulation," said Governor Ricketts. **"Today's announcement is the next step toward returning common sense to federal oversight of intra-state waterways. Removing this threat to our state's top job creators gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing."**

Background on WIFIA Loan:

The City of Omaha applied for a \$55 million loan from the Water Infrastructure Finance and Innovation Act to help fund a \$113 million project to relieve water quality concerns in the Papillion Creek and Missouri River. The project will halt the discharge of up to 1.2 billion gallons of combined sewer water flowing into the Little Papillion Creek each year. Omaha has undertaken more than 60 projects to address combined sewer overflows during the past decade. This project will also remove floatables and other solids from combined sewer overflows. It will be located just south of UNO's Baxter Arena.

The Saddle Creek project is only one of over 60 projects that the City has undertaken to address Combined Sewer Overflows associated with combined sewers throughout the City over the past decade. This includes ongoing upgrades at Omaha's largest wastewater treatment plant along the Missouri River, sewer separations throughout the City, and improvements to parks to reduce the volume of water that reaches sewers.

Background on Omaha Lead Superfund Site:

EPA Region 7 completed the EPA-lead portion of the remedial action on December 29, 2015. The City of Omaha and the Douglas County Health Department will be performing the remaining field work. As of December 29, 2015, EPA collected soil samples from 42,047 properties. Based on the soil sampling results, 14,019 properties were eligible for soil remediation. The EPA remediated lead contaminated soil at 13,090 properties (93 percent) of the properties that were eligible for remediation.

EPA completed Cooperative Agreements with the City of Omaha and the Douglas County Health Department that provide funds to allow these local government agencies to continue efforts to obtain access to the remaining properties and conduct sampling and remediation activities at those properties where they obtain access. In accordance with EPA's closeout procedures for National Priorities List sites, the current partial will partially delete 101 properties from this site.

.....



Green Plains CEO Todd Becker introduces EPA Administrator Scott Pruitt to employees.

Administrator Pruitt addresses Green Plains employees in Omaha.



Administrator Pruitt holds a dialogue with Green Plains' leadership team.

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 10:44:52 PM
To: Cassie Shirk -GOV- [cassie.shirk@maryland.gov]
Subject: RE: Pesticides on tobacco

Yes it does. Nice speaking with you earlier! Let me know if I can provide more information.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

From: Cassie Shirk -GOV- [mailto:cassie.shirk@maryland.gov]
Sent: Thursday, June 29, 2017 4:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Pesticides on tobacco

Hi, Bennett:

Thanks for taking my call earlier. Please let me know if the EPA regulates pesticide use on tobacco.

Thanks,
Cassie Shirk

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 10:40:12 PM
To: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]
Subject: Received a call

From the Governor's office. It was from a girl named Cassie and she might handle agriculture issues. Might you know who this person is/ have her contact info? I called her back but her voicemail isn't set up yet, so I figured I would shoot her an email.

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 7:42:16 PM
To: Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Osinski, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a72876794204ff0937fd23848837cc6-MOsinski]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
CC: Nathan Bowen [Nathan@nasda.org]
Subject: RE: State Ag Departments, Farmers Applaud WOTUS Rescission

Thank you! Appreciate it , Britt, as I know you are out of the office.

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, June 27, 2017 3:40 PM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Osinski, Michael <Osinski.Michael@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>
Cc: Nathan Bowen <Nathan@nasda.org>
Subject: Fwd: State Ag Departments, Farmers Applaud WOTUS Rescission

FYI, please see NASDA's release below.

Thanks so much! Please let me know if you need anything else.

Britt

Sent from my iPhone

Begin forwarded message:

From: Amanda Culp <Amanda@nasda.org>
Date: June 27, 2017 at 3:17:16 PM EDT
Subject: State Ag Departments, Farmers Applaud WOTUS Rescission

FOR IMMEDIATE RELEASE: June 27, 2017

Contact:
Amanda Culp
Director, Communications
(202) 296-9680
amanda@nasda.org

State Ag Departments, Farmers Applaud WOTUS Rescission

Following the U.S. Environmental Protection Agency's (EPA) announcement today to withdraw the 2015 Clean Water Rule and recodify the previous regulations, National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain issued the following statement:

"The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with

procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

All of NASDA’s official actions on WOTUS can be found [here](#). NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries, and directors of the departments of agriculture in all fifty states and four U.S. territories. To learn more about NASDA, please visit www.nasda.org.

###

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 2:27:06 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: 2 pm

It's perfect!

On Jul 5, 2017, at 10:19 AM, Paul Schlegel <pauls@fb.org> wrote:

Tate -- I heard from Dudley that he's planning to be at the mtg at 2. Hope it still works for you
paul

Paul Schlegel
Director, Energy and Environment Team

Direct:

Cell:

Ex. 6

Email: pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/12/2017 8:18:32 PM
To: Fred Bosco [FBosco@croplifeamerica.org]
CC: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: Re: Comments - Existing regulations - May 15

Hey! I meant for tomorrow at 5:15 but dovetailing onto weds is good!

On Jun 12, 2017, at 3:56 PM, Fred Bosco <FBosco@croplifeamerica.org> wrote:

Tate,
Unfortunately, Beau is tied up in meetings this afternoon and won't be out until well after 5:15p. He wanted to let you know that he will join the already-scheduled CLA-EPA meeting on Wednesday at 2pm with Nancy and hopes that you will join as well.

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: Ex. 6 | F: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Monday, June 12, 2017 12:56 PM
To: Beau Greenwood <BGreenwood@croplifeamerica.org>
Subject: RE: Comments - Existing regulations - May 15

Beau-

I know this sounds way too late in the day to be discussing this, but is 5:15 tomorrow evening at EPA a good time to meet with Nancy and I on this? We can keep it short!

Tate

From: Beau Greenwood [<mailto:BGreenwood@croplifeamerica.org>]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
Subject: Comments - Existing regulations - May 15

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: **Ex. 6** F: 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/10/2017 9:06:38 PM
To: Dale Moore [dalem@fb.org]
Subject: Please call

RE tomorrow AM Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/20/2017 1:25:14 PM
To: fpurcell@croplifeamerica.org
Subject: Quick call

Hi there!

Can you give me a quick shout?

Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/14/2018 5:58:15 PM
To: Britt Aasmundstad [britt@nasda.org]
Subject: Give me a shout when you can

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 2:47:28 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Found it!

http://ag.nv.gov/News/PR/2017/Attorney_General_Laxalt_Issues_Statement_Commending_Formal-Withdrawal_of_Waters_of_the_United_States_Rule/

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/12/2017 4:56:23 PM
To: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: RE: Comments - Existing regulations - May 15

Beau-

I know this sounds way too late in the day to be discussing this, but is 5:15 tomorrow evening at EPA a good time to meet with Nancy and I on this? We can keep it short!

Tate

From: Beau Greenwood [mailto:BGreenwood@croplifeamerica.org]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
Subject: Comments - Existing regulations - May 15

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400

Washington, D.C. 20005

P: Ex. 6 | F: 202-355-1411

E: FBosco@croplifeamerica.org

W: www.croplifeamerica.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 2:43:49 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: Updated WOTUS statements

No need. I'll dig up and resend. My public affairs guy must have missed.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Thursday, June 29, 2017 10:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Updated WOTUS statements

I had sent those and Laxalt to you Monday.

Will resend momentarily.

Just landed at 35x. Can call you in 10min re 7/24.

Get [Outlook for iOS](#)

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, June 29, 2017 10:40:59 AM
To: Adam Piper
Subject: RE: Updated WOTUS statements

My guy must have missed them. Are they readily available? If so, can you send them to Konkus.John@epa.gov and myself bennett.tate@epa.gov.

Let me know if you can connect on the 24th either today or tomorrow.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Thursday, June 29, 2017 10:37 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Updated WOTUS statements

Do you need AG Wilson and Morrissey individual statements?

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From: Hoelscher, Douglas L. EOP/WHO [mailto:Hoelscher.Douglas@epa.gov] **Ex. 6**
Sent: Thursday, June 29, 2017 10:31:29 AM
To: Brian Sanderson; Adam Piper
Subject: FW: Updated WOTUS statements

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 29, 2017 10:21 AM

To: Hoelscher, Douglas L. EOP/WHO [Ex. 6]
Cc: [Ex. 6] EOP/WHO (Intern); [Ex. 6] EOP/WHO (Intern)
[Ex. 6]
Subject: Fwd: Updated WOTUS statements

See below. I believe Bevin may have contributed as well.

States

Governor Kim Reynolds (IA): “Waters of the United States was a significant and severe case of government overreach by the Obama administration. I want to thank Secretary Pruitt for recognizing that WOTUS forced onerous and unnecessary burdens on Iowa’s farmers and businesses. I also want to express my appreciation to the Trump administration for its continuing commitment to work with states, not against them.”

Governor Eric Holcomb (IN): “I commend U.S. EPA Administrator Pruitt’s leadership as he seeks to roll back burdensome regulations that measurably impact Hoosier families, businesses and farms. I also thank Administrator Pruitt for actively seeking state input on the reformulation of this rule so that federal officials better understand the common sense approach needed to protect the environment and Hoosier jobs. Indiana knows best how to preserve our state’s waterways, and a one-size-fits-all approach from Washington disrupts the predictable regulatory climate we need for continued innovation and economic growth. Rescinding the 2015 WOTUS rule will allow Indiana’s environmental regulators and industry leaders, along with state and local officials, to effectively manage the quality of water we need to support public health, recreation and business for our state.”

Governor Sam Brownback (KS): “The Clean Water Rule was another example of bureaucrats in Washington, D.C. trying to run Kansas farms and ranches. Our state is a leader in water innovation, and Kansans have come together through community-led water preservation efforts spurred by our 50-year Water Vision. Our farmers and ranchers know best how to steward their water. We appreciate that President Trump and the EPA will now let our farmers farm and ranchers ranch.”

Governor Eric Greitens (MO): “When we took office, we asked our farmers and ranchers what we could do to fight for them. One of the things we heard is that they needed our help to push back against Obama’s Waters of the US regulations. Well, we took that message to Washington D.C. and the good news is they’ve heard us. They’ve heard that Obama’s Waters of the US regulations are hurting family farmers.”

Governor Pete Ricketts (NE): “Thank you to President Trump and Administrator Pruitt for delivering on your promise to roll back this job-killing regulation. This policy returns federal oversight of intra-state waterways to pre-2015 standards, respects the rights of private land owners and states, and provides for ample protection of clean water. Removing this threat to our state’s top industries gives Nebraska the freedom to grow more opportunities for the next generation in the areas of agriculture and manufacturing.”

Steve Nelson, Common Sense Nebraska: “Today, countless farmers, ranchers, homebuilders, manufacturers, county governments, golf courses, and small businesses are loudly celebrating

the demise of EPA's proposed WOTUS rule. For over two years, our coalition which represents the very industries who would have had to bear the brunt of this federal land grab, have worked tirelessly to stop this breathtaking assumption of authority by the federal government that flies in the face of Congressional intent, legal precedents, and even science. We want to thank the Trump Administration and EPA Administrator Pruitt specifically for now going back to the drawing board to write a new rule that actually protects water without trampling the rights of businesses and state regulatory agencies."

Greg Ibach, Director of the Nebraska Department of Agriculture: "I applaud the Trump Administration and Secretary Pruitt's announcement to walk away from the previous administration's WOTUS rule and begin the process to develop a new rule. The expansive reach and inability to determine what water or land may fall under jurisdiction under the existing regulation puts Nebraska's agriculture industry in jeopardy. Our farmers and ranchers have proven to be thoughtful stewards of our land and resources, and jurisdiction of those resources should be the responsibility of the states. I look forward to the development of a new rule, founded in common sense, that will support Nebraska's ability to protect our water and land resources."

The Attorneys General of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nevada, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, and Wyoming, and the Commonwealth of Kentucky, joint statement: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule."

Alabama Attorney General Steve Marshall: "We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS Rule. The WOTUS Rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years. The Rule's broad assertion of authority unlawfully impinges on the States' traditional role as the primary regulators of land and water resources. The WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution. Our States won a nationwide stay blocking enforcement of the rule and allowing the new administration time to work on withdrawing the Rule. We look forward to EPA's final action withdrawing the WOTUS Rule and providing relief for our States and their citizens."

Arkansas Attorney General Leslie Rutledge: "The full rescindment of this unlawful rule is a big win for Arkansas landowners. WOTUS has been enjoined because of the work of attorneys general, and today's action shows a clear signal that the EPA is returning to its core mission. I look forward to working with the agency as it works to draft a new, lawful rule that protects our waters and does not harm our farmers and ranchers, who continue to be the first conservationists."

Georgia Attorney General Chris Carr: "This is a significant step in addressing the WOTUS Rule's sweeping assertion of authority, which unlawfully impinges on the State's traditional role as the primary regulators of land and water resources," said Attorney General Chris Carr. "We look

forward to EPA’s final action to withdraw the 2015 WOTUS Rule, providing relief for Georgia homeowners, farmers and other entities.”

Tennessee Attorney General Herbert Slatery: “We fully support the action taken by EPA Administrator Pruitt. The WOTUS Rule would allow the federal government to claim regulatory authority clearly left to the states. It is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution.”

Wisconsin Attorney General Brad Schimel: “We fully support the proposed rule signed by EPA Administrator Pruitt today as a significant step in the direction of withdrawing the unlawful WOTUS rule. The WOTUS rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The rule also asserts federal authority over land covered by water only once every one hundred years. We look forward to EPA’s final action withdrawing the WOTUS rule and providing relief for our states and their citizens.”

Ryan Quarles, Kentucky Agriculture Commissioner: “I applaud EPA Administrator Scott Pruitt’s decision to propose a repeal of the destructive Obama-era ‘Waters of the United States’ rule. By requiring every puddle and pond to be subject to federal regulation, WOTUS represents exactly how executive overreach from Washington can harm Kentucky farmers and all of rural America. Earlier this year, I met with Administrator Pruitt to ask him to repeal this rule, and to uphold the law in the spirit of cooperative federalism between the national and state governments. I am proud to stand with President Trump and Administrator Pruitt as they work to undo the harmful rules and regulations enacted by the previous administration.”

Michigan Farm Bureau Associate National Legislative Counsel John Kran: Today’s statement from EPA and Army Corps of Engineers is a great step forward for Michigan’s farmers. The misguided WOTUS rule would have placed unnecessary burden on Michigan’s farmers, requiring a whole new level of regulation on nearly all of the state’s farmland. We know the importance of clean water, and farmers work relentlessly to protect our natural resources every day, but the WOTUS rules were excessive and totally ignored the concept of navigable water as originally defined in the Clean Water Act. We’ll continue to work with the Administration, Congress and through the courts to reverse the WOTUS rule. Michigan farmers know the importance of clean water and work hard to protect the watersheds surrounding them and the Great Lakes we all enjoy as residents of our state.”

Minnesota Farm Bureau President Kevin Paap: “Minnesota Farm Bureau was pleased with the EPA’s proposal to ditch the 2015 rule defining “Waters of the United States” (WOTUS). It was an over regulation that created confusion and uncertainty for regulators and farmers, ranchers and others who depend on their ability to work the land. We look forward to working with EPA Administrator Pruitt to write a new rule that protects water quality without trampling the rights of businesses and the states.”

Texas Farm Bureau President Russell Boening: “We are thankful new leadership has taken the action needed to repeal this flawed rule,” TFB President Russell Boening said. “WOTUS created unnecessary fears and concerns for Texas landowners who questioned whether they would be allowed to plow or plant in low-lying areas due to the threat of EPA citation. We hope this repeal will put an end to EPA’s regulatory overreach and will instead allow the agency to work as it was intended by our forefathers.”

Senators

Chairman of the Senate Environment and Public Works Committee, Senator John Barrasso (WY): “The WOTUS rule would have put backyard ponds, puddles, and prairie pot holes under Washington’s control. I applaud the Trump administration for working to remove this indefensible regulation. I will continue to work closely with the administration as it seeks commonsense ways to keep America’s water clean and safe.”

Senator Deb Fischer (NE): “Today’s announcement from the administration signals another important step toward full removal of the harmful WOTUS rule. All Nebraskans would have been affected by the far-reaching consequences of this misguided policy. I will continue to monitor the WOTUS withdrawal process to help ensure we see common-sense rulemaking that puts Nebraskans in charge of the decisions involving our state’s water resources.”

Senator Steve Daines (MT): “Today marks the beginning of restoring private property rights while protecting our environment. Out of state D.C. bureaucrats shouldn’t impose regulations that hurt Montana farmers, ranchers and landowners.”

Senator Chuck Grassley (IA): “This is great news for accountability in government. This was a bad regulation drafted under a bad process. The EPA over-reached its authority and ignored and manipulated legitimate concerns raised by the public. Farmers, land owners and builders in Iowa struggled to make sense of the regulation. Having the federal EPA and the Corps of Engineers require permits for routine land use decisions is a waste of resources that are better used enforcing existing regulations against discharging pollutants into the nation’s waterways. Agencies ought to enforce the laws as Congress intended, not stretch beyond their authority to inflict unnecessary expense and red tape on law-abiding farmers and employers.”

Senator Joni Ernst (IA): “I am pleased that the Trump administration is taking another important step toward eliminating this burdensome WOTUS rule. In Iowa, 97 percent of the land is subject to extensive overregulation by the EPA and unnecessarily hamstringing our farmers, businesses and manufacturers. All across Iowa, folks are calling for this rule to be scrapped, which is why I have led efforts in the Senate to do just that. This is good news for Iowa and rural communities across the country as we move closer to finally eliminating this overreaching rule.”

Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, Senator Pat Roberts (KS): “I’m pleased Administrator Pruitt and the EPA has listened to our concerns and has taken an important first step to rescind the infamous WOTUS rule. For too long, this rule has burdened not only farmers and ranchers, but landowners of all sizes, across the country. With a rewrite of the WOTUS rule, I look forward to seeing a rule that recognizes and respects the environmental strides taken by the American farmer and rancher. I’m grateful to have an EPA that listens to and addresses the concerns of rural America, a vital segment of our economy and true stewards of our natural resources.”

House Members

Speaker of the U.S. House, Paul Ryan: “The West has finally won in the battle over the Obama administration’s WOTUS rule. This regulation would have been a disaster for the West and rural communities across the country, giving Washington near-total control over water resources.”

The livelihoods of American farmers, ranchers, and entrepreneurs were at stake. I applaud the Trump administration for siding with American jobs and rescinding this harmful rule.

Chairman of the House Science Committee, Rep. Lamar Smith (TX): “Clean water is a necessity for all Americans. Today’s decision by EPA and the Army Corps of Engineers to go back to the basics and build a better policy with input from local stakeholders puts the power back in the hands of the people. The Obama administration imposed heavy-handed federal regulations on virtually every private and public lake, pond and stream across the country. A full repeal of this rule will further protect private landowners and farmers from federal regulatory overreach. I look forward to a policy that actually helps protect clean water without unnecessary regulation.”

Chairman of the House Natural Resources Committee Rob Bishop (UT): “This rule aggrandized federal bureaucrats at the expense of farmers’ water and private property rights. EPA’s decision to stay and now rescind WOTUS is another welcome act from the Trump Administration to return power back to the states and untangle harmful Washington excesses.”

U.S. Rep. Mike Bost (IL): “Turning back WOTUS is a clear win for Southern Illinois’ hardworking farmers, ranchers, construction workers, and manufacturers. The Obama Administration’s WOTUS rule was a federal power grab of epic proportions, expanding EPA control to puddles, ditches and farmland ponds across America. That’s why I have fought so hard to eliminate this misguided rule. We must be good stewards of the environment, but we can do so without imposing crushing D.C. regulations that will put Southern Illinois’ economy at risk and impact millions of rural Americans.”

U.S. Rep. Paul Gosar (AZ): “Today’s announcement is excellent news for communities throughout the country. The Obama Administration threatened the very livelihoods of farmers, ranchers, small businesses and water users when unilaterally enacting the job-killing WOTUS Rule by executive fiat. The Trump Administration has already made great strides in rolling back this unconstitutional mandate and I am thrilled to see EPA Administrator Pruitt continue that good work with today’s proposed rule. Western Caucus members look forward to working closely with the administration to put a nail in the coffin of Gina McCarthy’s water grab.”

U.S. Rep. Scott Tipton (CO): “This announcement from Administrator Pruitt is welcome news. State law and priority-based systems have ensured clean, safe, and reliable water supplies for over a century in Colorado and the West. The WOTUS rule would have usurped long-held state water law and threatened access to private water rights. Western water users will now have much needed certainty while the EPA re-writes the definition of ‘Waters of the United States.’”

U.S. Rep. Dan Newhouse (WA): “I applaud the action taken by the EPA and U.S. Army Corps of Engineers to follow up on President Trump’s order to review the intrusive and overreaching Waters of the United States rule. I look forward to working with my colleagues and EPA Administrator Pruitt to replace the ill-conceived WOTUS rule with a commonsense proposal that protects clean water, as well as the water and property rights of farmers, ranchers, small businesses, and water users across the country.”

U.S. Rep. Steve Pearce (NM): “This is great news for stronger job growth throughout New Mexico. Under the WOTUS Rule, Washington bureaucrats were given complete authority to regulate small streams along with natural and manmade ditches on lands owned by farmers,

ranchers, and small businesses. This unlawful expansion of power proposed by the Obama Administration would drive up costs for landowners and cost thousands of jobs. I'm pleased to see the EPA and the Army Corps of Engineers recommit to strengthening rural economies."

U.S. Rep. Bruce Westerman (AR): "I am happy that the administration has listened to the concerns of those most impacted by this egregious, unconstitutional overreach by the Environmental Protection Agency. The decision to withdraw the previous administration's WOTUS rule is a win for private property rights and will have a positive impact on farmers, ranchers, and other job creators."

U.S. Rep. Cathy McMorris Rodgers (WA): "WOTUS is one of the most burdensome EPA rules of the Obama Administration. You think about the impact it's had on rural communities, on our cattlemen and farmers— it's making it more and more difficult for hardworking Americans to be successful. It's something I've heard about frequently in Eastern Washington. Thank you to President Trump and his administration for taking action to ensure this rule no longer targets our rural communities."

U.S. Rep. Tom Emmer (MN): "I am pleased with today's actions by the Trump Administration to repeal the harmful and overly burdensome WOTUS rule. While there is still work to be done to redefine WOTUS, this step gives our nation's farmers, manufacturers and home builders greater certainty and gets the federal government out of their way. This is a welcome move that will benefit our economy today and for years to come."

U.S. Rep. Doug Lamborn (CO): "The previous administration used the vague language in the WOTUS Rule to harm local communities—including ranchers, farmers, small business owners. I am grateful that this new ruling will establish regulatory certainty and restore order to state and tribal water laws that should have jurisdiction over these bodies of water. I look forward to a revision of this rule that will empower local landowners instead of giving power solely to the federal government."

U.S. Rep. Mike Johnson (LA): "The so called 'WOTUS Rule' was a gross overreach by the Obama Administration and put mud puddles and backyard ditches under government control. Farmers and every day Americans all across the country have been subjected to new, burdensome regulations that kill jobs and further hinder the economy. Removing this rule will restore common sense to water regulation and return power back to the states and to the people."

***U.S. Rep. Rick Allen (GA):** "The WOTUS rule was flawed from the beginning, and I applaud EPA Administrator Scott Pruitt's action to rescind this regulation. WOTUS was yet another attempt by the previous administration to undermine the rights of states, local governments and landowners by allowing the federal government to regulate backyard streams and puddles. Our farmers work each and every day to care for our land and preserve it for generations to come. I am happy to see the Trump Administration empowering America's farmers and taking another step towards removing the overreaching hand of government from their everyday lives. In February, I introduced H.R. 1105, legislation to repeal the WOTUS rule and now that the EPA has rescinded the rule, Congress must codify this language to ensure WOTUS can never become a reality under any future administrations."

***U.S. Rep. Doug LaMalfa (CA):** “The job-killing WOTUS Rule was one of the most egregious regulations implemented by the Obama Administration and former EPA Administrator Gina McCarthy. The repeal of this mandate is nothing short of a victory for private property rights across the country. Many in California’s first district have expressed their frustrations with this rule, such as California farmer John Duarte, who faces millions of dollars in fines under this rule – simply for plowing his fields. We have more work to be done, but I am thankful President Trump and EPA Administrator Scott Pruitt have shown a commitment to fighting this type of over-burdensome regulation that was indicative of the previous administration’s power grabs.”

U.S. Rep. Raul Labrador (ID): I applaud the Trump administration for continuing to roll back excessive regulations that are harming Idaho’s businesses and communities. I strongly opposed the previous administration’s ‘WOTUS’ rule and I worked with my colleagues on a legislative fix. Regulatory reform is critical to Idaho’s economy, and I appreciate the administration for continuing to show leadership on these types of issues.”

U.S. Rep. Martha McSally (AZ): “WOTUS is a sweeping regulation written by unelected bureaucrats that would give the EPA jurisdiction over any type of body of water on private land—lakes, ponds, creeks, and even desert washes. I have heard from countless small businesses, farmers, and ranchers that this rule prevents them from doing their job, which is why I led dozens of my colleagues in Congress in writing to the Administration in February urging the President to reverse this rule for the sake of Southern Arizona and communities throughout the United States. I am pleased with the EPA’s decision to repeal the harmful WOTUS rule—and I know that Americans across the country are relieved by this news.”

U.S. Rep. Lee Abraham (LA): “I represent one of the largest row crop districts in the nation, and nearly every farmer I talk to wants this rule repealed. As an active farmer myself, I understand and share their frustrations with WOTUS. Today’s news is a welcomed relief for farmers around this country, and I thank President Trump and Administrator Pruitt for the actions they’ve taken so far to repeal this terrible rule.”

U.S. Rep. Roger Marshall (KS): "I commend and thank the Trump Administration for their decisive and effective actions to repeal the misguided Waters of the United States rule. Kansas farmers, ranchers, businesses and even municipalities know all too well, WOTUS dramatically expanded the reach of the federal government with minimal improvements in water quality. Today’s announcement serves as a tremendous relief to Kansans and provides the regulatory certainty we need to grow. This is yet another exciting step in fulfilling this Administration and Congress’ promise to return government to its proper role."

U.S. Rep. Louie Gohmert (TX): Washington bureaucrats in cubicles should not be deciding the fate of our waterways, nor should they be allowed to completely and arbitrarily control the economic fate of landowners even to the point of ending their ability to make a living. Unelected bureaucrats have, for years, been enviously dreaming of the day they could control American landowners' property by the backdoor methods of completely controlling everything involving water on or near the land. Repealing the Obama Administration’s WOTUS Rule is essential in getting the federal government out of everyday farming operations. It is neither right nor fair to subject producers and landowners to jurisdictional protocols and extraordinary levels of compliance charges. Today the EPA took a giant step forward in safeguarding the water rights of hard-working Americans and ending the federal power grab the Obama

Administration engineered. It is a victory for those who love liberty and something called private property.”

U.S. Rep. Andy Biggs (AZ): I applaud Administrator Pruitt for his proposal to repeal the Waters of the United States (WOTUS) Rule, which was one of the most onerous rules from the Obama administration. WOTUS was opposed by over 200 organizations and local communities and would have had devastating effects on western states, including Arizona. This action provides another example that the Trump administration favors freedom and prosperity for our economy over regulatory outreach, and we join the administration in their efforts.”

U.S. Rep. Doug Collins (GA): “Northeast Georgia farmers, ranchers, and small businesses are natural conservationists who have been overburdened by the illogical Waters of the United States regulation. I applaud the Army Corps of Engineers and Environmental Protection Agency for their move to repeal the WOTUS rule in favor of statutes that actually serve our communities and steward their natural resources wisely.”

U.S. Rep. Markwayne Mullin (OK): “Since the previous administration put the WOTUS Rule in place, I have been fighting tooth and nail to overturn it. The harmful effects it has on our farmers, ranchers, and small businesses are felt nationwide. Moreover, the WOTUS Rule allowed Washington bureaucrats to regulate the streams and creeks in the backyards of Oklahomans, when in reality these bureaucrats don’t know the first thing about a backyard like mine.” “The rule proposed today by the EPA and Army Corps of Engineers delivers the long overdue relief from this unlawful water grab that our farmers and ranchers desperately need. I’m grateful to EPA Administrator Scott Pruitt for acting swiftly to repeal this misguided rule.”

U.S. Rep. Kristi Noem (SD): “Under the Obama-era WOTUS rule, treating your lawn for mosquitos, putting up a fence in your backyard or spraying your crops could become federally regulated activities that carry substantial fines if violations occur – knowingly or unknowingly. The Trump administration is right to propose a repeal.”

U.S. Rep. Liz Cheney (WY): “The Clean Water Rule was a power grab by the Obama Administration that attempted to expand federal control and regulations well beyond the initial scope of Waters of the U.S. The rule threatened the loss of precious resources for hardworking ranchers and farmers in Wyoming, and if left unchecked, would have devastated our rural economy. I am pleased to see EPA Administrator Pruitt and the Army Corps of Engineers taking these steps to return power to the states and provide them with regulatory certainty. I also remain committed to working in Congress towards a full repeal of burdensome regulations imposed by the previous administration.”

House Agriculture Committee Chairman K. Michael Conaway (TX-11): “WOTUS has never been about clean water, it was about feeding the Obama EPA’s insatiable appetite for power. Well that ends now. Today’s EPA announcement is an important first step to getting the federal government out of America’s backyards, fields and ditches and restoring certainty and integrity to our regulatory process. But our work isn’t done. As the case of California farmer John Duarte clearly highlights, the Corps and DOJ also need to re-evaluate and revise their enforcement of the Clean Water Act and WOTUS to ensure we protect our farmers and ranchers from onerous fines and penalties that threaten their way of life. I have confidence this administration will get the policy right and allow farmers and ranchers to be the capable stewards of the land they’ve always been.”

U.S. Rep. Bob Gibbs (OH): “I applaud Administrator Pruitt’s announcement to withdraw the Obama-era Waters of the United States rule, which expanded federal authority at the expense of the states and eroded private property rights. The EPA should not treat farmers, ranchers, homebuilders, local governments, or state environmental agencies as adversaries but rather collaborators in drafting a new WOTUS rule. American farmers who feed the world are among those most concerned with protecting our environment. The next WOTUS rule should take their opinions and concerns into account and I look forward to working with Administrator Pruitt to craft a reasonable rule that protects the environment and private property rights at the same time.”

Industry

U.S. Chamber of Commerce Senior Vice President for Environment, Technology, and Regulatory Affairs Bill Kovacs: “We commend EPA for taking an analytical approach to repealing and fixing the misguided WOTUS rule. Now, all stakeholders will have an opportunity to provide public comment, and the agency will have the proper time to analyze the input and unwind a confusing rule that impacted America’s businesses, farmers, and land owners. The final WOTUS rule issued by the last administration was unworkable, a fact acknowledged by courts around the country, and amounted to a massive grab of regulatory authority by an EPA that was overreaching. We look forward to working with Administrator Pruitt and his team to craft a rule that protects public health and the environment, while giving clarity and certainty to our nation’s farmers and job creators.”

National Farmers Union (NFU) President Roger Johnson: “Family farmers and ranchers are the stewards of our land, and they understand the importance of clean water today and for future generations. Farmers also need regulatory certainty. NFU was engaged in the WOTUS rulemaking process to ensure family farmers ended up with an appropriate and definitive final rule, yet opposed the final WOTUS rule because it was ultimately an expansion of the Clean Water Act’s jurisdiction. Any new rule should ensure the agriculture community can conduct its business free from fear of undue regulatory interference and without sacrificing the agencies’ ability to protect the United States’ water resources.”

Texas farmer Wesley Spurlock, president of the National Corn Growers Association: “The goal of the Clean Water Act is to restore and maintain the integrity of the nation’s waters. The 2015 rule moved us further away from that goal. Repealing it is an important first step toward providing farmers the certainty and clarity we have long desired. We are thankful this Administration is working to draw clear lines in terms of what is and what is not jurisdictional under the Clean Water Act. In doing so, they will enable farmers to implement best management practices such as grass waterways and buffer strips without the burden of bureaucratic red tape or fear of legal action. These types of land improvements have enormous water quality benefits, such as reducing sediment and nutrient runoff—a win for farmers and the environment. Government should be making these actions easier, not more difficult. We salute the EPA and Army Corps of Engineers for their efforts. We stand committed to working with these agencies as they develop a new rule that defines jurisdictional boundaries in clear terms that are inclusive of the realities of farming.”

National Rural Electric Cooperative Association (NRECA) CEO Jim Matheson: “We appreciate EPA Administrator Pruitt recognizing the need to revisit this overbearing regulation and avoid

needless increased costs for millions of electric co-op consumers. As written, the rule would dramatically expand federal oversight of features that only hold water after a rain. This would have increased costs and impaired the ability of co-ops to build and maintain power lines. We encourage EPA and the Army Corps of Engineers to propose a new common-sense rule that recognizes the role of the states, protects the environment, and allows co-ops to continue providing affordable and reliable power.”

Zippy Duvall, president, American Farm Bureau Federation: “Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day. But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected. Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

National Mining Association (NMA) President and CEO Hal Quinn: “This sets in motion a welcome correction to a deeply problematic regulation that ignored the careful balance that Congress struck between federal and state water regulation and Constitutional limits on federal authority. Under the guise of clarifying federal Clean Water Act jurisdiction, the WOTUS rule impermissibly expanded federal jurisdiction to virtually any standing body of water -- from roadside drainage ditches to local green energy projects. We look forward to working with the administration as it replaces the WOTUS rule with environmentally responsible policies that provide regulatory clarity for businesses and proper recognition of state authority to manage water quality as Congress intended.”

Edison Electric Institute (EEI) President Tom Kuhn: “EEI’s member companies are committed to a healthy environment and to a clean and affordable energy future. By rescinding the problematic Waters of the United States (WOTUS) rule, EPA Administrator Pruitt and the Army Corps of Engineers have taken an important step to reconsider a rule that, if left unchanged, would have triggered substantial new regulatory requirements for critical electric company operations, creating substantial compliance costs. As EEI and allied stakeholders consistently have noted through comments and through our participation in litigation challenging the current WOTUS rule, our industry supports a new rulemaking that more clearly and narrowly defines which waterbodies are subject to federal jurisdiction, and enhances opportunities to streamline energy infrastructure permitting. We also thank EPA and the Army Corps of Engineers for seeking more input from the states on the rulemaking, and look forward to working with their staffs as they review and revise the regulations.”

National Association of State Departments of Agriculture (NASDA) President and Louisiana Commissioner of Agriculture Michael G. Strain: “The EPA has sided with state and local governments, farmers, landowners, and small businesses in their decision to rescind this burdensome regulation. The 2015 rule lacked clarity, and was fraught with procedural concerns and violations of congressional intent, making it necessary to start over with a new rule that protects clean water and respects state regulatory authority. State laws and programs partner with EPA, farmers and ranchers, and local entities to protect clean water every day. We look

forward to working cooperatively with the EPA in developing – and eventually implementing – a new rule.”

Environmental Council of the States (ECOS) President John Linc Stine, Commissioner of the Minnesota Pollution Control Agency: "Today's proposed rule is a key step in creating an opportunity to develop a regulatory approach to defining waters of the United States in a fully collaborative fashion. We look forward to a productive, results-oriented conversation among states, EPA, the Army Corps of Engineers, and all stakeholders to provide greater regulatory certainty and clarity, and to ensure that waters are protected by an appropriate allocation of state and federal laws, regulations, programs, and resources."

National Stripper Well Association Chairwoman Darlene Wallace: "Today's actions by President Trump in repealing the deeply misguided Waters of the United States rule implemented by the last administration gives NSWA membership cause to celebrate the President keeping his promises and working to protect small businesses and oil and gas producers. The terrible impacts facing small oil and gas producers as a result of the over expansive and unnecessary regulation proposed by the previous administration are wiped away putting another promise kept and another sign that relief for American businesses is on the way. NSWA also wants to thank Administrator Pruitt and all the staff at EPA for their hard work in delivering this relief for the American workers."

American Exploration & Mining Association Executive Director Laura Skaer: "Our members are greatly encouraged to see the Trump administration undo this unnecessary rule and return states' authority over water regulation and regulatory certainty that is crucial to a prosperous American mining industry. Mining is ready to get back to work and grow communities. Ending this deeply flawed rule allows us to do just that."

National Cattlemen's Beef Association President Craig Uden: "This is another great step in the right direction, and the Administration deserves a great deal of credit for injecting some much-needed common sense into our nation's environmental policies. It's important to remember, though, that this rule isn't dead yet. The rulemaking process continues, and NCBA will submit and solicit additional comments on behalf of America's cattle producers so that they finally get the sanity and clarity they need on land use policy."

Public Lands Council President Dave Eliason: "We applaud President Trump and Administrator Pruitt for their leadership in repealing the 2015 WOTUS rule. Ranchers in the West are already subject to an elevated level of regulatory overreach, and the WOTUS rule as written would have only made the problem worse. It is reassuring to see the steps that this administration is taking to relieve some of that regulatory burden and provide certainty for our producers."

National Pork Producers Council President Ken Maschhoff: "This is great news for America's pork producers. The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands. It was the product of a flawed regulatory process that lacked transparency and likely would have been used by trial lawyers and environmental activists to attack farmers. We're extremely grateful to President Trump and EPA Administrator [Scott] Pruitt for recognizing the dire consequences this ill-advised Obama-era regulation would have had on pork producers and all of American agriculture."

American Petroleum Institute Upstream and Industry Operations Group Director Erik Milito:

“Today’s action by the administration will help spur U.S. job creation by providing the regulatory certainty needed to encourage investment and advance America’s energy leadership. This rule would have imposed burdensome and costly regulations, and stifled energy production with little to no environmental benefit. API member companies are committed to protecting the environment, but this rule represented a broad and unwarranted expansion of the federal government, especially when the Clean Water Act already prohibits discharges of pollutants that ultimately flow into navigable waters. We applaud the administration’s actions to rescind this harmful rule and to recognize that our industry is part of the solution in helping create American jobs, boost the economy, and protect the environment. We look forward to working with the administration on forward-looking policies that eliminate regulatory uncertainty for businesses.”

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/20/2017 1:16:29 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Can you give me a shout when your free

Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/26/2017 6:55:30 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE: WPS background

You bet. Let me get through the hearing tomorrow.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Monday, June 26, 2017 1:55 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: WPS background

Tate --
Wanted to share some background material with you in case you might not have seen this stuff.
When you have a chance, I'd like to talk about it.
Thanks
Paul

Paul Schlegel
Director, Energy and Environment Team
Direct: **Ex. 6**
Cell:
Email: pauls@fb.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/10/2017 1:28:08 AM
To: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: Re: Comments - Existing regulations - May 15

So interestingly enough, Nancy already has a meeting on the books w crop life next week. Are you in that one? Maybe on another topic?

> On Jun 9, 2017, at 6:14 PM, Beau Greenwood <BGreenwood@croplifeamerica.org> wrote:

>
> Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

>
> Hope to see you next week.

>
> Beau.

>
>
> Beau Greenwood
> Executive Vice President
> CropLife America
> Washington, DC

> Begin forwarded message:

>
> From: "Fred Bosco" <FBosco@croplifeamerica.org<mailto:FBosco@croplifeamerica.org>>
> To: "Beau Greenwood" <BGreenwood@croplifeamerica.org<mailto:BGreenwood@croplifeamerica.org>>
> Subject: Comments - Existing regulations - May 15

>
>
>
> Thank you,
> Fred

>
> Fred Bosco
> Government Relations Coordinator
> CropLife America
> 1156 15th Street NW, Suite 400
> Washington, D.C. 20005
> P: Ex. 6 I F: 202-355-1411
> E: FBosco@croplifeamerica.org<mailto:FBosco@croplifeamerica.org>
> W: www.croplifeamerica.org<http://www.croplifeamerica.org/>

>
> <CropLife America Comments on Evaluation of Existing Regulations signed.pdf>
> <EPA-HQ-OA-2017-0190 PPC Comments re Regulatory Reform.pdf>
> <EPA-Final17.0515 AFBF et al.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 6:31:52 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Thanks!

On Jun 27, 2017, at 2:31 PM, Paul Schlegel <pauls@fb.org> wrote:

fyi

<image002.jpg>

Contacts: Will Rodger
(202) 406-3642
willr@fb.org

Kari Barbic
(202) 406-3672
karib@fb.org

Farm Bureau Applauds EPA Move to Ditch Flawed WOTUS Rule

WASHINGTON, D.C., June 27, 2017 – The following statement may be attributed to Zippy Duvall, president, American Farm Bureau Federation:

“Farmers and ranchers across this country are cheering EPA’s proposal today to ditch its flawed Waters of the U.S. rule. We know the importance of clean water, and farmers and ranchers work hard to protect our natural resources every day.

“But this rule was never really about clean water. It was a federal land grab designed to put a straightjacket on farming and private businesses across this nation. That’s why our federal courts blocked it from going into effect for the past two years. Today’s announcement shows EPA Administrator Pruitt recognizes the WOTUS rule for what it is—an illegal and dangerous mistake that needs to be corrected.

“Farm Bureau looks forward to supporting Administrator Pruitt’s proposal. EPA should ditch this rule once and for all, go back to the drawing board, and write a new rule that protects water quality without trampling the rights of businesses and the states.”

Paul Schlegel
Director, Energy and Environment Team
Direct: (202) 406-3687
Cell: (202) 459-8831
Email: pauls@fb.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, June 27, 2017 2:29 PM

To: Paul Schlegel

Subject: Fwd: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 27, 2017 at 2:26:44 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Good afternoon! This Federal Register notice was just signed by Administrator Pruitt. Let us know if you have any questions.



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON - (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. **"This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."**

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and

showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public," said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information: <http://www.epa.gov/wotus-ru>

<image003.png>

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/29/2017 5:57:07 AM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: Amendment to HR1029

Thanks, Paul!

On Jun 28, 2017, at 10:36 PM, Paul Schlegel <pauls@fb.org> wrote:

FYI in case you haven't seen

Sent from my iPhone

Begin forwarded message:

From: "Vlasaty, Andrew (Agriculture)" <Andrew_Vlasaty@ag.senate.gov>
Date: June 28, 2017 at 10:30:31 PM EDT
To: Greenwood Beau <bgreenwood@croplifeamerica.org>, Schlegel Paul <pauls@fb.org>, Hoskins Dudley <Dudley@nasda.org>
Cc: "Glueck, James (Agriculture)" <James_Glueck@ag.senate.gov>
Subject: Amendment to HR1029

Here is the Gillibrand amendment which will be offered and withdrawn.

If you have any question let us know.

<Gillibrand Amendment_HR1029.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/14/2017 12:53:07 AM
To: donp@fb.org
Subject: Fwd: Mind passing this along?

FYI great photo

Sent from my iPhone

Begin forwarded message:

From: Bennett.Tate@epa.gov
Date: July 13, 2017 at 8:27:33 PM EDT
To: tasmith@gfb.org
Subject: Mind passing this along?

Nice meeting you earlier this week!



Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/7/2017 1:07:45 PM
To: apiper@ruleoflawdefensefund.org
Subject: Fwd: WOTUS- Do not forward, please.

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: July 5, 2017 at 6:20:02 PM EDT
To: "Walker, Trey" <TWalker@governor.sc.gov>
Subject: Re: WOTUS- Do not forward, please.

FYI Sen. Scott is currently holding the date as well.

7/24 WOTUS Tour Rollout, outside Charleston, S.C.

10:00 AM- Gather at Super Sod (outside Charleston).

10:05-11 AM- Farm Tour for electeds

11 AM-11:45- Roundtable discussion on WOTUS, inside shop

11:45- 12:00- Local radio/press gaggle (per Jahan's guidance)

Invitees- Governor McMaster, AG Wilson, Sen. Scott, Rep. Gowdy, Nikki Hayley, Local Ag Leaders, SC Farm Bureau, Representatives from SC Homebuilders.

On Jul 5, 2017, at 6:13 PM, Walker, Trey <TWalker@governor.sc.gov> wrote:

Tate,

We're getting calls about a July 24th event in South Carolina with Administrator Pruitt and other state elected officials on WOTUS. I recall you mentioning to me a few weeks ago the potential for a July visit, but we haven't seen any request for the governor's participation or any scheduling details. Are these the same events?

Trey Walker
Chief of Staff
Office of the Governor
South Carolina Statehouse
Columbia, SC 29201

Ex. 6

twalker@governor.sc.gov

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Monday, June 26, 2017 4:39 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: WOTUS- Do not forward, please.

All-

Administrator Pruitt could potentially sign a Federal Register notice as early as tomorrow afternoon proposing a rule to repeal the 2015 WOTUS final rule.

Knowing of the importance of this issue to your state/office, we just wanted to flag now so your teams can plan any releases/statements accordingly. We will circle back with an update tomorrow.

Below are a few notes on the FR notice, and please let us know if you have any questions in the meantime.

Best.

Tate Bennett

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6

--The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to repeal the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States."

--This action would provide regulatory continuity and certainty in the interim pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States."

--The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

--This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule."

--The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

--The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

--The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/11/2017 5:54:18 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: joe.cain@kyfb.com; Hoelscher, Douglas L. EOP/WHO [Ex. 6]; Clark, Justin R. EOP/WHO [Ex. 6]; Johnson, Julia B. EOP/WHO [Ex. 6]; King, Eric L [ericl.king@uky.edu]; will.snell@uky.edu; undulatafarm@aol.com; kelsie.bickett@ky.gov; Vlasaty, Andrew (Agriculture) [Andrew_Vlasaty@ag.senate.gov]; Judd Deere [judd.deere@arkansasag.gov]; 'Gardner, Judd (Moran)' [Judd_Gardner@moran.senate.gov]; Don Parrish [donp@fb.org]; Paul Schlegel [pauls@fb.org]; Dudley Hoskins [Dudley@nasda.org]; Britt Aasmundstad [britt@nasda.org]; 'blake.rollins@osec.usda.gov' [blake.rollins@osec.usda.gov]; joe.cain@kyfb.com; mark.haney@kyfb.com; [Ex. 6] appolofuelsam@kyn.twcbc.com; [Ex. 6]
Subject: ICYMI: EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

EPA Administrator Pruitt Addresses American Farm Bureau's State Leadership Meeting

Scott Pruitt reaffirms Trump Administration's commitment to American farmers

WASHINGTON, D.C. (July 11, 2017) - U.S. Environmental Protection Agency Administrator Scott Pruitt addressed the American Farm Bureau Federation's State Leadership Meeting earlier today to discuss EPA's recent decision to begin rescinding the 'Waters of the U.S.' rule (WOTUS), as well as other issues of concern to American farmers.

"EPA is returning power to the states and standing with farmers who have been hurt by misguided policies of the past," said Administrator Pruitt. **"The farming industry deserves regulatory certainty and I committed that to them today. The group expressed gratitude that their voices are being heard for the first time in a long time and I look forward to an ongoing partnership with the agriculture community in the future."**

The address follows the Administrator's visit to Gully Branch Tree Farm in rural Georgia last week where he and U.S. Secretary of Agriculture Sonny Perdue visited one of Georgia's premier outdoor classrooms to promote environmental stewardship and reaffirm the Trump Administration's commitment to farmers and foresters.

U.S. Environmental Protection Agency Administrator Scott Pruitt addresses American Farm Bureau's
State Leadership Meeting

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Newsroom](#)

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/7/2017 1:06:35 PM
To: apiper@ruleoflawdefensefund.org
Subject: Fwd: Line by Line

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: July 5, 2017 at 5:00:00 PM EDT
To: "jcleach@scda.sc.gov" <jcleach@scda.sc.gov>
Cc: "Shimmin, Kaitlyn" <shimmin.kaitlyn@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Morris, Madeline" <morris.madeline@epa.gov>, "Hupp, Millan" <hupp.millan@epa.gov>
Subject: Line by Line

Hey Clint! Let me know if this looks right to you? Cc'ing relevant folks on my end as well.

7/24 WOTUS Tour Rollout, outside Charleston, S.C.

10:00 AM- Gather at Sod Busters (Ridgeland, SC—I believe this is the company you recommended outside Charleston). Do you have a good address? Onsite POC?

10:05-11 AM- Farm Tour for electeds

11 AM-11:45- Roundtable discussion on WOTUS, inside shop

11:45- 12:00- Local radio/press gaggle (per Jahan's guidance)

Invitees- **Governor McMaster, AG Wilson, Sen. Scott, Rep. Gowdy, Nikki Hayley, Local Ag Leaders, SC Farm Bureau, Representatives from SC Homebuilders.**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/28/2017 9:16:30 PM
To: John Campbell [JohnCa@mdac.ms.gov]
CC: Dudley Hoskins [Dudley@nasda.org]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Re: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Let's get it on the books.

On Jun 28, 2017, at 4:09 PM, John Campbell <JohnCa@mdac.ms.gov> wrote:

Let's plan on a call soon.. Interested to hear any discussion surrounding the dicamba technology.

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, June 28, 2017 2:20 PM
To: Dudley Hoskins; John Campbell
Cc: Konkus, John
Subject: RE: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Thanks, John! Hope you are well. Let's connect soon.

From: Dudley Hoskins [<mailto:Dudley@nasda.org>]
Sent: Wednesday, June 28, 2017 3:00 PM
To: John Campbell <JohnCa@mdac.ms.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Thanks John!

Hope you and Tate have a chance to connect sometime – good people all around!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: John Campbell [<mailto:JohnCa@mdac.ms.gov>]
Sent: Wednesday, June 28, 2017 2:53 PM
To: Bennett.Tate@epa.gov
Cc: Dudley Hoskins
Subject: FW: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

Tate-

Dudley Hoskins asked me to send you our press release regarding WOTUS.

On a separate note, if I can be of assistance to you on any other issue, please let me know.

Thank you,

John G. Campbell

*Deputy Commissioner
Mississippi Department of Agriculture and Commerce*

*121 North Jefferson St.
Jackson, MS 39201*

Office: Ex. 6

Cell: Ex. 6

Fax: (601) 354-6290

Email: johnca@mdac.ms.gov

From: Paige Manning
Sent: Wednesday, June 28, 2017 1:35 PM
To: Paige Manning
Subject: Press Release - Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

PRESS RELEASE

FOR IMMEDIATE RELEASE: June 28, 2017

Contact: Paige Manning, Director of Marketing and Public Relations
Phone: (601) 359-1163
E-mail: paige@mdac.ms.gov

Ag Commissioner Hyde-Smith Applauds EPA's Decision to Rescind WOTUS

JACKSON, Miss. — Commissioner of Agriculture and Commerce Cindy Hyde-Smith applauds the decision by the U.S. Environmental Protection Agency (EPA) to rescind the 2015 Clean Water Rule and recodify the previous regulations.

“I am pleased with the actions taken by the EPA and their willingness to consider the impacts this rule would have had on our farmers and ranchers,” said Hyde-Smith. As President of the Southern Association of State Departments of Agriculture (SASDA), Hyde-Smith looks forward to working with the EPA and agriculture commissioners and secretaries from across the country in developing a new rule.

“We must work collectively to ensure that our state's and nation's waters are kept clean, while simultaneously addressing the needs of our farmers, ranchers, and the agribusiness community. Farmers are some of the best conservationists and stewards of our land and water, and it is imperative that we protect them from overreaching, burdensome regulations.”

Rescinding the 2015 rule is the first step of a two-step process to redefine “waters of the United States.” Once the proposed new rule is published in the Federal Register, the public will be able to submit written comments.

###

Paige Manning
Director of Marketing and Public Relations
Mississippi Department of Agriculture and Commerce

121 North Jefferson Street
Jackson, MS 39201
Phone: Ex. 6
Fax: (601) 354-6001
paige@mdac.ms.gov

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 10:37:07 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: blake.deeley@mail.house.gov; jason.gray@mail.house.gov; Tomlinson, Adam (Capito) [Adam_Tomlinson@capito.senate.gov]; Tomassi, Chris (Appropriations) [Chris_Tomassi@appro.senate.gov]; Johnson, Tommy [TommyJohnson@consolenergy.com]; tommy.andrews@mail.house.gov; Buchanan, Natalie [Natalie.Buchanan@mail.house.gov]; Rogers, Sarah [Sarah.Rogers@mail.house.gov]; McBride, Stacy (Blunt) [Stacy_McBride@blunt.senate.gov]; Horner, Elizabeth (EPW) [Elizabeth_Horner@epw.senate.gov]; Sewell, Jack B. EOP/WHO [John.B.Sewell@who.eop.gov]; Hoelscher, Douglas L. EOP/WHO [Douglas.L.Hoelscher@who.eop.gov]; Kirkland, William H. EOP/WHO [William.H.Kirkland@who.eop.gov]
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

ICYMI



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA’s efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/11/2017 5:41:12 PM
To: Dale Moore [dalem@fb.org]
Subject: RE: Hard stop

THANK YOU! Working on these follow ups on my end. We were lucky to have you organizing.

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

From: Dale Moore [mailto:dalem@fb.org]
Sent: Tuesday, July 11, 2017 1:39 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Hard stop

The Administrator was awesome this morning -- nothing but kudos and appreciation regarding his appearance. Thank you for making this work so great for all of our bosses. dwm

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

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 8:58 AM
To: Dale Moore
Subject: Hard stop

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/26/2017 4:21:17 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: WOTUS Tomorrow

Please relay an advance heads up from EPA:

A proposed withdraw rule of the 2015 WOTUS rule will likely be signed and sent to the Federal Register tomorrow.

It is just a WITHDRAW, a rewrite proposal later to come this year.

Please flag any media or send any questions to bennett.tate@epa.gov.

Messaging: Thank you Administrator Pruitt for following the President's direction and for starting the process of withdrawing this terrible rule that would have regulated every ditch and pothole.... Etc."

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/7/2017 3:58:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Blake.Deeley@mail.house.gov; Ed_Cox@hatch.senate.gov; aubrey_vaughan@paul.senate.gov; Leeann.Veatch@ky.gov; Debbie H [debbie@hohlt.com]; Judd.Deere@arkansasag.gov; Dudley@nasda.org; rick.vanmeter@mail.house.gov
Subject: Fwd: FOR APPROVAL: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview

We are doing another one of these this afternoon if your bosses want to send us any quotes.

From: EPA Press Office [<mailto:press=epa.gov@cmail19.com>] **On Behalf Of** EPA Press Office
Sent: Wednesday, June 7, 2017 10:18 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: WTAS: About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards - Preview



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

WHAT THEY ARE SAYING ...

About The EPA'S Decision To Delay Implementation of the 2015 Ozone Standards

Leaders Across The Country ...

Senate Majority Leader Mitch McConnell applauded Administrator Pruitt decision, calling the standards an attack on middle-class families from the Obama Administration. "I applaud Administrator Scott Pruitt for his decision to delay this Obama Administration issued regulation, which was finalized in October 2015. This

regulation was yet another attack on the Middle Class by the Obama Administration and was forced through despite significant concern from communities across the country. Today's postponement will give states and municipalities relief in the interim while EPA continues to review NAAQS levels." ([Press Release](#), 06/06/17)

West Virginia Senator Shelley Moore Capito said state and local employers had insufficient time to comply with these standards. "State and local governments and employers across the country have had insufficient time to comply with the latest revisions to the ozone standards. I commend Administrator Pruitt and his staff at the EPA for acknowledging this reality and acting today to delay existing standards." ([Press Release](#), 06/06/17)

Arizona Senator Jeff Flake said the EPA is working with Arizonans to protect the environment, instead of the previous administration's one-size-fits-all approach. "It's great to see the EPA working with Arizonans for a change. Nowhere are the flaws of previous administration's one-size-fits-all approach to regulating ozone more evident than in Arizona, a desert state where naturally-occurring ozone makes it impossible to meet the new federal mandate. While today's move buys Arizona much-needed time, I remain committed to advancing a solution that will provide permanent relief from this egregious and unworkable rule." ([Press Release](#), 06/06/17)

Texas Attorney General Ken Paxton praised Administrator Pruitt for pausing this costly and ineffective rule, which will help the economy in Texas. "I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I'm hopeful that the one-year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy." ([Press Release](#), 06/06/17)

Recent News Coverage ...

U.S. extends deadline for states to meet ozone pollution standard. "The U.S. Environmental Protection Agency said on Tuesday it was extending the deadline by one year for states to declare which areas do not meet the federal standard for ground-level ozone, a pollutant linked to several serious health conditions." ([Reuters](#), 06/06/17)

EPA's Pruitt delays Obama-era smog rules for a year. "The Environmental Protection Agency announced Tuesday that it is giving states another year to meet strict rules for smog-forming ozone emissions set by the Obama administration, citing states' confusion over regulatory requirements and the need for the EPA to review the regulations. ... Pruitt also announced that he is establishing the Ozone Cooperative Compliance Task Force to develop the "additional flexibilities for states to comply with the ozone standard," the agency said. Congress gave EPA the authority to create the task force under the recently passed fiscal 2017 spending bill." ([The Washington Examiner](#), 06/06/17)

Trump Delays One Of The Most Expensive EPA Regulations Ever. “The Trump administration announced Tuesday evening it would delay the implementation of a smog rule that’s been called one of the costliest clean air regulations ever.” ([The Daily Caller](#), 06/07/17)

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<!--[if !vml]-->

<!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/9/2017 3:42:40 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: RE: PRIA Coalition Members

Thanks!

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Friday, June 9, 2017 11:37 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: PRIA Coalition Members

Tate – thanks for your time yesterday. Per our conversation, I wanted to share the attached PRIA letters sent to the House (Feb 16) and Senate (May 1).

List of PRIA Coalition members included on the signature line.

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:59:32 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: 10 more min

Hahahahah that's what everyone keeps telling me.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, June 6, 2017 5:52 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: 10 more min

Breathe. There is light at the end of the tunnel.

[Get Outlook for iOS](#)

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, June 6, 2017 5:50:34 PM
To: Adam Piper
Subject: 10 more min

So sorry.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/11/2017 4:51:36 PM
To: Don Parrish [donp@fb.org]
Subject: RE: AR Farm Bureau

Yes! But Changing now. I'm moving into general Administrator immediate office (I think).

From: Don Parrish [mailto:donp@fb.org]
Sent: Tuesday, July 11, 2017 12:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: AR Farm Bureau

And thanks for the title.

Don R Parrish
American Farm Bureau Federation®

Ex. 6

donp@fb.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, July 11, 2017 12:26 PM
To: Don Parrish
Subject: AR Farm Bureau

Do you mind connecting me with them as well?

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:52:54 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]; Liz Murrell [elizabethmurrill@msn.com]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

We are still aiming to release this tonight. Standby

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, June 6, 2017 1:27 PM
To: Liz Murrell <elizabethmurrill@msn.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Liz -
Attached is embargoed background (the EPA's draft press release for later today) on the Ozone rule. Tate Bennett at the EPA is CC'd on this email for any questions you or AG Landry may have.

Thanks,
Adam

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From: Bennett, Tate <bennett.tate@epa.gov>
Sent: Tuesday, June 6, 2017 1:17 PM
Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY
To: Adam Piper <apiper@ruleoflawdefensefund.org>,

Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea.

From: Bowman, Liz
Sent: Tuesday, June 6, 2017 12:59 PM
To: Schwab, Justin <schwab.justin@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Attached, please find the updated draft press release and the updated letter (draft of press release with edits is below), which attempt to incorporate the legal edits you sent me into both. (copied and pasted below for reference). I did not change anything per their comments on the third paragraph [1] b/c an overstatement doesn't mean factually inaccurate, and it's Mandy's language that she discussed with Ryan. Therefore, I don't really feel like I can/should change it if it isn't factually inaccurate. I am copying Mandy on this email chain for her awareness...

Can you please either send these to the person that needs to review them or let me know who I need to send them to, in order to get both the letter and the press release signed off on by legal? Thank you! – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

"We share the goal of clean air, a robust economy and stronger, healthier communities."

- Administrator Pruitt

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

"States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance," **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in "nonattainment" of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to review effects associated with implementing the new standard.

"We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth," said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

###

Here are ARLO's views on the press release (and their request to review the letter):

Justin- There are a few statements in the press release that we want to flag for you, particularly the first two. Aside from that, I will note that ARLO has not seen the subject letter. Needless to say, we would strongly recommend a legal review of the letter since it is presumably the final agency action that is subject to challenge.

[1] The third paragraph says- “Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.” We are not sure to what “stiff federal penalties” and “restrictions on infrastructure investment” refer. We assume “lost highway dollars” refers to the highway funding sanction, but that is not a consequence of designation itself (it would in fact be quite far in the future and only if a state fails to give us an approvable plan; there are no sanctions for not meeting the standard), and we are not aware that any area has ever actually lost funding. While this sentence may not be inaccurate per se, it seems to at least be an overstatement.

[2] The sixth paragraph (with the three bullets) suggests that we will consider “adverse effects associated with implementing the new standard” as part of the reconsideration of the NAAQS, that would be inconsistent with Whitman v. American Trucking Associations and could introduce some legal risk for any reconsideration.

[3] The first sentence of the fourth paragraph is confusing because it suggests the one-year delay is providing states flexibility, which it doesn't. If you need to include something, it would be better to say something like, "This action will give states more time to develop air quality plans and EPA is also looking at providing greater flexibility to states as they develop their plans."

[4] The fifth paragraph says the additional time will allow the agency to “complete” its review of the standard. Not sure what is intended here but it would almost certainly take more than a year to complete a rulemaking to revise the standard, if that is the decision.

From: Schwab, Justin

Sent: Tuesday, June 6, 2017 9:53 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>

Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

As far as I can remember I have not been shown the letter.

Sent from my iPhone

On Jun 6, 2017, at 9:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Ryan and Mandy both approved this language, it's directly from the letter. Have you all read the letter?

From: Schwab, Justin

Sent: Tuesday, June 6, 2017 9:34 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>

Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Not sure the part about consequences for nonattainment is strictly correct. Will run this by the specialists in OGC

Sent from my iPhone

On Jun 6, 2017, at 9:23 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Can you all take a look at the press release below, with regard to the Ozone letters being sent today? Please let me know if you have any legal edits. We would like to get this out asap. Thank you – Liz

EPA TO EXTEND DEADLINE FOR 2015 OZONE NAAQS AREA DESIGNATIONS

“We share the goal of clean air, a robust economy and stronger, healthier communities.” - Administrator Pruitt

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA’s efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is granting states more time and flexibility to develop air attainment plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to weigh any adverse effects associated with implementing the new standard.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/23/2017 7:25:44 PM
To: Britt Aasmundstad [britt@nasda.org]; Dudley Hoskins [Dudley@nasda.org]
CC: Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Nathan Bowen [Nathan@nasda.org]
Subject: RE: connecting you

Thank you!

From: Britt Aasmundstad [mailto:britt@nasda.org]
Sent: Tuesday, May 23, 2017 2:42 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Nathan Bowen <Nathan@nasda.org>
Subject: RE: connecting you

Hi Tate and Jahan,

We think the below folks would be good points of contact and potential visits for a WOTUS tour. These are departments who were involved in WOTUS previously and have infrastructure to be helpful as well as unique water challenges:

- Commissioner John McMillan, Alabama
- Commissioner Doug Goehring, North Dakota or Secretary Jackie McClaskey, Kansas
- Secretary Jeff Witte, New Mexico (recommended) or Director Celia Gould, Idaho

Please let us know how we can continue to be helpful.

Thanks!

Britt

Britt Aasmundstad
National Association of State Departments of Agriculture
(202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, May 23, 2017 10:29 AM
To: Dudley Hoskins
Cc: Wilcox, Jahan; Nathan Bowen; Britt Aasmundstad
Subject: Re: connecting you

And please keep a close hold

On May 23, 2017, at 9:58 AM, Dudley Hoskins <Dudley@nasda.org> wrote:

Thanks Tate -- yes indeed. Please let us strategize internally and get back to you shortly. Thanks!

Sent from my iPhone

On May 23, 2017, at 9:55 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Dudley-

Working on putting together our WOTUS tour. Can you identify some good state Ag Commissioners (will keep confidential) for us to target while beginning to build out a plan? Copying Jahan who is running point.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:35:32 PM
To: Kennedy, Brian (Flake) [Brian_Kennedy@flake.senate.gov]; Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Still a hangup. 10 min

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/8/2017 10:28:45 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: blake.rollins@osec.usda.gov
Subject: Re: Contact list

Thank you!

> On May 8, 2017, at 6:02 PM, Dudley Hoskins <Dudley@nasda.org> wrote:
>
> Just passed this request on. I think someone from nasda is following up shortly.
>
> Sent from my iPhone
>
>> On May 8, 2017, at 4:29 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Dudley- do you have a master list of NASDA member office POC's + contact info that you can share?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/7/2017 2:40:28 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Paxton Mentions

<http://dailycaller.com/2017/06/07/trump-delays-one-of-the-most-expensive-epa-regulations-ever/>

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/16/2017 1:06:23 AM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nathan Bowen [Nathan@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: Worker Protection Standard Implementation Extension

You bet. Look forward to working together on this.

On May 15, 2017, at 8:06 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

I just wanted to send a quick note to say thank you to our EPA partners for considering and granting NASDA's request to extend the implementation of the WPS rule!

We included additional/specific recommendations in our Reg Reform comments on how to facilitate a successful path forward, and we would welcome the opportunity to work with OPP on incorporating those recommendations.

Please let me know if you have any questions or would like to discuss further at this time -- thank you!

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

From: Cleland-Hamnett, Wendy [<mailto:Cleland-Hamnett.Wendy@epa.gov>]
Sent: Friday, May 12, 2017 5:18 PM
To: Barb Glenn
Cc: Dudley Hoskins; Beck, Nancy; Keigwin, Richard; keany.kevin@epa.gov; Jakob, Avivah
Subject: Worker Protection Standard Implementation Extension

Dr. Glenn,

Please find attached a response to your request that EPA extend the implementation period for the revised Agricultural Worker Protection Standards. We are also sending a signed copy of the letter via the mail.

Please feel free to contact me if you would like to discuss the response, or any other issues on which I can be of help.

Sincerely,

Wendy Cleland-Hamnett
Acting Assistant Administrator
Principal Deputy Assistant Administrator
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
202-564-2910
cleland-hamnett.wendy@epa.gov

<Response to NASDA Petition 5-11-17.pdf>

<EPA_Evaluation.Existing.Regulations_05.15.17.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:08:28 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: EMBARGOED Signed Ducey letter
Attachments: AZ Ducey 6-6-17.pdf

Will let you know once we hit send on press release



E. SCOTT PRUITT
ADMINISTRATOR

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007


Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 PENNSYLVANIA AVE, NW • MAIL CODE 1101A • WASHINGTON, DC 20460 • (202) 564-4700 • FAX: (202) 501-1450

 This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours



E. Scott Pruitt

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/16/2017 12:53:42 AM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]
Subject: Re: NASDA Comments: Docket ID No. EPA-HQ-OA-2017-0190 (Evaluation of Existing Regulations)

Thank you!

On May 15, 2017, at 8:06 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Ken & Tate – wanted to share the attached NASDA comments just submitted to the docket.

Please let me know if you have any questions, and we are looking forward to seeing you all on Thur.

Many thanks,

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

<EPA_Evaluation.Existing.Regulations_05.15.17.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 9:04:58 PM
To: Ben Grumbles -MDE- [ben.grumbles@maryland.gov]; Lynn Buhl -MDE- [lynn.buhl@maryland.gov]
CC: Lee Currey -MDE- [lee.currey@maryland.gov]
Subject: RE: Schedule on Thursday June 8

Hi Lynn-

Sounds like EPA will be well represented at the event. As such, I'll hang back at HQ but thanks for the thoughtful offer. The Administrator has asked me to help coordinate a meeting with the Governor in the near future, so perhaps we can meet at that time.

Hope it goes well.

Tate

From: Ben Grumbles -MDE- [mailto:ben.grumbles@maryland.gov]
Sent: Tuesday, June 6, 2017 4:39 PM
To: Lynn Buhl -MDE- <lynn.buhl@maryland.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Lee Currey -MDE- <lee.currey@maryland.gov>
Subject: Re: Schedule on Thursday June 8

Tate:

We will make sure you can attend the public press conference, after the lunch, in person.

Ben

Sent from my iPhone

On Jun 6, 2017, at 4:36 PM, Lynn Buhl -MDE- <lynn.buhl@maryland.gov> wrote:

Good Afternoon Tate:

We are down to the wire in planning for the Executive Council meeting in Annapolis this Thursday. Sec Grumbles is concerned over seating for the luncheon in the Governor's Mansion and fears there will not be three seats for the EPA reps. So that you are not left in the lurch, I would be pleased to take you to lunch somewhere charming (and nearby) in Annapolis during that time slot.

Then it will be my responsibility to make sure you arrive at the State House after the lunch. I thought this plan might be helpful for you if you don't know Annapolis well.

Both Ben and I worked at EPA during the Bush Administration, so I look forward to meeting you and the others. Please let me know if my invitation is helpful for you and I'll figure out where we can meet.

--

Lynn Buhl
Assistant Secretary
Maryland Department of the Environment

Ex. 6

cell

Ex. 6

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From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 7:30:56 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
BCC: Stephanie Groen [Stephanie.Groen@iowa.gov]; 'kristin.allan@nebraska.gov'; 'lebachmeier@nd.gov'; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; 'kelsie.bickett@ky.gov'; 'ryan@nevadac.org'; 'Gardner, Judd (Moran)' [Judd_Gardner@moran.senate.gov]; 'Ryan Flickner' [flicknerr@kfb.org]; 'Jerry Strickland' [Jerry.Strickland@gov.texas.gov]; 'Rell, Brian' [ber@mail.house.gov]; 'joseph.songy@governor.ms.gov'; 'Adam Piper' [apiper@ruleoflawdefensefund.org]; 'Adam Nordstrom' [adam.nordstrom@cch-llc.com]; 'Brian Sanderson' [bsanderson@rgppc.org]; 'Cassie Shirk -GOV-' [cassie.shirk@maryland.gov]; 'Cassie Bladow' [Cassie.Bladow@beetsugar.org]; 'Cally Younger' [Cally.Younger@gov.idaho.gov]; 'Lopez, Danny' [DaLopez@gov.IN.gov]; 'Debbie Hohlt' [debbie@hohlt.com]; 'john.horne@ky.gov'; 'Charles.Snavely@ky.gov'; Penn, Stephanie (McConnell) [Stephanie_Penn@mcconnell.senate.gov]; 'Leeann.Veatch@ky.gov'; 'Kathy.Lydon@Illinois.gov'; 'Meier, Adam (Gov Office)' [Adam.Meier@ky.gov]; 'Southard, Sean (AGR)' [Sean.Southard@ky.gov]; 'A. Schafer' [aschafer@mt.gov]; 'Alexandra Dapolito Dunn' [adunn@ecos.org]; 'Schaefer, Alex' [ASchaefer@NGA.ORG]; 'Bruce.Scott@ky.gov'; 'fitzhugh_elder@appro.senate.gov'; 'Britt Aasmundstad' [britt@nasda.org]; 'Barry Hart' [bhart@amec.org]; 'Yasmine August' [yasamine.august@governor.alabama.gov]; 'mcbrideb@michigan.gov'; 'McBride, Stacy (Blunt)' [Stacy_McBride@blunt.senate.gov]; 'McKenzie, Trey (Blunt)' [Trey_McKenzie@blunt.senate.gov]; 'garrett.hawkins@mda.mo.gov'; 'Kathy Bergren' [Bergren@ncga.com]; 'taylor.gage@nebraska.gov'; 'DeLeon, Dona' [Dona.DeLeon@nj.gov]; 'larry.behrens2@state.nm.us'; 'rolauf@nd.gov'; 'Rollins, Blake - OSEC, Washington, DC' [Blake.Rollins@osec.usda.gov]; 'Hoelscher, Douglas L. EOP/WHO' [Douglas.L.Hoelscher@who.eop.gov]; 'Kirkland, William H. EOP/WHO' [William.H.Kirkland@who.eop.gov]; 'Anderson, Jessica C. EOP/OMB' [Jessica.C.Anderson@omb.eop.gov]; 'steves3388@gmail.com' [steves3388@gmail.com]; 'darcie.johnston@hhs.gov' [darcie.johnston@hhs.gov]; 'killionw@state.gov' [killionw@state.gov]; 'cody.reynolds@ed.gov' [cody.reynolds@ed.gov]; 'Symonds, Tori Q. (HQ-VA010)' [tori.q.symonds@nasa.gov]; 'Kellogg, Bryan' [Bryan.Kellogg@hq.doe.gov]; 'blake.rollins@osec.usda.gov' [blake.rollins@osec.usda.gov]; 'Jack, Brian T. EOP/WHO' [Brian.T.Jack@who.eop.gov]; 'Trainer, Nick A. EOP/WHO' [Nicholas.A.Trainer@who.eop.gov]; 'Amin, Stacy C. EOP/WHO' [Stacy.C.Amin@who.eop.gov]; 'Bennett, Tate' [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; 'Bedell, Anthony (OST)' [anthony.bedell@dot.gov]; 'Norton, Jane (OS/IEA)' [Jane.Norton@hhs.gov]; 'John Ulyot' [John.Ulyot@va.gov]; 'Willard, Aaron (Federal)' [AWillard@doc.gov]; 'Christopher Gray' [Christopher.Gray@exim.gov]; 'john.barsa@hq.dhs.gov' [john.barsa@hq.dhs.gov]; 'Rateike, Bradley A. EOP/WHO' [Bradley.A.Rateike@who.eop.gov]; 'john.wolf.wagner@va.gov' [john.wolf.wagner@va.gov]; 'michael.lukach@va.gov' [michael.lukach@va.gov]; 'Smith, Steven' [steven_m_smith@ios.doi.gov]; 'Robbins, Amanda H. EOP/OMB' [Amanda.H.Robbins@omb.eop.gov]; 'Killian, Adam' [adam.killian@fema.dhs.gov]; 'Starling, Ray A. EOP/WHO' [Raymond.A.Starling@who.eop.gov]; 'rebeckah.adcock@osec.usda.gov'; 'anne.hazlett@osec.usda.gov'; 'Laura Knoth' [laura@kycorn.org]; 'justin.sok@mail.house.gov'; 'mark1.roman1@gmail.com'; 'mark.calvo@guam.gov'; 'Conner, Katelyn (McConnell)' [Katelyn_Conner@mcconnell.senate.gov]; 'Cone, Travis (Capito)' [Travis_Cone@capito.senate.gov]; 'Adam Andrews' [adam@kycorn.org]; 'Hannon, Arnita' [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=03d9d86e161b4a6e9ca30ab9df0df580-AHANNON]; 'Judy Sheahan' [jsheahan@usmayors.org]; 'Natonski, Dave' [Dave.Natonski@mail.house.gov]; 'Buchanan, Natalie' [Natalie.Buchanan@mail.house.gov]; 'Antell, Geoffrey' [Geoffrey.Antell@mail.house.gov]; 'matt.miltenberger@nebraska.gov'; 'Matt Konenkamp' [matt.konenkamp@state.sd.us]; 'Gronewald, Matt' [Matt.Gronewald@lowaagriculture.gov]; 'Neil Chatterjee' [Neil.Chatterjee@mcconnell.senate.gov]
Subject: EPA Proposes RFS Volumes Reflective of Market Realities for 2018 - Preview

EPA Proposes RFS Volumes Reflective of Market Realities for 2018 ***Starting Technical Analysis to Inform Future Reset Rules***

WASHINGTON - (July 5, 2017) Today, the U.S. Environmental Protection Agency (EPA) signed a proposed rule setting the minimum amount of renewable fuels that must be supplied to the market in calendar year 2018 under the Renewable Fuel Standards (RFS) program. Today's action proposes volume requirements and associated percentage standards that maintain renewable fuel volumes at levels comparable to the 2017 standards, recognizing limits to the growth of cellulosic and advanced biofuels.

EPA is committed to successfully administering the RFS consistent with the direction entrusted to the Agency by Congress and is on track to meet the November 30th statutory deadline to make today's proposed Renewable Volume Obligations (RVOs) final. The proposed volumes are based on requirements under the law and an analysis of current market dynamics, including energy demand, biofuel production, and market constraints. The proposed standards will help stabilize the renewable fuels program and provide certainty for stakeholders.

“Increased fuel security is an important component of the path toward American energy dominance,” said EPA Administrator Scott Pruitt. **“We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace. Timely implementation provides certainty to American refiners, the agriculture community and broader fuels industry, all of which play an important role in the RFS program.”**

Some key elements of today's action:

- ✦ Non-advanced or “conventional” renewable fuel volumes are maintained at the **15-billion gallon** target set by Congress.
- ✦ The biomass-based diesel standard for 2019 would be maintained at the 2018 levels of **2.1 billion gallons**.
- ✦ EPA is beginning technical analysis that will inform a future rule to reset the statutory volumes for cellulosic, advanced, and total biofuels. The law requires this reset when certain conditions are met.

EPA is also taking comment on addressing concerns that some RFS obligations are increasingly met with imported fuel from Brazil, Argentina and Indonesia. Additionally, the Agency is assessing higher levels of ethanol-free gasoline and bolstering an existing MOU with the Commodity Future Trading Commission (CTCF) to analyze and address a host of market concerns, including the need for increased transparency.

“The Clean Air Act requires EPA to reset volume targets when certain conditions are met. We expect those conditions to be met in the near future, so we are conducting technical analysis now, to inform future reset rules,” said Administrator Pruitt.

Proposed and Final Renewable Fuel Volume Requirements for 2014-2019

	2017	Proposed 2018	Proposed 2019
Cellulosic biofuel (million gallons):	311	238	n/a
Biomass-based diesel (billion gallons):	2.0	2.1*	2.1
Advanced biofuel (billion gallons):	4.28	4.24	n/a
Renewable fuel (billion gallons):	19.28	19.24	n/a

*Biomass-based diesel standard is final for 2018.

For more information on today’s announcement, go to: <https://www.epa.gov/renewable-fuel-standard-program/2017-announcements-renewable-fuel-standard>



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/1/2017 4:13:20 PM
To: Ariel Judah -GOV- [ariel.judah@maryland.gov]
CC: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
Subject: RE: Call with EPA Administrator Pruitt

Great. We will be ready. We will have a few staff on the line as well.

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Thursday, June 1, 2017 10:57 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>
Subject: Re: Call with EPA Administrator Pruitt

Just confirmed that our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio, will be on the call with the Governor.

Thanks,
Ariel



Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Wed, May 31, 2017 at 6:34 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Ok! Thanks!

On May 31, 2017, at 6:27 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Hi Tate,

I believe the main focus will be the Chesapeake Bay restoration plan. I'll keep you updated if I hear more details beforehand.

Thanks,
Ariel



Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Wed, May 31, 2017 at 6:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Ariel! Any idea what topics are to be discussed? Thanks!

On May 10, 2017, at 9:52 AM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney! The Governor may be joined on the call by our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio.

Will anyone else be on the call on your end?

Best,
Ariel

....

<changingMD2a.png>

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Tue, May 9, 2017 at 5:31 PM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Yes! I've got it on the calendar. Will it just be the Governor on the call?

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Tuesday, May 9, 2017 1:24 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Julia B. Johnson <[Ex. 6](mailto:Ex.6@maryland.gov)>; Tiffany Waddell
<tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>;
Dickerson, Aaron <dickerson.aaron@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Sydney,

Yes, we could do 6/2. Would 11:15 am work?

Thanks,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On May 9, 2017 9:39 AM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Anyway we could do it on June 2?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Monday, May 8, 2017 10:20 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Tiffany Waddell <tiffany.waddell@maryland.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Julia B. Johnson <Julia.B.Johnson@epa.gov>
Subject: Re: Call with EPA Administrator Pruitt

Sydney,

The dates below would also work:

6/5 before 11:15 or after 3:30.

6/7 between 2-4

Thanks,

Ariel

<image001.png>

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

On Fri, May 5, 2017 at 6:12 PM, Ariel Judah -GOV-
<ariel.judah@maryland.gov> wrote:

Thanks, Sydney. I will check and circle back.

Best,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

On May 5, 2017 5:56 PM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Hello all! Originally set to leave on the 4th but that might be changing. Just to be safe, are there other potential dates they could connect?

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Bennett, Tate
Sent: Friday, May 5, 2017 2:11 PM
To: Hoelscher, Douglas L. EOP/WHO <[redacted] Ex. 6 >; Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <[redacted] Ex. 6 >; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Hupp, Sydney <hupp.sydney@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Of course! Sydney, is there any way we could schedule a call before his big trip in June on the 6th?

From: Hoelscher, Douglas L. EOP/WHO <[redacted] Ex. 6 >
Sent: Friday, May 5, 2017 1:48 PM
To: Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <[redacted] Ex. 6 >; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call with EPA Administrator Pruitt

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate -- can you please take coordination from here?

*Julia -- please log.

Thanks,

Doug

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]

Sent: Friday, May 5, 2017 1:46 PM

To: Hoelscher, Douglas L. EOP/WHO { Ex. 6

Cc: Johnson, Julia B. EOP/WHO { Ex. 6 }; Tiffany Waddell
-GOV- <tiffany.waddell@maryland.gov>

Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel

....

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/14/2017 5:11:40 PM
To: Rashid G. Hallaway [rhallaway@hhqventures.com]
CC: Peter S. Glaser [Peter.Glaser@troutmansanders.com]
Subject: RE: SIPC Petition

Thanks, Rashid. Appreciate the update and your flagging.

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

From: Rashid G. Hallaway [mailto:rhallaway@hhqventures.com]
Sent: Wednesday, June 14, 2017 9:19 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Peter S. Glaser <Peter.Glaser@troutmansanders.com>
Subject: SIPC Petition

Tate,

I want to let you know that SIPC filed their petition this morning. I have attached a PDF copy for your review.

Please let me know if you would like to schedule a call to discuss further. Thanks for your thoughtful consideration.

RH

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/1/2017 4:12:56 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Ben Grumbles [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usereb77e807]
Subject: RE: Meeting

Thanks again, both Sec. Grumbles and Ken!

From: Wagner, Kenneth
Sent: Thursday, June 1, 2017 11:51 AM
To: Ben Grumbles <ben.grumbles@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Meeting

Secretary Grumbles:

Thanks for the great discussion. Tate is the Senior DAA of OCIR and her email is Bennett.tate@epa.gov. Her cell number

Ex. 6

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional & State Affairs*
US Environmental Protection Agency
Office: 202-564-1988
Cell: **Ex. 6**
wagner.kenneth@epa.gov

On May 19, 2017, at 1:59 PM, Ben Grumbles -MDE- <ben.grumbles@maryland.gov> wrote:

Thanks Ken. Great meeting. One very important clarification to your email below:

Gov Hogan is seeking to become chair of the Executive Council (of the Chesapeake Bay Program Partnership). That's the Council which includes the Administrator, the Governors of MD, VA, PA, DE, WV, NY, the Mayor of DC, and the chair of the Chesapeake Bay Commission. It's the key organization with secretaries of environment, natural resources, and agriculture from all of the jurisdictions. That's the group meeting in Annapolis on June 8 and Governor McAuliffe will be stepping down from the chairmanship due to his term ending in 2017.

The Chesapeake Bay Commission, which is staffed by Ann, is composed of legislators and a rep from the governors offices of MD, VA, and PA. The current chair is a legislator from PA.

Greatly appreciate your time and the importance of your work ahead.

Ben
Office: **Ex. 6**
Cell: **Ex. 6**

Sent from my iPad

On May 19, 2017, at 8:44 AM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Ben:

Thanks for taking the time to visit with me and Troy. I am excited that this is the first contact in a productive and strategic relationship. Please feel free to call my cell anytime that you think a conversation is helpful. I am sure we will talk in anticipation of your boss becoming the Chairman of the Chesapeake Bay Commission.

Thanks again,

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

[Click here](#) to complete a three question customer experience survey.

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 7/11/2017 12:55:16 PM
To: dmoore@fb.org

I think he's enjoying. Maybe one more

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/5/2017 1:41:44 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: letter

Thanks again!

On Jun 5, 2017, at 9:19 AM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

That would be it.

The preceding letter referenced would be the one I just texted you.

Get Outlook for iOS

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Monday, June 5, 2017 9:17:29 AM
To: Adam Piper
Subject: letter

I think this is it.

<http://i2.cdn.turner.com/cnn/2017/images/04/12/comment.pruitt.pdf>

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/7/2017 12:48:14 AM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
CC: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: Re: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

Appreciate you!

On Jun 6, 2017, at 8:42 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

FYI. I will continue to forward additional AG reaction releases and clips as I see/receive them.

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From: Michael Toth <michaelctoth@gmail.com>
Sent: Tuesday, June 6, 2017 8:38:28 PM
To: Adam Piper
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

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

From: Toth, Michael <Michael.Toth@oag.texas.gov>
Date: Tue, Jun 6, 2017 at 7:37 PM
Subject: Fwd: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
To: michaelctoth@gmail.com <michaelctoth@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: "Office of TX Attorney General" <TXAttorneyGeneral@public.govdelivery.com>
Date: June 6, 2017 at 7:07:34 PM CDT
To: michael.toth@oag.texas.gov
Subject: AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation
Reply-To: TXAttorneyGeneral@public.govdelivery.com



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

FOR IMMEDIATE RELEASE

PRESS OFFICE: (512) 463-2

June 6, 2017

Kayleigh Lovvorn: Kayleigh.Lovvorn@oag.texas.gov

www.texasattorneygeneral.gov

AG Paxton Applauds EPA Decision to Delay Ozone Rule Implementation

AUSTIN – Texas Attorney General Ken Paxton announced his support of the Environmental Protection Agency’s (EPA) decision to give states more time to comply with the National Ambient Air Quality Standard (NAAQS), an ozone regulation issued in 2015. Administrator Scott Pruitt today sent a letter to state governors informing them that the EPA is extending the deadline for promulgating initial area designations for the NAAQS by one year.

The NAAQS for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

“I am grateful for the leadership of EPA Administrator Pruitt in courageously pausing the costly and ineffective Ozone Rule, and I’m hopeful that the one year delay will provide time for the EPA to review the detrimental effects the Ozone Rule will have on the Texas economy,” Attorney General Paxton said.

“Texas has continually reduced ambient ozone concentrations in the state without stifling the growth of Texas’s industry or population, and looks forward to continuing efforts to improve air quality while bolstering the Texas economy.”

Texas previously challenged this rule on December 28, 2015. In addition to Texas, Arizona, Arkansas, Kentucky, New Mexico, Oklahoma, North Dakota, Utah and Wisconsin have also filed lawsuits against the Ozone Rule.

To view a copy of the letter, click here.

#

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This email was sent to michael.toth@oag.texas.gov using GovDelivery Communications Cloud on behalf of: Office of Texas Attorney General · 300 W. 15th Street · Austin, TX 78701

--
Sent from Gmail Mobile

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 6:57:47 PM
To: Judd Deere [judd.deere@arkansasag.gov]; Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Still trying to pry this out of GC. Standby!

From: Judd Deere [mailto:judd.deere@arkansasag.gov]
Sent: Tuesday, June 6, 2017 1:24 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

If y'all are interested in including one from the General, I can work to get that to you.

When do you need it by?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 06, 2017 12:17 PM
To: Adam Piper; Judd Deere
Subject: FW: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Hi Adam! Below is a DRAFT release you can share carefully. It's subject to change, but will give folks an idea. Can you cc me when you send it to WI/ TX/etc.?

Judd, thoughts on a statement/ does your boss want to give us a statement for inclusion in our press release as well?

From: Bowman, Liz
Sent: Tuesday, June 6, 2017 12:59 PM
To: Schwab, Justin <schwab.justin@epa.gov>
Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
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Sent: 6/6/2017 6:57:15 PM
To: Jeffrey Mateer [jeffmateer@gmail.com]; Adam Piper [apiper@ruleoflawdefensefund.org]; Marc Rylander [marcrylander@gmail.com]; Michael Toth [michaelctoth@gmail.com]
CC: Brantley Starr [brantleystarr@yahoo.com]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: RE: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Awesome! Not sure we can add to our release but we are compiling and pushing out to stakeholders a list of all statements if you send them my way. Still TBD on timing so stand by.

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<2017-06-05 DRAFT Release re Ozone Letter.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/5/2017 5:33:03 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Call when you get here

Ex. 6

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

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CC: Brantley Starr [brantleystarr@yahoo.com]
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[2] The sixth paragraph (with the three bullets) suggests that we will consider “adverse effects associated with implementing the new standard” as part of the reconsideration of the NAAQS, that would be inconsistent with Whitman v. American Trucking Associations and could introduce some legal risk for any reconsideration.

[3] The first sentence of the fourth paragraph is confusing because it suggests the one-year delay is providing states flexibility, which it doesn't. If you need to include something, it would be better to say something like, "This action will give states more time to develop air quality plans and EPA is also looking at providing greater flexibility to states as they develop their plans."

[4] The fifth paragraph says the additional time will allow the agency to “complete” its review of the standard. Not sure what is intended here but it would almost certainly take more than a year to complete a rulemaking to revise the standard, if that is the decision.

From: Schwab, Justin

Sent: Tuesday, June 6, 2017 9:53 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>

Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

As far as I can remember I have not been shown the letter.

Sent from my iPhone

On Jun 6, 2017, at 9:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Ryan and Mandy both approved this language, it's directly from the letter. Have you all read the letter?

From: Schwab, Justin

Sent: Tuesday, June 6, 2017 9:34 AM

To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>

Cc: Fotouhi, David <[fotouhi.david@epa.gov](mailto: fotouhi.david@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto: Bennett.Tate@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto: lyons.troy@epa.gov)>

Subject: Re: For Legal Review: Ozone Letter & Press Release - OUT TODAY

Not sure the part about consequences for nonattainment is strictly correct. Will run this by the specialists in OGC

Sent from my iPhone

On Jun 6, 2017, at 9:23 AM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)> wrote:

Can you all take a look at the press release below, with regard to the Ozone letters being sent today? Please let me know if you have any legal edits. We would like to get this out asap. Thank you – Liz

**EPA TO EXTEND DEADLINE FOR 2015
OZONE NAAQS AREA DESIGNATIONS**

*“We share the goal of clean air, a robust economy
and stronger, healthier communities.” -
Administrator Pruitt*

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in

2015. Areas designated as being in “nonattainment” of the standard face serious consequences, including: increased regulatory burdens, stiff federal penalties, lost highway dollars, restrictions on infrastructure investment, and increased costs to businesses.

EPA is granting states more time and flexibility to develop air attainment plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. As part of the review process, the Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport, timely consideration of exceptional events demonstrations; and,
- Assessing methods to weigh any adverse effects associated with implementing the new standard.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” said Administrator Pruitt.

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs

associated with compliance of the ozone NAAQS have significantly increased.

<2017-06-05 DRAFT Release re Ozone Letter.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/31/2017 10:08:36 PM
To: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Subject: Re: Call with EPA Administrator Pruitt

Hey Ariel! Any idea what topics are to be discussed? Thanks!

On May 10, 2017, at 9:52 AM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney! The Governor may be joined on the call by our Chief of Staff, Sam Malhotra, and Deputy Chief of Staff, Jeannie Riccio.

Will anyone else be on the call on your end?

Best,
Ariel

--
<changingMD2a.png>

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Tue, May 9, 2017 at 5:31 PM, Hupp, Sydney <hupp.sydney@epa.gov> wrote:

Yes! I've got it on the calendar. Will it just be the Governor on the call?

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Tuesday, May 9, 2017 1:24 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Julia B. Johnson { **Ex. 6** }; Tiffany Waddell
<tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron
<dickerson.aaron@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Sydney,

Yes, we could do 6/2. Would 11:15 am work?

Thanks,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On May 9, 2017 9:39 AM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Anyway we could do it on June 2?

Thanks!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]

Sent: Monday, May 8, 2017 10:20 AM

To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Tiffany Waddell <tiffany.waddell@maryland.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>;

Bennett, Tate <Bennett.Tate@epa.gov>; Julia B. Johnson

Ex. 6

Subject: Re: Call with EPA Administrator Pruitt

Sydney,

The dates below would also work:

6/5 before 11:15 or after 3:30.

6/7 between 2-4

Thanks,

Ariel

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6

(office)

(mobile)

On Fri, May 5, 2017 at 6:12 PM, Ariel Judah -GOV- <ariel.judah@maryland.gov> wrote:

Thanks, Sydney. I will check and circle back.

Best,

Ariel

--

Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On May 5, 2017 5:56 PM, "Hupp, Sydney" <hupp.sydney@epa.gov> wrote:

Hello all! Originally set to leave on the 4th but that might be changing. Just to be safe, are there other potential dates they could connect?

Thank you!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Ex. 6 (c)

From: Bennett, Tate
Sent: Friday, May 5, 2017 2:11 PM
To: Hoelscher, Douglas L. EOP/WHO <[REDACTED] Ex. 6 >; Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <[REDACTED] Ex. 6 >; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Hupp, Sydney <hupp.sydney@epa.gov>

Subject: RE: Call with EPA Administrator Pruitt

Of course! Sydney, is there any way we could schedule a call before his big trip in June on the 6th?

From: Hoelscher, Douglas L. EOP/WHO <[REDACTED] Ex. 6 >
Sent: Friday, May 5, 2017 1:48 PM
To: Ariel Judah -GOV- <ariel.judah@maryland.gov>
Cc: Johnson, Julia B. EOP/WHO <[REDACTED] Ex. 6 >; Tiffany Waddell -GOV- <tiffany.waddell@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Call with EPA Administrator Pruitt

Hi Ariel,

Looping in Tate Bennett from the EPA team who is helping handle intergov requests for the Administrator.

*Tate – can you please take coordination from here?

*Julia – please log.

Thanks,

Doug

From: Ariel Judah -GOV- [<mailto:ariel.judah@maryland.gov>]
Sent: Friday, May 5, 2017 1:46 PM
To: Hoelscher, Douglas L. EOP/WHO <[REDACTED] Ex. 6 >
Cc: Johnson, Julia B. EOP/WHO <[REDACTED] Ex. 6 >; Tiffany Waddell -GOV-

<tiffany.waddell@maryland.gov>

Subject: Call with EPA Administrator Pruitt

Hi Doug,

Hope all is well!

Gov. Hogan was hoping to schedule a call in early June with EPA Administrator Scott Pruitt to discuss the Chesapeake Bay and other issues facing Maryland. (Tuesday, June 6 before 2 PM would be ideal, if possible.) Please let me know if you need any other information to put in this request. We appreciate your assistance!

Thanks,

Ariel

<image001.png>

Ariel Judah

Special Assistant to the Director of Federal Relations

Office of the Governor

444 N. Capitol Street, NW, Suite 311

Washington, DC 20001

ariel.judah@maryland.gov

Ex. 6 (office)

(mobile)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 11:44:48 PM
To: don.parrish@fb.org
Subject: Fwd: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Attachments: AZ Ducey 6-6-17.pdf; ATT00001.htm

FYI, Don!

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: June 6, 2017 at 6:35:34 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA’s efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment,

and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States



E. SCOTT PRUITT
ADMINISTRATOR

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007

Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 PENNSYLVANIA AVE, NW • MAIL CODE 1101A • WASHINGTON, DC 20460 • (202) 564-4700 • FAX: (202) 501-1450

This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours



E. Scott Pruitt

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/24/2017 8:45:59 PM
To: Provost, Megan (J) [MProvost@dow.com]
Subject: RE: Congratulations!

Hey. Sorry but we are totally slammed this week. Happy to catch up via phone soon, however.

From: Provost, Megan (J) [mailto:MProvost@dow.com]
Sent: Friday, April 21, 2017 3:30 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Congratulations!

Hey, Tate! I hope you're getting settled in over there!

I wanted to follow-up to see if you had some time to catch up. Any chance you're available on Monday (the 24th) or Tuesday (the 25th)?

From: Provost, Megan (J)
Sent: Saturday, April 1, 2017 10:59 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Congratulations!

No, I'm back and forth, though I'm in DC pretty often. I'm not out a ton over recess... How do April 10 (Monday) or 21 (Friday) look for you?

On a work-related note, I also wanted to give you a heads up that I spoke with Michal Freedhoff with the EPW Committee a couple times last week on EPA's recent decision on chlorpyrifos. It sounds like Sen. Carper will likely be sending (if he hasn't already) a letter to the Administrator.

Thanks!
Megan

On Mar 31, 2017, at 7:50 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey Megan!

Are you back in DC? Admittedly these next few weeks are rough schedule wise. What might work on your end?

Tate

Sent from my iPhone

On Mar 30, 2017, at 11:55 AM, Provost, Megan (J) <MProvost@dow.com> wrote:

Tate!

I just heard the fantastic news... Congratulations on your new role! I'm so excited for you! (And, selfishly, I'm even more excited that I'll get to work with you more again!)

I would love to grab coffee and catch up sometime... Let me know how your schedule looks these days and if you've got time.

Congrats, again!
Megan

Megan J. Provost
Dow AgroSciences
U.S. Government Affairs
Ex. 6
Email: mprovost@dow.com

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 3:12:29 PM
To: Don Parrish [donp@fb.org]
Subject: touch base

Can I give you a quick buzz? Or vice versa Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/5/2017 11:18:51 AM
To: Ben Grumbles [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=usereb77e807]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Hale, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb99f5247ab8412fa017133839301fee-Hale, Miche]
Subject: Re: Meeting

Just seeing this! Yes! Thanks for taking my call last minute to help move it up. He is sending a follow up thank you note today, and I'll be sure to send you a copy! Thanks, Secretary G!

On Jun 2, 2017, at 4:38 PM, Ben Grumbles -MDE- <ben.grumbles@maryland.gov> wrote:

Thanks for your help today. I'm told the call went well. See you next week. Don't ever hesitate to reach out.

Ben

Ex. 6 cell

Sent from my iPhone

On Jun 1, 2017, at 12:12 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Thanks again, both Sec. Grumbles and Ken!

From: Wagner, Kenneth
Sent: Thursday, June 1, 2017 11:51 AM
To: Ben Grumbles <ben.grumbles@maryland.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Meeting

Secretary Grumbles:

Thanks for the great discussion. Tate is the Senior DAA of OCIR and her email is Bennett.tate@epa.gov. Her cell number Ex. 6

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional & State Affairs
US Environmental Protection Agency
Office: 202-564-1988
Cell: Ex. 6
wagner.kenneth@epa.gov

On May 19, 2017, at 1:59 PM, Ben Grumbles -MDE- <ben.grumbles@maryland.gov> wrote:

Thanks Ken. Great meeting. One very important clarification to your email below:

Gov Hogan is seeking to become chair of the Executive Council (of the Chesapeake Bay Program Partnership). That's the Council which includes the Administrator, the Governors of MD,VA, PA, DE, WV, NY, the Mayor of DC, and the chair of the Chesapeake Bay Commission. It's the key organization with secretaries of environment, natural resources, and agriculture from all of the jurisdictions. That's the group meeting in Annapolis on June 8 and Governor McAuliffe will be stepping down from the chairmanship due to his term ending in 2017.

The Chesapeake Bay Commission, which is staffed by Ann, is composed of legislators and a rep from the governors offices of MD, VA, and PA. The current chair is a legislator from PA.

Greatly appreciate your time and the importance of your work ahead.

Ben

Office: Ex. 6

Cell: Ex. 6

Sent from my iPad

On May 19, 2017, at 8:44 AM, Wagner, Kenneth
<wagner.kenneth@epa.gov> wrote:

Ben:

Thanks for taking the time to visit with me and Troy. I am excited that this is the first contact in a productive and strategic relationship. Please feel free to call my cell anytime that you think a conversation is helpful. I am sure we will talk in anticipation of your boss becoming the Chairman of the Chesapeake Bay Commission.

Thanks again,

Ken

Kenneth E. Wagner
*Senior Advisor to the Administrator
For Regional and State Affairs*
Environmental Protection Agency
202-564-1988 office
Ex. 6 cell
wagner.kenneth@epa.gov

[Click here](#) to complete a three question customer experience survey.

[Click here](#) to complete a three question customer experience survey.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/30/2017 6:18:46 PM
To: Beau Greenwood [BGreenwood@croplifeamerica.org]
Subject: RE: Comments - Existing regulations - May 15

Can I give you a quick buzz

From: Beau Greenwood [mailto:BGreenwood@croplifeamerica.org]
Sent: Friday, June 9, 2017 6:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: Comments - Existing regulations - May 15

Hi Tate. Attached are industry and grower comment letters submitted on May 15 that speak to worker protection and certification and training rules. This would be a good place for us to begin a conversation on this and other related matters.

Hope to see you next week.

Beau.

Beau Greenwood
Executive Vice President
CropLife America
Washington, DC

Begin forwarded message:

From: "Fred Bosco" <FBosco@croplifeamerica.org>
To: "Beau Greenwood" <BGreenwood@croplifeamerica.org>
Subject: Comments - Existing regulations - May 15

Thank you,
Fred

Fred Bosco
Government Relations Coordinator
CropLife America
1156 15th Street NW, Suite 400
Washington, D.C. 20005
P: Ex. 6 **F:** 202-355-1411
E: FBosco@croplifeamerica.org
W: www.croplifeamerica.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/30/2017 5:12:29 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: Re: Sec. Pruitt Writes Governors on CPP

Yes. Ex. 6

Sent from my iPhone

On Mar 30, 2017, at 1:10 PM, Adam Piper <apiper@ruleoflawdefensefund.org> wrote:

Tate -
Do you have 30 seconds for a quick call with a follow up question on the forwarded letter?
Thanks,
Adam

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, March 30, 2017 12:55 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>; Dravis, Samantha <dravis.samantha@epa.gov>; Scott Will <swill@ruleoflawdefensefund.org>
Subject: RE: Sec. Pruitt Writes Governors on CPP

Look forward to working with you!

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Thursday, March 30, 2017 12:52 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>; Scott Will <swill@ruleoflawdefensefund.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Sec. Pruitt Writes Governors on CPP

Samantha -
Thanks so much.

Tate -
It is a pleasure to meet you over e-mail.

-Adam

From: Dravis, Samantha [mailto:dravis.samantha@epa.gov]
Sent: Thursday, March 30, 2017 12:42 PM
To: Scott Will <swill@ruleoflawdefensefund.org>; Adam Piper <apiper@ruleoflawdefensefund.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Sec. Pruitt Writes Governors on CPP

Scott and Adam:

We wanted to let you know that Administrator Pruitt is today sending the attached letter to all U.S. Governors regarding the EPA's current posture on the CPP that I believe state Attorneys General would be interested in reading as well. Tate Bennett in our office of Congressional and Intergovernmental Affairs can provide more information on this letter and answer any questions.

All the Best,
Samantha

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/3/2017 9:37:39 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Re: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

Very helpful . Conaway is attending their reception. Thanks.

On Jun 3, 2017, at 5:09 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

In case it's helpful context on any fronts --

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

From: Barb Glenn
Sent: Wednesday, May 31, 2017 1:49 PM
To: Megan McDonald; Policy Unit
Subject: FW: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

From: AAW President [<mailto:president@americanagriwomen.org>]
Sent: Wednesday, May 31, 2017 1:33 PM
Subject: American Agri-Women Cordially Invites you to these Fly-In events in Washington, D.C. Legislative Fly-In

You are cordially invited to the following events being held during the American Agri-Women Fly-In

June 5 & 6.

<image002.png>

Please feel free to share this information with your colleagues.

The full sized invitation is attached.

Sincerely,
Doris Mold

Doris Mold

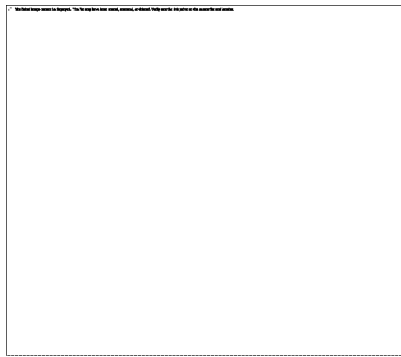
President American Agri-Women

Phone: Ex. 6

E-mail: president@americanagriwomen.org

www.americanagriwomen.org

@women4ag



AAW - 42 Years of Advocating for Agriculture, Empowering Women in Agriculture, and Planting the Future for Agriculture

#AGDAY365

If you're having trouble viewing this email please [Click Here](#) to view on the web.



Greetings!

05/30/2017



*** MEDIA ALERT * -- For Immediate Release**

American Agri-Women Invites Press and Ag Communicators to Events at Washington, D.C. Legislative Fly-In

Washington, DC (AgPR) May 30, 2017 — The American Agri-Women (AAW) invites interested media and agricultural communications professionals, who are in the Washington, D.C. area next week, to two different events held during June 4-7 Legislative Fly-in.

- **AAW 27th Annual Agricultural Issues Symposium:** "National Security and The Role of Rural America" ... sponsored by the AAW Presidents' Council, **Monday, June 5, 2017, 9–11 a.m.**...USDA Whitten Building, Room 107. Please join us as we discuss this issue with our panelists...Kimmi Lewis, Cattle Producer who is serving in the Colorado Legislature representing the 64th District; Kathleen Sgamma, President of

Western Energy Alliance; Lawrence A. Kogan, Managing Principal for Kogan Law Group, P.C. in New York.

- **AAW 32nd Annual Congressional Reception** on **Tuesday, June 6, 2017, from 4:30-6:30 p.m.**... Longworth 1309. We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW "Champion of Agriculture" awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, AAW will recognize **Representative Rodney Davis** of Illinois and **Senator Joni Ernst** of Iowa. Please join us as we celebrate agriculture in the United States.

If you would like to attend either of these events please RSVP to aaw@americanagriwomen.org.

We appreciate support from the National Association of Broadcasters, CCI Marketing, Western Skies Strategies, Property Casualty Insurers Association of America, Syngenta, and Nutra-Lix, Inc.

Following the Legislative Fly-In, AAW will issue a follow-up release with photos and information about the success of the Legislative Fly-in. We also invite all to follow on Twitter ([@Women4Ag](https://twitter.com/Women4Ag)) and on Facebook ([American Agri-Women](https://www.facebook.com/AmericanAgriWomen)) using #AAW17DC during the Legislative Fly-In.

About American Agri-Women

American Agri-Women (AAW) promotes the welfare of our national security through a safe and reliable food, fiber and mineral supply. Since 1974, AAW members have worked together to educate consumers; advocate for agriculture; and offer networking and professional development opportunities. For more information, or to join, visit AmericanAgriWomen.org. Find and follow AAW on social media at: [facebook.com/AgriWomen](https://www.facebook.com/AgriWomen) and twitter.com/Women4Ag.

###

Media Contact:

[Jane Marshall](mailto:jane_marshall@americanagriwomen.org)

VP Communications


American Agri-Women

937.336.1456 - mobile - voice or text

communications@americanagriwomen.org

AmericanAgriWomen.org

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<AAWcongressionalreceptioninvite2017 (1).pdf>

Invitation

AAW 32ND ANNUAL FLY-IN CONGRESSIONAL RECEPTION



Please be our guest on

Tuesday, June 6, 2017

4:30-6:30 P.M.

LONGWORTH 1309

We will take this opportunity to recognize outstanding members of the U.S. Congress with the prestigious AAW "Champions of Agriculture" awards for their steadfast courage in holding up the ideals of American agriculture to their peers. This year, we are recognizing Senator Joni Ernst and Representative Rodney Davis. Please join us to celebrate agriculture in the United States.

Sincerely, *Debi Mold, President, American Agri-Women*

RSVP: aww@americanagrowomen.org

Additional Events

AAW'S 27TH ANNUAL SYMPOSIUM: 'NATIONAL SECURITY
AND THE ROLE OF RURAL AMERICA' | sponsored by the President's Council
MONDAY, JUNE 5, 2017, 9-11 A.M. | USDA 107-A PARRIS ROOM, 1400 INDEPENDENCE AVENUE

Please join us in honoring the cow with our partner.

WE APPRECIATE SUPPORT FROM THESE FRIENDS OF AAW

Western Skies Strategies • Syngenta • National Association of Broadcasters
Property Casualty Insurers Association of America • CCI Marketing

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 5:47:38 PM
To: Adam Piper [apiper@ruleoflawdefensefund.org]
Subject: RE: Ozone letter

This is awesome! BTW, it's looking more like later today this will happen. Sorry for the stalemate! Will keep you posted hourly.

From: Adam Piper [mailto:apiper@ruleoflawdefensefund.org]
Sent: Tuesday, June 6, 2017 1:44 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Ozone letter

Tate -
FYI – attached is the original 2015 comment letter on the matter in case you need it.
-Adam

From: Greg Cairns [mailto:gcairns@republicanags.com]
Sent: Tuesday, June 6, 2017 1:32 PM
To: Adam Piper <apiper@ruleoflawdefensefund.org>
Subject: Ozone letter

See attached. NE, OK, WV, AL, AR, Ga, KS, KY, LA, MT, ND, OH, SC, and WI.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/2/2017 4:30:05 PM
To: Dudley Hoskins [Dudley@nasda.org]; Andrew Bray [abray@pestworld.org]; admoore@agaviation.org
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: RE: Introduction & DRAFT NASDA Statement on C&T

Thanks, Dudley!

I also wanted to loop in our communications folks on this e-mail.

Let me know when the meeting is and where we need to be.

Tate

From: Dudley Hoskins [mailto:Dudley@nasda.org]
Sent: Tuesday, May 2, 2017 11:28 AM
To: Andrew Bray <abray@pestworld.org>; admoore@agaviation.org
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Introduction & DRAFT NASDA Statement on C&T

Andrew & Andrew,

Wanted to send a quick note to: (1) gauge whether NPMA and NAAA will be sending out a press statement in support of C&T extension timeline (assuming such a response will be forthcoming); and (2) briefly introduce you all to Tate Bennet, who recently came on board with EPA's Intergovernmental office.

If we are fortunate enough to see an extension to the Certification timeline, NASDA will be sending out the attached press release in support of that decision and we would encourage other groups to do the same.

Also, I recommend the PPC invite Tate (and possibly one or two of her colleagues) to the next meeting.

Sent from my iPhone

Begin forwarded message:

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/8/2017 6:20:49 PM
To: Dudley Hoskins [Dudley@nasda.org]
Subject: Re: Thank You & NASDA Follow-Up

Tell her hello. Their personal office is a way underutilized resource.

On May 8, 2017, at 2:19 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

For sure. On my cell all day tomorrow too. Stopping by to see Katelyn Conner in McConnell's office tomorrow afternoon.

Thanks Tate.

Sent from my iPhone

On May 8, 2017, at 2:13 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Lets pivot to tomorrow if thats ok?

On May 8, 2017, at 2:09 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Thanks Tate. Is there a good number to reach you on? I am on my cell Ex. 6 the rest of the day.

Sent from my iPhone

On May 7, 2017, at 9:41 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Monday works!

On May 6, 2017, at 4:40 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Tate – my apologies on the tardy reply on this.

Would love to touch base on a few fronts if you have a few minutes Mon or Tue?

I will be bouncing around on my cell Ex. 6 Hope you're having a good Derby Day!

**Dudley W. Hoskins • Public Policy Counsel
• National Association of State
Departments of Agriculture**

4350 North Fairfax Drive Suite 910
Arlington, VA 22203 • (P) 202.296.9680 •
(C) Ex. 6 www.nasda.org

From: Bennett, Tate
[mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, May 02, 2017 10:21 AM
To: Dudley Hoskins
Subject: RE: Thank You & NASDA
Follow-Up

Just saw this. Give me a shout when you
can. Ex. 6

From: Dudley Hoskins
[mailto:Dudley@nasda.org]
Sent: Saturday, April 29, 2017 5:02 PM
To: Bennett, Tate
<Bennett.Tate@epa.gov>
Cc: Lyons, Troy <lyons.troy@epa.gov>;
Wagner, Kenneth
<wagner.kenneth@epa.gov>; Rees,
Sarah <rees.sarah@epa.gov>;
Richardson, RobinH
<Richardson.RobinH@epa.gov>;
Bowles, Jack <Bowles.Jack@epa.gov>;
Barbery, Andrea
<Barbery.Andrea@epa.gov>; Nathan
Bowen <Nathan@nasda.org>; Britt
Aasmundstad <britt@nasda.org>
Subject: Thank You & NASDA Follow-Up

Tate – just wanted to thank you and the
entire EPA Team again for your time,
leadership, and (most of all) partnership
in helping to address a wide range of
regulatory challenges.

NASDA will be submitting formal
comments to the “Evaluation of Existing
Regulations” docket by the May 15th
deadline, but in the interim, I wanted to
share the attached “NASDA Priorities”
document for your general reference. I
am also attaching a Pesticide Policy
Coalition (PPC) letter that further
expands on our request for assistance
on the Certification of Pesticide
Applicators final rule (NASDA is a PPC
member).

Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.

Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley

NASDA 2017 REGIONAL MEETINGS:

SASDA Annual Meeting

June 4-7

Nashville, TN

[Event Registration](#)

NEASDA Annual Meeting

June 12-15

Cooperstown, NY

[Hotel](#) | [Event Registration](#)

May 12: Deadline to book your hotel and receive the early-bird registration rate

Theresa.Sweeney@agriculture.ny.gov

MASDA Annual Meeting

June 19-22

Cleveland, OH

[Hotel](#) | [Event Registration](#)

May 22: Deadline to book your hotel and receive the early-bird registration rate

mark.bruce@agri.ohio.gov

WASDA Annual Meeting

July 23-28

Sun Valley, ID

[Hotel](#) | [Event Registration](#)

June 15: Deadline to book your hotel and receive the early-bird registration rate

laura.johnson@agri.idaho.gov

Dudley W. Hoskins • Public Policy Counsel

• National Association of State

Departments of Agriculture

4350 North Fairfax Drive Suite 910

Arlington, VA 22203 • (P) 202.296.9680 •

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From: Bennett, Tate
[mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental
Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [Bennett.Tate@epa.gov]
Sent: 6/19/2017 3:09:16 PM
To: apiper@ruleoflawdefensefund.org
Subject: Zinke Intergov POC
Attachments: Contact.vcf; ATT00001.txt

Contact

E-mail: micah_chambers@ios.doi.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/2/2017 2:06:26 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]
Subject: RE: Thank You & NASDA Follow-Up

Hey there! Not sure if your attachment came through. Mind sending it along?

From: Bennett, Tate
Sent: Saturday, April 29, 2017 8:42 PM
To: Dudley Hoskins <Dudley@nasda.org>
Cc: Lyons, Troy <lyons.troy@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Rees, Sarah <rees.sarah@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>
Subject: Re: Thank You & NASDA Follow-Up

Let me check my calendar and report back. Thanks for the invites!

On Apr 29, 2017, at 5:11 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Tate – just wanted to thank you and the entire EPA Team again for your time, leadership, and (most of all) partnership in helping to address a wide range of regulatory challenges.

NASDA will be submitting formal comments to the “Evaluation of Existing Regulations” docket by the May 15th deadline, but in the interim, I wanted to share the attached “NASDA Priorities” document for your general reference. I am also attaching a Pesticide Policy Coalition (PPC) letter that further expands on our request for assistance on the Certification of Pesticide Applicators final rule (NASDA is a PPC member).

Finally, I am also including the following information for the NASDA Regional Meetings. We would love to have you join for any/all that may be possible.

Please let me know if you have any questions on any of the above, and please let us know if we can be of assistance on any fronts. More soon & many thanks – dudley

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([Hotel](#) | [Event Registration](#))

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Theresa.Sweeney@agriculture.ny.gov

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June 19-22

Cleveland, OH

([Hotel](#) | [Event Registration](#))

May 22: Deadline to book your hotel and receive the early-bird registration rate

mark.bruce@agri.ohio.gov

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July 23-28

Sun Valley, ID

([Hotel](#) | [Event Registration](#))

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laura.johnson@agri.idaho.gov

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**

4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) **Ex. 6** • www.nasda.org

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Wednesday, April 26, 2017 4:40 PM

To: Bennett, Tate

Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea

Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

<NASDA Priorities Trump Administration_04 27 2017.pdf>

<PPC_C&T.Letter_04.27.17.pdf>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/30/2018 10:52:40 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: 3 PM deadline: KQED Question on worker protectino std.

No. Is there a good number to reach you tomorrow?

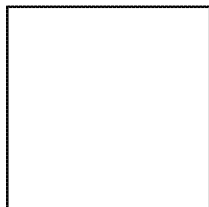
On May 30, 2018, at 1:58 PM, Paul Schlegel <pauls@fb.org> wrote:

Tate – see below. Have you guys suspended the rule?

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

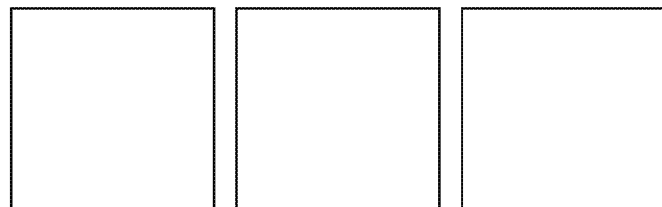
Ex. 6 (o)
(c)
pauls@fb.org

From: The DOJ news alerts email notification list2 [<mailto:PRESSLIST2@DOJ.CA.GOV>] **On Behalf Of**
California Attorney General's Office
Sent: Wednesday, May 30, 2018 8:15 AM
To: PRESSLIST2@DOJ.CA.GOV
Subject: Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers



NEWS RELEASE
May 30, 2018
FOR IMMEDIATE RELEASE
(916) 210-6000
agpressooffice@doj.ca.gov

Social Networks



[Print Version](#)

Attorney General Becerra Sues EPA for Suspending Critical Safeguards for Agricultural Workers

SACRAMENTO – Joining the Attorneys General of New York and Maryland, California Attorney General Xavier Becerra today filed a lawsuit against the U.S. Environmental Protection Agency

(EPA) over its decision to suspend critical safeguards for agricultural workers. The Agricultural Worker Protection Standard (WPS) is a regulation first implemented by the EPA in 1992 to reduce the number of illnesses and injuries to agricultural workers nationwide from exposures to pesticides.

In 2015, after determining that many incidents of pesticide exposure might have been avoided if farmworkers had better training, the EPA strengthened the WPS and required employers to provide agricultural workers and their families with new training. This new training resulted from more than 15 years of stakeholder meetings and the consideration of over 2,400 public comments. However, despite the availability of updated training materials, the Trump Administration's EPA suspended the new training requirements without following the necessary public notice and comment procedures. The lawsuit being brought by the Attorneys General is based on the fact that the EPA's suspension is arbitrary and capricious, in violation of the Administrative Procedure Act.

"EPA Administrator Scott Pruitt is not above the law. He does not get to do away with protections simply because he does not like them." **said Attorney General Becerra.** "It's because of agricultural workers — many of whom are immigrants — that families across America can enjoy fresh fruits and vegetables. Agricultural workers deserve to know that we have their backs. We will continue to hold the EPA accountable. That's why, with today's lawsuit, my Office has sued EPA Administrator Pruitt a total of 11 times."

Among other things, the training requirements that Administrator Pruitt wants to discard would allow agricultural workers to:

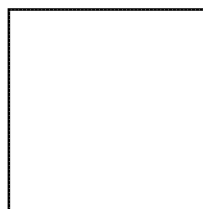
- Learn how to minimize family member exposure to pesticides from contaminated clothing or footwear;
- Access information about the hazards posed by particular pesticides; and
- Ensure they are aware of guidelines for emergency medical care.

Though California has its own strict agricultural worker safety training requirements, many of California's agricultural workers cross state lines for seasonal agricultural work. Without the federal safeguards at issue, these workers will not receive the information necessary to better protect themselves and their families from pesticide exposure.

A copy of the complaint is attached to the electronic version of this release at oag.ca.gov/news.

###

You may view the full account of this posting, including possible attachments, in the News & Alerts section of our website at: <https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-epa-suspending-critical-safeguards-agricultural>



You may view all News & Alerts on our website at: <http://oag.ca.gov/news>

Please visit the remainder of the Attorney General's site at: <http://oag.ca.gov/>

[Unsubscribe](#) from this list

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2017 4:14:33 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: Confirming your address

Consol Energy Inc,

Ex. 6

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/3/2018 3:14:35 PM
To: aline@nasda.org

Hey there- give me a call at your convenience. **Ex. 6**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2017 4:08:48 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: April 12th...

Hey! Checking with our scheduler. We are talking your Claysville location, correct?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 6:23 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

Yes. Free all night. Use mobile **Ex. 6**

Sent from my iPhone

On Mar 31, 2017, at 5:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Sorry Tommy! I have not sat down all afternoon! Can't keep up! Can I give you a call this evening?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 5:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

I am free rest of tonight. **Ex. 6**

Sent from my iPhone

On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I can call at 2:45...

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 1:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: April 12th...

Before 200. Or after 400.

Let me know. Use cell phone **Ex. 6**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6



:: www.consolenergy.com ::

From: Mullins, Jerry [mailto:jmullins@nma.org]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association

Ex. 6

jmullins@nma.org

"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/7/2018 11:38:59 PM
To: Paul Schlegel [pauls@fb.org]
Subject: Re: PRIA

I'll try you around 8:20/8:30. Thank you!

> On Aug 7, 2018, at 7:33 PM, Paul Schlegel <pauls@fb.org> wrote:

>

> Yes. Should be in by 8:15 or so

>

> Sent from my iPhone

>

>> On Aug 7, 2018, at 7:32 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

>>

>> Do you have a minute to touch base tomorrow?

Message

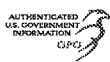
From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/2/2017 3:37:17 PM
To: Andrew_Vlasaty@ag.senate.gov; Dudley@nasda.org
Subject: Fwd: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay
Attachments: FR.2017-11458.pdf; ATT00001.htm

Begin forwarded message:

From: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>
Date: June 2, 2017 at 11:15:40 AM EDT
Subject: EPA Notification: Pesticide Certified Applicator Rule Effective Date Delay

Today EPA published a delay of the effective date for the Certification of Pesticide Applicators final rule. This action delays the effective date from June 5, 2017, to May 22, 2018 (FR notice attached). Please let me know if any questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753



EPA-APPROVED GEORGIA NON-REGULATORY PROVISIONS

Table with 5 columns: Name of nonregulatory SIP provision, Applicable geographic or nonattainment area, State submittal date/effective date, EPA approval date, Explanation. Row 1: 2008 8-hour ozone Maintenance Plan for the Atlanta Area, Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding and Rockdale Counties, 7/18/2016, 6/2/2017, [insert Federal Register citation].

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.
■ 4. In § 81.311, the table entitled “Georgia—2008 8-Hour Ozone NAAQS (Primary and secondary)” is amended

by revising the entry for “Atlanta, GA: 2” to read as follows:

§ 81.311 Georgia.
* * * * *

GEORGIA—2008 8-HOUR OZONE NAAQS [Primary and secondary]

Table with 6 columns: Designated area, Designation Date, Designation Type, Classification Date, Classification Type. Rows include Atlanta, GA and various counties (Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, Rockdale) all with Attainment designation.

1 This date is July 20, 2012, unless otherwise noted.
2 Excludes Indian country located in each area, unless otherwise noted.

* * * * *
[FR Doc. 2017-10934 Filed 6-1-17; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 171

[EPA-HQ-OPP-2011-0183; FRL-9963-34]

Pesticides; Certification of Pesticide Applicators; Delay of Effective Date

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; delay of effective date.

SUMMARY: With this action, EPA is delaying the effective date for the final

rule issued in the Federal Register on January 4, 2017, from June 5, 2017 to May 22, 2018. That rule addressed revisions to the Certification of Pesticide Applicators rule.

DATES: The effective date of the rule amending 40 CFR part 171 that published at 82 FR 952, January 4, 2017, delayed at 82 FR 8499, January 26, 2017, and 82 FR 14324, March 20, 2017, is further delayed until May 22, 2018.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2011-0183, is available at http://www.regulations.gov or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301

Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at http://www.epa.gov/dockets.

FOR FURTHER INFORMATION CONTACT: Kevin Keane, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (703) 305-5557; email address: keaney.kevin@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

On January 4, 2017, EPA published a final rule revising the regulation concerning the certification of applicators of restricted use pesticides (RUPs), promulgated in 40 CFR part 171 (82 FR 952; FRL-9956-70). The original effective date of March 6, 2017 was extended to March 21, 2017 by a final rule published in the **Federal Register** on January 26, 2017, entitled “Delay of Effective Date for 30 Final Regulations Published by the Environmental Protection Agency Between October 28, 2016 and January 17, 2017” (82 FR 8499). In that rule, EPA delayed the effective dates of the thirty regulations, including the final rule revising the regulation concerning the certification of applicators of restricted use pesticides (RUPs) issued on January 4, 2017 (82 FR 952) (FR-9956-70), as requested in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review” (January 20 Memorandum). The January 20 Memorandum directed the heads of Executive Departments and Agencies to postpone for 60 days from the date of the January 20 Memorandum the effective dates of all regulations that had been published in the **Federal Register** but had not yet taken effect.

The January 20 Memorandum further directed that where appropriate and as permitted by applicable law, agencies should consider a rule to delay the effective date for regulations beyond that 60-day period. Accordingly, on March 20, 2017, EPA published the final rule “Further Delay of Effective Dates for Five Final Regulations Published by the Environmental Protection Agency Between December 12, 2016 and January 17, 2017” (82 FR 14324), to give recently arrived Agency officials the opportunity to conduct a substantive review of those five regulations, which included the revised Certification of Pesticide Applicators rule. Pursuant to that March 20, 2017 rule, the effective date of the revised Certification of Pesticide Applicators rule was extended to May 22, 2017.

On May 15, 2017, EPA solicited public comment on a proposed 12-month delay of the effective date until May 22, 2018 (82 FR 22294; FRL-9962-31). EPA received more than 130 comments in response to the May 15, 2017 request for comments on the proposal to further delay the effective date until May 22, 2018. On May 22, 2017, EPA published a rule that made an interim extension of the effective date of the revised Certification of Pesticide Applicators rule until June 5,

2017 in order to allow additional time for Agency officials to consider and respond to the public comments.

Section 553(d) of the Administrative Procedure Act, 5 U.S.C. 553(d), allows the effective date of an action to be less than 30 days from its publication date when a good cause finding is made. The primary reason for the 30-day waiting period between publication and effective date is to allow affected parties to adjust to new requirements. This rule does not impose any new requirements but rather postpones the effective date of requirements that are not yet in effect. As noted below, allowing the rule to go into effect could cause confusion and disruption for affected parties if the rule were subsequently substantially revised or repealed. Thus, EPA finds there is good cause to make this rule effective immediately upon publication.

In addition, EPA still has only one Senate-confirmed official, and the new Administration has not had the time to adequately review the January 4, 2017 certification rule. This extension to May 22, 2018, will prevent the confusion and disruption among regulatees and stakeholders that would result if the January 4, 2017 rule were to become effective (displace the existing regulation) and then substantially revised or repealed as a result of administrative review.

In this final rule, EPA is delaying the effective date of the January 4, 2017 revisions to the Certification of Pesticide Applicators rule until May 22, 2018. EPA is delaying the effective date of the January 4, 2017 revisions to the Certification of Pesticide Applicators rule until May 22, 2018 in accordance with the Presidential directives as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” and the principles identified in the April 25, 2017 Executive Order “Promoting Agriculture and Rural Prosperity in America.”

II. Comments and Responses

EPA received more than 130 comments relevant to the proposal to further delay the effective date of the January 4, 2017 Certification of Pesticide Applicators rule until May 22, 2018. Seventeen comments were not relevant to this action because they did not address the extension of the effective date and instead urged EPA to ban chlorpyrifos or only included specific comments about the January 4, 2017 rule. Out of the relevant comments, 18 commenters supported the proposed 12-month extension of the

effective date and the rest opposed the proposed 12-month extension.

Comments—specific provisions. About 20 of the comments included input on the specific provisions of the January 4, 2017 Certification of Pesticide Applicators rule.

EPA response—specific provisions. This final rule focuses on the extension of the effective date of the certification rule. Comments on the specific provisions of the revised certification rule are outside of the scope of this final rule and will be considered within the review of the rule through the Regulatory Reform Agenda efforts.

Comments—support. The comments supporting the 12-month extension of the effective date came from state pesticide regulatory agencies, a pesticide safety education program and a number of organizations representing state departments of agriculture, pesticide safety education programs, pesticide applicators, growers, pesticide manufacturers, and pesticide retailers. The commenters supported the 12-month extension for a variety of reasons. The most common reason was to allow EPA and states more time to prepare for the revisions to state certification programs, engage stakeholders, and develop information the states need to efficiently implement the January 4, 2017 rule. Some commenters supported the 12-month extension to give EPA time to revisit certain aspects of the January 4, 2017 rule and identified specific requirements, such as minimum age.

EPA response—support. EPA generally agrees with these comments. During the next 12 months, EPA plans to engage and work with the certifying authorities (states, tribes and federal agencies), pesticide safety education programs, pesticide applicators and other stakeholders to develop checklists, guidance and tools to facilitate the development of revised certification plans and to discuss how to effectively implement the certification rule. In addition, EPA will conduct a substantive review of the questions of fact, law and policy—all within the context of the very broad cost-benefit standard in FIFRA—during this period. As mentioned above, comments on the specific provisions of the revised certification rule will be considered within the review of the rule through the Regulatory Reform Agenda efforts.

Comments—adjust implementation schedule. One state pesticide regulatory agency supported the 12-month extension of the effective date of the Certification of Pesticide Applicators Rule as long as the implementation schedule in the January 4, 2017 rule is

extended as well. This implementation schedule allowed three years for certifying authorities to submit revised plans and an additional two years for EPA to review the plans and agree upon a timeline for the certifying authority to implement the plan.

EPA response—adjust implementation schedule. EPA agrees with this comment and intends to make corresponding changes to the implementation dates in 40 CFR 171.5 in a subsequent rulemaking.

Comments—implement protections sooner. The commenters opposing the 12-month extension included over 30 non-governmental organizations representing a range of interests, including but not limited to farm workers, environmental advocates, occupational or migrant health clinics and employment law, and many private citizens. The concerns raised by the commenters opposed to the delay covered several areas, which are summarized and responded to below.

The commenters urged EPA to begin implementing the rule in May 2017 to allow the intended protections to apply sooner. A few commenters argued that the extension would increase the risk of serious adverse effects on human health and the environment and one commenter pointed out that EPA identified preventable restricted use pesticide exposures to humans and the environment in the January 4, 2017 rule. This commenter stated that delaying the rule by a year means these types of exposures will occur for an additional year.

EPA response—implement protections sooner. The January 4, 2017 final certification rule would not have immediately put in place additional protections that would prevent or eliminate the types of exposures identified by EPA in its benefits analysis. The January 4, 2017 rule included an implementation schedule where the certifying authorities would have up to three years to submit revised certification plans that conform to the revised standards, so there already was going to be a delay in the protections actually being implemented by the certifying authorities. If EPA develops checklists, guidance and tools to facilitate the development of revised certification plans during the 12-month delay, it is possible that many certifying authorities will be able to submit the revised certification plans well before the three-year deadline for submitting plans.

Comments—basis for extension. Several commenters argued that EPA did not provide a rational basis for extending the effective date by a year,

with one stating that, for that reason, the rule to extend the compliance date is arbitrary and capricious and an abuse of discretion. The commenters questioned what steps have been taken during the previous 4 months of extensions, what analyses would be done in the next year and why EPA needs 12 more months.

EPA response—basis for extension. Out of the 30 final regulations whose effective dates were delayed by the January 26, 2017 final rule, this is one of the few regulations with an effective date that has been extended several more times. The Administrator has determined that the certification rule requires a substantive review of the questions of fact, law and policy—all within the context of the very broad cost-benefit standard in FIFRA—so an additional 12 months is necessary and will provide more certainty to certifying authorities, pesticide safety education programs, pesticide applicators and other stakeholders than to have several medium term extensions. Extending the rule by 12 months is also more efficient for EPA staff and allows them to focus on the substantive review rather than drafting and implementing several medium term extensions. The 12-month extension also provides time for EPA to consider revisions to the certification rule based on input received through the Regulatory Reform Agenda efforts.

Comments—Administrative Procedures Act. Several comments argued that the May 15, 2017 rule violated the Administrative Procedures Act (APA) in several ways. First, commenters argued that the May 15 rule is a “final rule” that makes a significant amendment to a lawfully promulgated regulation without first proposing the change and seeking public comment. Second, commenters raised a number of concerns about the five-day comment period. Specifically, commenters argued that a delay of the effective date for 12 months is functionally a substantive amendment or rescission of the certification rule so the APA and FIFRA require a notice and comment period of at least 30 days. Commenters also stated that sections 553(d)(1) and (d)(3) of the APA are inapposite (not pertinent) as legal authority for dispensing with a “full . . . comment period” because these sections provide grounds for the generally applicable requirement that no final rule take effect sooner than 30 days after its publication but not the length of the comment period. Some commenters argued that the good cause exception to the APA’s notice requirement in 5 U.S.C. 553(b)(B) is not relevant to the May 15, 2017 rule. Lastly, commenters disagreed with EPA’s reasoning in the May 15, 2017

rule that a full 30-day comment period is impractical, unnecessary and contrary to the public interest.

EPA response—APA. The May 15, 2017 FR Notice was styled as a final rule to be consistent with standard procedures of the Office of the Federal Register, which require that rules that affect existing rules (in the case of rules that address changing the effective date of an existing rule) must appear in the “Final Rules” section of the **Federal Register**. See OFR Document Drafting Handbook (<https://www.archives.gov/files/federal-register/write/handbook/ddh.pdf>) at section 3.1. Irrespective of the “Final Rule” caption, EPA considers the May 15 **Federal Register** Notice to have the effect of a proposed rule under the APA. This is clear from the phrase “request for comments” in the action line, as well as from the text of the FR Notice, where EPA expressly stated that it was “proposing to further delay the effective date” and requested comment on the proposed extension.

The Agency’s implementation of this action with an abbreviated opportunity for public comment is based on the good cause exception in 5 U.S.C. 553(b)(B), in that providing additional time for public comment is impracticable, unnecessary and contrary to the public interest. The delay of the effective date until May 22, 2018, is necessary to give Agency officials the opportunity for further review and consideration of the certification rule, consistent with the memorandum of the Assistant to the President and Chief of Staff, dated January 20, 2017, and the principles identified in the April 25, 2017 Executive Order “Promoting Agriculture and Rural Prosperity in America.” Given the imminence of the certification rule effective date, allowing a longer period for comment on this delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

The 90-day comment period for the 2015 proposed rule, combined with EPA’s extensive stakeholder outreach, provided EPA with robust public comment regarding the risks and benefits associated with the January 4, 2017 certification rule. Inasmuch as there was already a robust public comment on the merits of the certification rule, the narrow issue of when the rule should become effective could reasonably be addressed in a short period of time. If EPA had not shortened the comment period to five days, the January 4, 2017 certification rule would have gone into effect. It would have caused unnecessary confusion and disruption to certifying authorities,

pesticide safety education programs, pesticide applicators and other stakeholders for the certification rule to go into effect and then potentially be substantially revised or repealed following a substantive review.

Comments—FIFRA. Some commenters argued that the May 15, 2017 rule violates FIFRA, which requires rules to be reviewed by the U.S. Department of Agriculture and the FIFRA Scientific Advisory Panel. FIFRA also requires a 60-day effective date and requires EPA to transmit a copy of the final rule to Congress at the beginning of this 60-day period.

EPA response—FIFRA. EPA disagrees that the proposed extension of the effective date of the certification rule violates FIFRA. EPA is issuing this extension of the effective date of the certification rule as an APA rule and not a FIFRA rule because today's rule is only changing the effective date of a final rule that had not become effective.

Comments—Endangered Species Act. A few commenters argued that the May 15, 2017 rule violates the Endangered Species Act. Section 7 of the ESA requires federal agencies to consult with the Fish and Wildlife Service and the National Marine Fisheries Service unless EPA determined that its extension of the effective date has “no effect” on threatened and endangered species and their designated critical habitat.

EPA response—Endangered Species Act. EPA believes that its actions with respect to deferring the implementation of this rule are not inconsistent with its obligations under the Endangered Species Act.

III. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at <http://www2.epa.gov/laws-regulations/laws-and-executive-orders>.

A. Executive Order 12866: Regulatory Planning and Review; and, Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act

This action does not involve any information collection activities subject to the PRA, 44 U.S.C. 3501 *et seq.*

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under RFA, 5 U.S.C. 601 *et seq.*

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments.

E. Executive Order 13132: Federalism

This action does not have federalism implications, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have Tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000).

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not an economically significant regulatory action as defined by Executive Order 12866.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a “significant energy action” as defined in Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not likely to have a significant adverse effect on the supply, distribution or use of energy.

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272 note.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

EPA believes that this action would not have disproportionately high and adverse human health or environmental effects on minority, low-income, or indigenous populations, as specified in

Executive Order 12898 (59 FR 7629, February 16, 1994).

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.*, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 171

Environmental protection, Applicator competency, Agricultural worker safety, Certified applicator, Pesticide safety training, Pesticide worker safety, Pesticides and pests, Restricted use pesticides.

Dated: May 26, 2017.

Wendy Cleland-Hammitt,

Acting Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2017–11458 Filed 6–1–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2016–0236; FRL–9954–47]

Bifenthrin; Pesticide Tolerances for Emergency Exemptions

Correction

In rule document 2016–29882, appearing on pages 93824–93831, in the Issue of Thursday, December 22, 2016, make the following correction:

On page on page 93827, in the second column, in the last line “(≤15% CT)” should be “(>15% CT)”.

[FR Doc. C2–2016–29882 Filed 6–1–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 258

[EPA–R08–RCRA–2016–0505; FRL–9962–18–Region 8]

Approval of Alternative Final Cover Request for Phase 2 of the City of Wolf Point, Montana, Landfill

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is taking direct final action to approve an alternative final cover for Phase 2 of the City of Wolf Point landfill, a municipal solid waste landfill (MSWLF) owned and

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/7/2018 11:38:38 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: touch base on PRIA tomorrow?

Cool. Thank you!

> On Aug 7, 2018, at 7:37 PM, Aline DeLucia <aline@nasda.org> wrote:

>
> I am pretty open tomorrow. Feel free to call me whenever.

>
> Thanks!

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

> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]

> Sent: Tuesday, August 07, 2018 7:34 PM

> To: Aline DeLucia

> Subject: touch base on PRIA tomorrow?

>
> Let me know if you have a second to chat?

>
>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/6/2017 11:07:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Hoelscher, Douglas L. EOP/WHO; **Ex. 6**; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Cook-Shyovitz, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=324db863c4b540d29852c65d352c8b57-Cook-Shyovitz, Becky]
BCC: yasamine.august@governor.alabama.gov; craig.fleener@alaska.gov; dseiden@az.gov; katie.beck@governor.arkansas.gov; **Ex. 6**; katie.wheelermathews@wdc.ca.gov; lisa.carpenter@state.co.us; Dan.DeSimone@ct.gov; sheila.grant@state.de.us; Emily.Kuiken@state.de.us; christine.diaz@eog.myflorida.com; ts@rubicondc.com; margaret.metcalfe@guam.gov; elizabeth.o.kim@hawaii.gov; david.hensley@gov.idaho.gov; katrine.franks@gov.idaho.gov; Kathy.Lydon@Illinois.gov; debbie@hohlt.com; Stephanie.Groen@iowa.gov; adam.nordstrom@cch-llc.com; leeann.veatch@ky.gov; erin.monroewesley@la.gov; toye.taylor@la.gov; lance.libby@maine.gov; sean.ingram@maine.gov; kristal.hartsfield@maryland.gov; tiffany.waddell@maryland.gov; ariel.judah@maryland.gov; tiffany.watkinsahern@state.ma.us; mcbrideb@michigan.gov; Browne15@michigan.gov; merone.melekin@state.mn.us; Debbie.carney@governor.ms.gov; caleb.jones@governor.mo.gov; aschafer@mt.gov; Lauren.Kintner@nebraska.gov; ryan@nevadadc.org; dona.deleon@gov.state.nj.us; james.ross@state.nm.us; larry.behrens2@state.nm.us; Alexander.Cochran@exec.ny.gov; Kyla.Hynes@exec.ny.gov; rlauf@nd.gov; justin.barnes@governor.ohio.gov; katie.altshuler@gov.ok.gov; richard.m.whitman@state.or.us; Drew.JOHNSTON@oregon.gov; Karmen.FORE@oregon.gov; sgalbally@pa.gov; cmercader@prfaa.pr.gov; jonathan.romano@governor.ri.gov; davidglaccum@gov.sc.gov; twalker@governor.sc.gov; kelsey.smith@state.sd.us; tony.venhuizen@state.sd.us; matt.konenkamp@state.sd.us; grace.kessler@state.sd.us; Beth.Tipps@tn.gov; jerry.strickland@governor.state.tx.us; codystewart@utah.gov; brittney.wilson@state.vt.us; Elizabeth.natonski@governor.virginia.gov; sam.ricketts@gov.wa.gov; derek.scarbrow@wv.gov; kyle.roskam@wisconsin.gov; marykay.hill@wyo.gov; jerimiah.rieman@wyo.gov; tony.young@wyo.gov; nephi.cole@wyo.gov; matt.deleonguerrero@gov.mp; sgander@nga.org; John.Emminizer@dc.gov; jewart@midwesterngovernors.org; jheier@midwesterngovernors.org; Barnard, Brian [Brian.Barnard@mail.house.gov]; Elbert Lin [Elbert.Lin@wvago.gov]
Subject: EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations
Attachments: AZ Ducey 6-6-17.pdf

ICYMI- This letter should be headed your Governor's way from Administrator Pruitt. Let me know if you have any questions. Tate

CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
June 6, 2017

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. EPA is extending the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.

“States have made tremendous progress and significant investment cleaning up the air. We will continue to work with states to ensure they are on a path to compliance,” **said Administrator Scott Pruitt.**

The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act. As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015. Areas designated as being in “nonattainment” of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses.

EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:

- Fully understanding the role of background ozone levels;
- Appropriately accounting for international transport,
- And, timely consideration of exceptional events demonstrations.

“We share the goal of clean air, a robust economy and stronger, healthier communities. We are committed to working with states and local officials to effectively implement the ozone standard in a manner that is supportive of air quality improvement efforts without interfering with local decisions or impeding economic growth,” **said Administrator Pruitt.**

Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

R107

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Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States



E. SCOTT PRUITT
ADMINISTRATOR

June 6, 2017

The Honorable Doug Ducey
Governor of Arizona
State Capitol
1700 W. Washington Street
Phoenix, AZ 85007


Dear Governor Ducey:

I am writing to update you on the status of the U.S. Environmental Protection Agency's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015. Pursuant to section 107(d)(1)(B) of the Clean Air Act (CAA), I am extending the deadline for promulgating initial area designations for the 2015 ozone NAAQS by one year. I have determined that there is insufficient information, and taking additional time is appropriate in order to consider completely all designation recommendations provided by state governors pursuant to CAA section 107(d)(1)(A) and to rely fully on the most recent air quality data. This additional time will also provide the Agency time to complete its review of the 2015 ozone NAAQS, prior to taking this initial implementation step.

Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states, localities and regulated entities. As part of the review process, the Agency is evaluating these issues primarily focusing on: fully understanding the role of background ozone levels; appropriately accounting for international transport; and, timely consideration of exceptional events demonstrations. Additionally, pursuant to language in the recently-enacted FY 2017 omnibus bill, I have established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

States have made tremendous progress and significant investment cleaning up the air. Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased. I am committed to working with you and your local officials to effectively implement the ozone standard in a manner that is supportive of your air quality improvement efforts, without interfering with local decisions or impeding economic growth.

1200 PENNSYLVANIA AVE, NW • MAIL CODE 1101A • WASHINGTON, DC 20460 • (202) 564-4700 • FAX: (202) 501-1450

 This paper is printed with vegetable-oil-based inks and is 100-percent postconsumer recycled material, chlorine-free-processed and recyclable.

I appreciate the information you and your staff have shared with EPA already as part of this process. I am confident this progress will continue as we work together towards our shared goal of clean air, a robust economy and stronger, healthier communities. If you have questions or concerns, please contact me or your staff may contact Troy Lyons, Associate Administrator for the Office of Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or (202) 564-4987.

Respectfully yours,



E. Scott Pruitt

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/20/2017 10:28:27 PM
To: Dudley Hoskins [Dudley@nasda.org]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Strain, Mike [drstrain@ldaf.state.la.us]; Steven Reviczky (Steven.Reviczky@ct.gov) [Steven.Reviczky@ct.gov]; Clover Adams, Jamie (MDARD) [CloveradamsJ@michigan.gov]; jwitte@nmda.nmsu.edu [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=542ee3fee247433d9a6d043d7df73ada-jwitte@nmda]; Barb Glenn [barb@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Britt Aasmundstad [britt@nasda.org]; Nitsch, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1d117eb89ff410fb6ccd21643b34447-CNitsch]
Subject: Re: Thank You

Thanks, Dudley. We appreciated everyone taking the time to come visit. My direct line is 202-329-3948 if I can ever be helpful to each and all of you.

On May 20, 2017, at 5:56 PM, Dudley Hoskins <Dudley@nasda.org> wrote:

Ken & Tate,

I just wanted to send a quick note to thank you both again for your time and engagement with us last Thursday.

Please let me know if I can be of assistance in facilitating any future engagements with our members around the country, and we look forward to building on these opportunities going forward.

We greatly appreciate your leadership and partnership with NASDA.

Many thanks! - dudley

Dudley W. Hoskins • Public Policy Counsel • **National Association of State Departments of Agriculture**
4350 North Fairfax Drive Suite 910 Arlington, VA 22203 • (P) 202.296.9680 • (C) Ex. 6 • www.nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/31/2017 9:08:47 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: April 12th...

Sorry Tommy! I have not sat down all afternoon! Can't keep up! Can I give you a call this evening?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 5:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: April 12th...

I am free rest of tonight. Ex. 6

Sent from my iPhone

On Mar 31, 2017, at 1:11 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

I can call at 2:45...

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 1:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: April 12th...

Before 200. Or after 400.

Let me know. Use cell phone Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 31, 2017 1:07 PM
To: Johnson, Tommy
Subject: FW: April 12th...

Hey Tommy! Is there a good time when I can give you a call today?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
Subject: RE: April 12th...

Gentleman....not so sure by looking at this distribution list...I'm not sayin', I'm just sayin'.

Tate- drop me a note if would like to further explore the prospect of the field visit. I can outline some great options for such a visit and discuss logistics. Very honored to be considered.

Tommy Johnson
CONSOL Energy | Vice President -- External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6



:: www.consolenergy.com ::

From: Mullins, Jerry [<mailto:jmullins@nma.org>]
Sent: Friday, March 31, 2017 12:14 PM
To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

Tate,

I have cc'd Tommy Johnson from CONSOL Energy and Mike Carey from Murray Energy on this email. We had discussed Administrator Pruitt visiting the CONSOL Bailey Mining Complex in Green, County, PA and the Murray Energy Century Mine in Beallsville, OH on Wednesday, April 12th.

Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins

<image001.png>

Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001

Ex. 6

jmullins@nma.org

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Sent: 3/31/2017 5:10:59 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
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Subject: RE: April 12th...

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Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

:: www.consolenergy.com ::

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To: Bennett, Tate
Cc: Johnson, Tommy; Michael Carey (mcarey@coalsource.com); Nolan, Rich
Subject: April 12th...

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Both of these gentlemen can provide extensive details on the mine sites and area as well as offer turn out from the mining employees located at the mines and in the area. We look forward to working together to develop an informative visit and tour for the Administrator and his team. Thank you.

Best,
Jerry Mullins



Gerald C. Mullins
Vice President, Government Affairs and External Relations
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001

Ex. 6

jmullins@nma.org

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Sent: 5/12/2017 3:23:11 PM
To: Scott Will [swill@ruleoflawdefensefund.org]
CC: Adam Piper [apiper@ruleoflawdefensefund.org]; Cook-Shyovitz, Becky [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=324db863c4b540d29852c65d352c8b57-Cook-Shyovitz, Becky]
Subject: Re: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

You bet

On May 12, 2017, at 11:16 AM, Scott Will <swill@ruleoflawdefensefund.org> wrote:

Welcome, Tate. Please include RLDF Policy Director Adam Piper (cc'd) on your distro list. Thanks.

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Friday, May 12, 2017 at 9:28 AM
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Bowles, Jack" <Bowles.Jack@epa.gov>, "Cook-Shyovitz, Becky" <Cook-Shyovitz.Bekky@epa.gov>
Subject: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Happy Friday!

I wanted to take a quick second to introduce myself as the new Sr. Deputy Associate Administrator for Intergovernmental Relations (i.e. your liaison) at EPA in Administrator Scott Pruitt's Office. Please don't ever hesitate to give me a shout if I can be helpful. (202) 329-3948 is my direct.

I also wanted to flag the below settlement agreement with Pebble Limited Partnership that was announced by EPA earlier this AM.

Let me know if I can ever be helpful.

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Ex. 6



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 12, 2017

EPA and Pebble Limited Partnership Reach Settlement Agreement

EPA Agrees to Allow Permit Process to Proceed; Pebble Agrees to Drop Lawsuits

WASHINGTON --The U.S. Environmental Protection Agency entered into a settlement agreement with the Pebble Limited Partnership to resolve litigation from 2014 relating to EPA's prior work in the Bristol Bay watershed in Alaska. The settlement provides the Pebble Limited Partnership (Pebble) an opportunity to apply for a Clean Water Act (CWA) permit from the U.S. Army Corps of Engineers before EPA may move forward with its CWA process to specify limits on the disposal of certain material in connection with the potential "Pebble Mine."

"We are committed to due process and the rule of law, and regulations that are 'regular,'" said EPA Administrator Scott Pruitt. "We understand how much the community cares about this issue, with passionate advocates on all sides. The agreement will not guarantee or prejudice a particular outcome, but will provide Pebble a fair process for their permit application and help steer EPA away from costly and time-consuming litigation. We are committed to listening to all voices as this process unfolds."

Key Terms of the Settlement:

- Pebble and the U.S. Department of Justice (on behalf of the EPA) will ask the U.S. District Court for the District of Alaska to dismiss the cases with prejudice and to lift the court-ordered preliminary injunction.
- EPA agrees to commence a process to propose to withdraw the currently pending proposed determination, consistent with its regulations.
- EPA agrees that it will not move to the next step in its CWA process, which would be to issue a recommended determination (determination steps are: proposed, recommended, final), until 48 months from settlement or until the U.S. Army Corps of Engineers issues its final environmental impact statement, whichever comes first. To take advantage of this period of forbearance, Pebble would have to file its permit application within 30 months.
- Pebble will drop its lawsuits and requests for fees against EPA, and agree to file no new Freedom of Information Act (FOIA) requests during the pendency of the "forbearance" period.
- EPA may use its scientific assessment regarding the Bristol Bay Watershed without limitation.

Background:

In 2014, under the previous administration, EPA's Region 10 completed a multi-year watershed assessment in Bristol Bay, and then issued a CWA Section 404(c) proposed determination, which described restrictions on large-scale mining in the watershed. Section

404 is the part of the CWA that governs the permit evaluation process for actions that discharge dredged or fill material into a covered water.

The May 11, 2017 settlement does not guarantee or prejudice any particular outcome to this process, but does ensure that the process will be carried out in a fair, transparent, deliberate, and regular way.

R082



If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Elizabeth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/22/2017 8:39:19 PM
To: donp@fb.org
Subject: touching base

Hey Don!

Just wanted to reach out and say I'm sorry I missed you while you were at the EPA today. Tried to catch you to tell you about a local project in MO/MT that we are working with your local folks on. If you get a chance tomorrow, give me a shout at **Ex. 6**

Tate Bennett

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/31/2017 5:07:19 PM
To: tommyjohnson@consolenergy.com
Subject: FW: April 12th...

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From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Friday, March 31, 2017 12:21 PM
To: 'Mullins, Jerry' <jmullins@nma.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Michael Carey (mcarey@coalsource.com) <mcarey@coalsource.com>; Nolan, Rich <RNolan@nma.org>
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CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6



:: www.consolenergy.com ::

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Best,
Jerry Mullins

| Gerald C. Mullins
| Vice President, Government Affairs and External Relations



National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001

Ex. 6

jmullins@nma.org

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Sent: 5/16/2017 8:54:39 PM
To: Ariel Judah -GOV- [ariel.judah@maryland.gov]
Subject: RE: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Likewise.

From: Ariel Judah -GOV- [mailto:ariel.judah@maryland.gov]
Sent: Tuesday, May 16, 2017 4:46 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Intro at EPA / EPA and Pebble Limited Partnership Reach Settlement Agreement

Thanks for the email introduction, Tate! Gov. Hogan looks forward to his call with Administrator Pruitt on 6/2. My contact info is below--please feel free to reach out if you need anything from our office.

Best,
Ariel



Ariel Judah
Special Assistant to the Director of Federal Relations
Office of the Governor
444 N. Capitol Street, NW, Suite 311
Washington, DC 20001
ariel.judah@maryland.gov

Ex. 6 (office)
(mobile)

On Fri, May 12, 2017 at 10:31 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

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Elizabeth Tate Bennett

Senior Deputy Associate Administrator

Congressional and Intergovernmental Affairs

Office of the Administrator

U.S. Environmental Protection Agency

Ex. 6



CONTACT:

press@epa.gov

FOR IMMEDIATE RELEASE

May 12, 2017

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The May 11, 2017 settlement does not guarantee or prejudge any particular outcome to this process, but does ensure that the process will be carried out in a fair, transparent, deliberate, and regular way.

R082

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Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2017 10:12:29 PM
To: Mace Thornton [macet@fb.org]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]
CC: Dale Moore [dalem@fb.org]
Subject: RE: Farm Bureau Introduction

Not the first time and certainly won't be the last!

From: Mace Thornton [mailto:macet@fb.org]
Sent: Wednesday, April 5, 2017 4:22 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Dale Moore <dalem@fb.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Farm Bureau Introduction

Very sorry. Although it happens to me frequently. People often want to call me Ms. Thornton, though I am a Mr.

I am afraid I have done just the opposite to you, Ms. Bennett.

Please accept my apology.

Mace

From: Mace Thornton
Sent: Wednesday, April 05, 2017 4:13 PM
To: 'Wagner, Kenneth'
Cc: Dale Moore; Bennett, Tate
Subject: RE: Farm Bureau Introduction

Kenneth,

Great to connect. Give me a shout when you return from your travel. And, nice to connect with you as well, Mr. Bennett.

Mace

Mace Thornton
Executive Director, Communications
American Farm Bureau Federation
Ex. 6 office Ex. 6 cell
macet@fb.org | @AFBFMace twitter

From: Wagner, Kenneth [mailto:wagner.kenneth@epa.gov]
Sent: Wednesday, April 05, 2017 3:46 PM
To: Mace Thornton

Cc: Dale Moore; Bennett, Tate
Subject: RE: Farm Bureau Introduction

Mace:

Thanks for reaching out. I am about to be on the road for the next several weeks meeting with five regions, but will be back on the week of April 24. Perhaps we can touch base at that time and set something up as I would love to hear your thoughts on various state meetings. I have copied Tate Bennett who is also on the Administrator's Senior Staff and is in the OCIR (congressional and intergovernmental relations) office. She is coordinating many of the calls with the respective governors' offices and other state agencies. She may have questions as well.

Respectfully,

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
Environmental Protection Agency
202-564-1988 office

Ex. 6 cell
wagner.kenneth@epa.gov

From: Mace Thornton [<mailto:macet@fb.org>]
Sent: Wednesday, April 5, 2017 2:25 PM
To: Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Dale Moore <dalem@fb.org>
Subject: Farm Bureau Introduction
Importance: High

Mr. Wagner,

After visiting with my colleague Dale Moore, I wanted to take a quick moment to introduce myself. My name is Mace Thornton and I provide overall leadership for the AFBF Communications Department. I am a 31-year Farm Bureau veteran, and, like Dale, grew up in Kansas on a farm.

Dale tells me you are about to embark on a mission of reaching out and building relationships in each of the states. Certainly, I would be able to help you make some of those contacts as they relate to agriculture and through key communications contacts at the state Farm Bureau level.

I would be pleased to assist in any way that might be helpful to you in this endeavor. I am available for a more detailed discussion at your convenience. Or, just let me know how I can help.

Thanks,
Mace

Mace Thornton
Executive Director, Communications
American Farm Bureau Federation

Ex. 6 office | Ex. 6 cell

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2018 6:34:20 PM
To: Paul Schlegel [pauls@fb.org]
Subject: RE:

Ok. Around the horn is good.

I'm going to give an overview of the outreach efforts and we want to hear their individual anecdotes for this season. We can ask questions from there.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Wednesday, August 8, 2018 2:27 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE:

Probably be easier on my end to ask the states just to identify themselves. I double checked and had 15 rsvp's to attend, which I could read off but wouldn't be sure if they're actually on. The Missouri President has indicated he will be on.

Is there an agenda? Am guessing you folks know what ground you want to cover and then solicit the feedback, which works fine from our end.

Paul Schlegel
Managing Director, Public Policy and Economics
American Farm Bureau Federation

Ex. 6 (o)
(c)
pauls@fb.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 2:25 PM
To: Paul Schlegel <pauls@fb.org>
Subject: RE:

Ok. I'll introduce everyone on our side and you can introduce the states on the call? Then we will ask for feedback from each state...sound ok?

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Wednesday, August 8, 2018 1:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re:

Yes

Sent from my iPhone

On Aug 8, 2018, at 12:30 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Still good for this afternoon?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/11/2018 9:13:10 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Most updated chart

This is great! Thank you

On Jun 11, 2018, at 4:57 PM, Aline DeLucia <aline@nasda.org> wrote:

Tate – This is the most updated chart that I have on Dicamba. Let me know if you have any questions.

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

<Dicamba Chart_2.23.18.xlsx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2017 2:41:26 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: Thanks

Yep! Whenever.

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:27 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Thanks

Yes. Hopping off of a conference call very shortly.

Free from 1045-1130 and then at 115?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 05, 2017 10:23 AM
To: Johnson, Tommy
Subject: RE: Thanks

Is there a good time I can give you a 2 second phone call this AM?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Thanks

Adding Zach Smith and Brian Aiello to this communication. They will be helping plan and stage this visit.

Below is a proposed framework to further discuss. Let us know when we can revisit this talk to put a finer point on the plan.

Harvey Mine- Patterson Creek Portal

1100am- Arrival at portal
11:15am-1200pm- Private roundtable discussion and lunch
1200-12:30-Safety training and overview
12:30-12:45- Gear up
100pm-300pm- Underground
- Harvey- 25 minute man trip each way gives us about an hour underground at the longwall
300pm-330pm- Press conference and employee event at the portal

Tommy Johnson
CONSOL Energy | Vice President -- External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6

:: www.consolenergy.com ::

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, April 04, 2017 5:26 PM
To: Johnson, Tommy
Cc: Graham, Amy; Lyons, Troy; Hupp, Millan
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2017 2:22:32 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: RE: Thanks

Is there a good time I can give you a 2 second phone call this AM?

From: Johnson, Tommy [mailto:TommyJohnson@consolenergy.com]
Sent: Wednesday, April 5, 2017 10:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Smith, Zachery <ZacherySmith@cnxlp.com>; Aiello, Brian <BrianAiello@consolenergy.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Thanks

Adding Zach Smith and Brian Aiello to this communication. They will be helping plan and stage this visit.

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Tommy Johnson
CONSOL Energy | Vice President – External Relations
CNX Center | 1000 CONSOL Energy Drive | Canonsburg, PA 15317

Ex. 6

:: www.consolenergy.com ::

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 04, 2017 5:26 PM
To: Johnson, Tommy
Cc: Graham, Amy; Lyons, Troy; Hupp, Millan
Subject: Thanks

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2017 4:30:01 AM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
Subject: Re: Thanks

Also, I might buzz you tomorrow with a quick question on the training video per MSHA. Meant to include that in my earlier email. Appreciate all you are doing!

On Apr 4, 2017, at 5:25 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Tommy,

Thanks for your time today. I've cc'd everyone who might be bothering you with questions (in addition to myself) over the next week. Standby on invite situation.

Best.

Tate

Elizabeth Tate Bennett
Sr. Advisor to the Administrator
Office of Congressional and Intergovernmental Affairs
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/12/2018 4:33:22 PM
To: Ethan Mathews [emathews@croplifeamerica.org]
CC: Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]
Subject: Re: CropLife America Support Letter for Andrew Wheeler

Thank you!

On Apr 12, 2018, at 11:49 AM, Ethan Mathews <emathews@croplifeamerica.org> wrote:

Tate -

Below is a letter of support for Andrew Wheeler that was sent to each US Senate office.

Ethan

From: CropLife America <emathews@croplifeamerica.org>
Sent: Wednesday, April 11, 2018 8:00 PM
To: Ethan Mathews <emathews@croplifeamerica.org>
Subject: CropLife America Support Letter for Andrew Wheeler

April 11, 2018

The Honorable Dan Sullivan
United State Senate
702 Hart Senate Office Building
Washington, DC 20510

Dear Senator Sullivan:

CroLife America is pleased to support the nomination of Andrew Wheeler to serve as the Deputy Administrator of the United States Environmental Protection Agency (EPA). CLA is the national trade association that represents the manufacturers, formulators and distributors of pesticides in the United States. CLA's member companies produce, sell and distribute virtually all the vital and necessary crop protection and biotechnology products used by American farmers, ranchers and landowners.

The mission of the EPA is to protect human health and the environment. However, more than a year into the new Administration, the EPA lacks Senate-confirmed Deputy and Assistant Administrators to carry out this mission. The EPA plays an important role in CLA members' ability to bring innovation to the market place. Ensuring that the Agency is appropriately staffed will allow the EPA to carry out its work on behalf of all stakeholders.

Mr. Wheeler's substantial public service experience makes him an excellent choice for leadership at the EPA. He began his career at the EPA, where he worked on toxic chemical, pollution prevention and right-to-know issues, and he was awarded the EPA Bronze Medal twice for his accomplishments. Mr. Wheeler also served as the Senate Environment and Public Works Committee majority staff director, minority staff director, and chief counsel. In these roles, he worked on every major piece of environmental and energy-related legislation before Congress for over a decade.

To ensure that EPA is able to carry out its important work in an effective and efficient manner, we urge you to vote in support of Mr. Wheeler's nomination to serve as Deputy Administrator.

Sincerely,

Jay Vroom

CEO, CroLife America

Cc:

The Honorable Mitch McConnell
Majority Leader
United State Senate
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, DC 20510

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/10/2017 3:57:30 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: Re: Mine elevator

Dang I'll bring my own coffee

Sent from my iPhone

On Apr 10, 2017, at 11:48 AM, Johnson, Tommy <TommyJohnson@consolenergy.com> wrote:

Very spacious. More like a freight elevator. Would not concern at all!!! Designed to move shifts of people.

Underground is equally spacious. Its literally an underground city. No starbucks though!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 10, 2017 11:38 AM
To: Johnson, Tommy
Subject: Mine elevator

About how big is the elevator he will be taking underground. He's a tad nervous r.e. claustrophobia....

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/10/2017 3:37:52 PM
To: Johnson, Tommy [TommyJohnson@consolenergy.com]
Subject: Mine elevator

About how big is the elevator he will be taking underground. He's a tad nervous r.e. claustrophobia....

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/14/2018 10:12:08 PM
To: emathews@croplifeamerica.org
Subject: Fwd: Administrator Pruitt Announces New Office of Continuous Improvement

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: May 14, 2018 at 4:31:05 PM EDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: Administrator Pruitt Announces New Office of Continuous Improvement
Reply-To: press@epa.gov

Administrator Pruitt Announces New Office of Continuous Improvement

Provides update on EPA Lean Management System

WASHINGTON (May 14, 2018) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt met with more than 75 employees and stakeholders to provide an update on the implementation of the new EPA Lean Management System (ELMS) and announced EPA's new Office of Continuous Improvement (OCI) and its director, Serena McIlwain.

"Through Lean Management, EPA is tracking, measuring, and improving vital agency processes, such as permitting and meeting legal deadlines on time, for the first time," **said EPA Administrator Scott Pruitt.** "Establishing the Office of Continuous Improvement will ensure that these actions are implemented throughout the Agency and produce lasting results for years to come."

EPA established OCI to coordinate agency-wide implementation of ELMS. ELMS is a system that will enable the Agency to track important Agency actions to ensure we respond and resolve challenges quickly and thoroughly using Lean principles and tools. Prior to this administration, EPA was not systematically or regularly tracking key actions such as permitting, meeting legal deadlines, and correcting environmental violations. With ELMS, all parts of EPA will set ambitious and achievable targets for their work, measure their results, and improve their processes to bridge gaps between targets and

results. ELMS uses visual management with regularly updated performance and work flow data to monitor progress toward EPA's Strategic Plan targets. EPA's programs and regional offices hold monthly reviews of the performance data and report their progress to the agency's Chief of Operations. Administrator Pruitt will hold quarterly reviews to monitor overall progress on the Agency's Strategic Plan and priority areas.

"EPA has a long history of using Lean as a tool for process improvement. The new EPA Lean Management System and the Office of Continuous Improvement will take the Agency's efforts to the next level by creating the means to efficiently identify and resolve any process challenges and continue achieving our important mission of protecting human health and the environment," **said EPA Chief Operating Officer Henry Darwin.**

Through reorganization, EPA is using existing resources to support the Office of Continuous Improvement. The near-term goal of OCI is to deploy ELMS in 80 percent of agency work units by September 30, 2020. The creation of OCI builds on the process improvement work in which EPA has been engaged for a decade. ELMS will improve EPA's efficiency and effectiveness, increase employee engagement, and promote much greater accountability at the Agency.

"I am very grateful to have been selected as the first director of EPA's new Office of Continuous Improvement. My team is eager to provide the Agency with the training, tools, and support needed to bring ELMS to life. I look forward to supporting EPA's transformation to a much more efficient and effective organization," **said EPA Director of the Office of Continuous Improvement Serena McIlwain.**

Some ELMS accomplishments to date include:

- ✦ Established over 400 metrics across all EPA program and regional offices that are tracked monthly,
- ✦ Created a standardized method for communicating whether monthly targets are being met using a red/yellow/green system
- ✦ Implemented measures specifically designed to improve the time EPA takes to complete many of its core functions, including issuing permits, meeting the agency's legal deadlines, correcting environmental violations, completing reviews of new active ingredients, and others.
- ✦ Integrated monthly business reviews for all EPA program and regional offices at which the agency's senior leaders review their office's performance.
- ✦ Hosted 11 multi-day process improvement events to support rapid progress in the following areas: NPDES Section 402 permits, Underground Injection Control permits, TSCA Premanufacture Notice Final Determinations, Acquisition Quality, Simplified

Acquisitions, Clean Air Act State Implementation Plans, Freedom of Information Act requests, Brownfields, Superfund, Clean Air Act Title V, and Clean Air Act New Source Review for Preconstruction.

- Initiated training for EPA staff and first line supervisors on how to use ELMS at the work unit level. This includes developing a small cadre of ELMS “I am very grateful to have been selected as the first director of EPA’s new Office of Continuous Improvement.

Background on Serena McIlwain:

Serena McIlwain has served in the federal government for nearly 30 years, working in both the legislative and executive branches of government. Most recently, Serena was selected as EPA’s Performance Improvement Officer (PIO) and Director of the newly created Office of Continuous Improvement. In this role, Serena will implement the new EPA Lean Management System (ELMS) to drive accountability and performance improvement. Prior to assuming her new role, Serena was the Assistant Regional Administrator and Director of the Environmental Management Division at EPA Region 9 in San Francisco, CA. Before joining EPA in 2014, she served as the Chief Operating Officer at the Department of Energy’s Fossil Energy department, providing management and operational support for scientists, engineers, technicians and administrative professionals.

Video of today’s announcement can be viewed here: <https://www.epa.gov/home/live>

EPA Administrator Scott Pruitt announces the new Office of Continuous Improvement

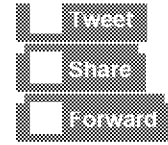
EPA Chief Operating Officer Henry Darwin discusses the new EPA Lean Management System and his vision for the Office of Continuous Improvement.

New EPA Director of the Office of Continuous Improvement Serena McIlwain explains her new position within the Agency

<!--[if tms0]--> [Visit The EPA’s Newsroom](#) <!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2018 4:10:41 PM
To: Don Parrish [donp@fb.org]
Subject: Re: Meeting next week

Ok. Call you then.

On Aug 8, 2018, at 11:43 AM, Don Parrish <donp@fb.org> wrote:

How about between 1:30 and 2:00?

don

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:37 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Just when convenient. I'll be driving all afternoon.

On Aug 8, 2018, at 9:30 AM, Don Parrish <donp@fb.org> wrote:

That works – any specific time?

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:27 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Just for a call with me?

On Aug 8, 2018, at 9:14 AM, Don Parrish <donp@fb.org> wrote:

Sounds good – send me the details.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Wednesday, August 8, 2018 9:02 AM
To: Don Parrish <donp@fb.org>
Subject: Re: Meeting next week

Friday afternoon?

On Aug 8, 2018, at 8:58 AM, Don Parrish <donp@fb.org> wrote:

Sure – When are you thinking? I have a couple of meetings on Thursday and one on Friday morning.

drp

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, August 7, 2018 4:55 PM
To: Scott Yager <syager@beef.org>; Don Parrish
<donp@fb.org>
Subject: Meeting next week

Do you all have time to touch base before the 16th? I believe you should receive a confirmation e-mail soon. Want to see what issues you think will be covered so that we can have the Acting Admin ready. Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement &
Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/1/2018 5:53:57 PM
To: aline@nasda.org
Subject: Any word?

Thanks!

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/5/2018 12:13:15 PM
To: aline@nasda.org
Subject: This AM

Any chance I can give you a shout at 9 or 9:30?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/2/2018 4:49:02 PM
To: Sarah Anderson [sanderson@freedomworks.org]; Mike Thompson [mthompson@crcpublicrelations.com]
Subject: RE: FW: EMBARGOED UNTIL NOON- MTE Announcement

Thanks! Please share. Also, do you or Patrick have any interest in attending our event tomorrow?

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Monday, April 2, 2018 11:40 AM
To: Mike Thompson <mthompson@crcpublicrelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: FW: EMBARGOED UNTIL NOON- MTE Announcement

We'll have a statement out on this today.

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

[400 North Capitol St NW #765](#)
[Washington, DC 20001](#)

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

On Mon, Apr 2, 2018 at 11:04 AM, Mike Thompson <mthompson@crcpublicrelations.com> wrote:

FYI

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate **Ex. 6**

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.
- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.
- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.
- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.
- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.
- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**
- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

.....

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 To unsubscribe from this group and stop receiving emails from it, send an email to epa-comms+unsubscribe@googlegroups.com.
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comms/DM5PR0201MB36071E87D33812044F23A1CBC2A60%40DM5PR0201MB3607.namprd02.prod.outlook.com.
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2018 7:22:29 PM
To: Sarah Anderson [sanderson@freedomworks.org]
CC: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: Amplifying EPA Deregulatory Actions

Thanks, Sarah!

From: Sarah Anderson [mailto:sanderson@freedomworks.org]
Sent: Tuesday, April 3, 2018 3:22 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Amplifying EPA Deregulatory Actions

Hey Tate,

Here are FreedomWorks' tweets from yesterday and today on recent EPA deregulatory action:

<https://twitter.com/FreedomWorks/status/980909015256522754>
<https://twitter.com/FreedomWorks/status/981241360652144642>
<https://twitter.com/FreedomWorks/status/981242303967883264>
<https://twitter.com/FreedomWorks/status/981246937381986305>
<https://twitter.com/FreedomWorks/status/981249154738475009>

Sarah

Sarah Anderson
Policy Analyst
FreedomWorks

sanderson@freedomworks.org

Ex. 6

[400 North Capitol St NW #765](#)
[Washington, DC 20001](#)

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/2/2018 3:39:29 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: Can I give you a call today?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/4/2018 6:07:42 PM
To: Patrick Hedger [phedger@freedomworks.org]
Subject: RE: FYI

Thanks for flagging this!

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

From: Patrick Hedger [mailto:phedger@freedomworks.org]
Sent: Wednesday, April 4, 2018 2:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FYI

<http://www.freedomworks.org/content/freedomworks-foundation-praises-scott-pruitt's-record-epa>

Sent from my iPad

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/16/2018 1:03:37 PM
To: Don Parrish [donp@fb.org]
CC: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: Re: State FBs

Nice! We are scheduled to see most. Thank you!

On Mar 16, 2018, at 8:44 AM, Don Parrish <donp@fb.org> wrote:

See below

Sent from my iPhone

Begin forwarded message:

From: Valeria Zavala <valeriaz@fb.org>
Date: March 16, 2018 at 8:26:03 AM EDT
To: Don Parrish <donp@fb.org>
Subject: RE: State FBs

Kansas
Michigan
Illinois Ag policy class
Kentucky YF&R
Georgia
Pennsylvania
Texas
Wisconsin
New Jersey Ag Lead Class
Indiana

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

From: Don Parrish
Sent: Thursday, March 15, 2018 10:05 PM
To: Valeria Zavala <valeriaz@fb.org>
Subject: State FBs

Which states are coming in next week?

Don
Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/23/2018 4:31:09 PM
To: Aline DeLucia [aline@nasda.org]
Subject: RE: Thank you!

Will do.

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Friday, March 23, 2018 12:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Thank you!

Tate,

Thank you for the info. Please, keep us posted. My direct is Ex. 6 I cover all pesticide related issues. Thanks again!

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/28/2018 8:59:17 PM
To: Aline DeLucia [aline@nasda.org]
CC: Subramanian, Hema [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65e089600e8b4724a2e85997849bd208-Subramanian, Hema]
Subject: RE: Desk Statement

I'm sorry for rambling the message verbally. Didn't realize we had one!

From: Aline DeLucia [mailto:aline@nasda.org]
Sent: Wednesday, March 28, 2018 4:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Re: Desk Statement

Thank you! I shared this info with our members early this week. Thanks again for keeping me posted.

Aline

Sent from my iPhone

On Mar 28, 2018, at 4:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Wanted to follow up with this as well, Aline!

Desk Statement

The *compliance* date for the CPA rule of March 6, 2020, has never changed. All states must submit their new compliance plans to EPA by March 6, 2020. If they submit their new plan by that date, the states can continue to use their existing plans until EPA rejects or approves their new compliance plan.

Background: On March 21, 2018, the District Court for the Northern District of California ruled that EPA violated the Administrative Procedures Act by failing to provide notice and opportunity to comment before delaying the effective date of the January 4, 2017, FIFRA Certification of Pesticide Applicator's rule. The court declared the rule effective as of March 6, 2017, its original effective date.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/26/2018 2:11:17 PM
To: Aline DeLucia [aline@nasda.org]
Subject: This AM

I'm around if you want to give me a shout.

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/4/2018 4:11:13 PM
To: Don Parrish [donp@fb.org]
Subject: Follow up from this AM

Just wanted to touch base on that contact.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/24/2018 12:55:35 PM
To: Aline DeLucia [aline@nasda.org]
Subject: Re: Thank you!

Sounds good. I just have some answers for you

On Mar 23, 2018, at 10:27 PM, Aline DeLucia <aline@nasda.org> wrote:

Of course! If it is not urgent from your end, we can connect Monday morning. Thanks, Tate.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 23, 2018 9:53 PM
To: Aline DeLucia
Subject: Re: Thank you!

Tomorrow afternoon works if it can wait until then!

On Mar 23, 2018, at 8:57 PM, Aline DeLucia <aline@nasda.org> wrote:

Hey. Sorry just got your message. I am available now and over the weekend. Just let me know if that works for you. If not, I can give you a call on Monday.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 23, 2018 5:59 PM
To: Aline DeLucia
Subject: Re: Thank you!

Give me a shout. Ex. 6

On Mar 23, 2018, at 12:29 PM, Aline DeLucia <aline@nasda.org> wrote:

Tate,

Thank you for the info. Please, keep us posted. My direct is 571.447.5324. I cover all pesticide related issues. Thanks again!

Aline DeLucia | Associate Director, Public Policy | **National Association of State Departments of Agriculture** | 4350 North Fairfax Drive Suite 910 Arlington, VA 22203 | (202) 296 -9680 | aline@nasda.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/16/2018 5:37:18 PM
To: Andrew Walmsley [andreww@fb.org]
Subject: Quick call

Hey there! Can you give me a quick shout?

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov